



**Board of County Commissioners Meeting
AGENDA**

December 6, 2022, 8:00 a.m.

**Hybrid BCC Hearing - Hearing Room 1 and WebEx Events / Webinars
100 Jefferson County Parkway, Golden, CO 80419**

To attend the Public Meeting please attend in person or visit the County's web site at www.jeffco.us/meetings to attend virtually and click on the link for the BCC Meeting you desire to attend which will take you to the WebEx Events platform. Please register and click on the blue "Join by Browser" option to join the meeting. The following website also provides access to the meeting: <https://jeffco.webex.com/jeffco/onstage/g.php?MTID=e07711bc5d199f5d02e0ec5efddba5135>
Event password: JAwxYZm2z48

Alternatively, people can also call in and listen to the meeting by dialing: +1-408-418-9388:
Access Code/Event Number: 2489 621 7560

People who dial in will not be able to provide public comment during the meeting.

AGENDA

The Tuesday meeting of the Board of County Commissioners (the "Board") is an open meeting in which the Board approves contracts, expends funds, hears testimony, makes decisions on land use cases and takes care of other county matters. The public is welcome to attend.

The Board meeting has three parts: Public Comment, the Business Meeting and the Public Hearing.

General Procedures

Agenda items will normally be considered in the order they appear on this agenda. However, the Board may alter the agenda, take breaks during the meeting, work through the noon hour; and even continue an item to a future meeting date.

The Board welcomes your comments. During the Public Comment time, members of the public have three minutes to present views on county matters that are not included on the Hearing Agenda. Public Comment time is not for questions and answers; it is your time to express your views, people will not be allowed to utilize county resources to make visual presentations during public comment. The Board will take up to 15 minutes at the beginning of the meeting and if needed, additional public comment will be taken at the end of the meeting on items not listed on the Hearing Agenda.

To participate in Public Comment please attend in person or please log into the WebEx Events virtual

meeting using a computer. Once logged into the meeting on your computer, please send a chat message to the host with your name, address, and the topic of your comment so that the Chair can recognize you at the appropriate time for public comment.

Please note that you are always welcome to communicate with the Board on the county's web site (www.jeffco.us), by e-mail (commish@jeffco.us), by phone (303-271-8525), fax (303-271-8941) or US mail (100 Jefferson County Parkway, Golden, CO 80419). You can also meet your Commissioners at numerous community events such as town hall meetings, homeowner associations and chamber meetings.

	Pages
1. Call to Order	
2. Pledge of Allegiance	
3. Public Comment Please see public comment instructions above	
4. Business Meeting CONSENT AGENDA PROCEDURES - Items on the Business Meeting Consent Agenda generally are decided by The Board without further discussion at the meeting. However, any Board member may remove an item from the Business Meeting Consent Agenda for a presentation by staff and questions from the Board. The Board is not required to take public comment on business meeting items but may request additional information and input.	
5. Approval of Minutes Dated November 15, 2022	5
6. Consent Agenda Other Contracts and Resolutions for which Notice was not possible may be considered.	
6.1 Resolution CC22-306 Expenditure Approval Listings dated December 1, 2022 - Finance	11
6.2 Resolution CC22-307 Ratification of Expenditure Approval Listings dated November 17, 2022 - Finance	12
6.3 Resolution CC22-308 Ratification of Expenditure Approval Listings dated November 23, 2022 - Finance	13
6.4 Resolution CC22-309 Expenditure Approval Listings dated December 8, 2022 - Finance	14
6.5 Resolution CC22-310 Abatement/Refund of Property Taxes - Board of Equalization	15

6.6	Resolution CC22-311	17
	Reappointment and Appointment of Veterans Service Officers - Human Services	
6.7	Resolution CC22-312	20
	Property Purchase - Carolyn O'Brien for Property Located at 4790 Jefferson County Highway 73 - Transportation and Engineering	
6.8	Resolution CC22-313	22
	Mount Glennon - River Bend Corporation JCOS22-10 - Open Space	
6.9	Resolution CC22-314	25
	2023 Pre-Approval of Business Innovation and Technology's Annual Agreements - Business Innovation and Technology	
6.10	Resolution CC22-315	28
	American Rescue Plan Act (ARPA) Support of 2023 General Fund Shortfall - Federal Grants	

7. Regular Agenda - No Agenda Items

8. Public Hearing

There are two parts to the Public Hearing Agenda: The Hearing Consent Agenda and the Regular Hearing Agenda.

Items are listed on the Hearing Consent Agenda because no testimony is expected. In the event a Commissioner or any member of the public wishes to testify regarding an item on the Consent Agenda, the item will be removed and considered with the Regular Hearing Agenda.

To offer public testimony on any of the cases on the Public Hearing Agenda, please attend in person or please log into the WebEx Events virtual meeting using a computer. Once logged into the meeting on your computer, please send a chat message to the host with your name, address, and the agenda item for which you wish to provide testimony so that the Chair can recognize you at the appropriate time for public testimony. Individuals will receive three minutes and HOA's located with the notice area for the Hearing item will be granted ten minutes.

Unless otherwise stated by the Chair, a motion to approve the Hearing Consent Agenda shall include and be subject to staff's findings, recommendations, and conditions as listed in the applicable Staff Report.

The public is entitled to testify on items under the Public Hearing Regular Agenda. Information on participation in hearings is provided in the County's brochure, "*Your Guide to Board of County Commissioners Hearings*." It may be obtained on the rack outside the hearing room or from the County Public Affairs Office at 303-271-8512.

9. Hearing Consent Agenda - No Agenda Items

10. **Hearing Regular Agenda** 31
- 10.1 **Resolution CC22-304** 32
Case Number: 21-133812RZ Rezoning
- Case Name: 14320 W 50th Avenue ODP
- Owner/Applicant: Redwood, LLC
- Location: 14320 W 50th Avenue
- Section 18, Township 3 South, Range 69 West
- Approximate Area: 4.19 Acres
- Purpose: To Rezone from Agricultural-Two (A-2) to Planned Development (PD) to allow for the future subdivision of the property into 10 lots for single-family detached units.**
- Case Manager: Sara Kohles
- 10.2 **Resolution CC22-305** 159
Case Number: 21-109265AM Regulation Amendment
- Applicant: Jefferson County
- Location: Unincorporated Jefferson County
- Purpose: To amend Section 16 of the Zoning Resolution and Section 17 of the Land Development Regulation**
- Case Manager(s): Nathan Seymour and Lindsey Wire
11. **Public Comment**
Please see public comment instructions above.
12. **Reports**
13. **Adjournment**
Jefferson County does not discriminate on the basis of race, color, national origin, sex, religion, age, disability or sexual orientation in the provision of services. Disabled persons requiring reasonable accommodation to attend or participate in a County service, program or activity should call 303-271-5000 or TDD 303-271-8560. We appreciate a minimum of 24 hours advance notice so arrangements can be made to provide the requested auxiliary aid.



Board of County Commissioners' Hearing Minutes

November 15, 2022, 8:00 a.m.

**Hybrid BCC Hearing - Hearing Room 1 and WebEx Events / Webinars
100 Jefferson County Parkway, Golden, CO 80419**

BCC Present: Commissioner Andy Kerr, Chairman
Commissioner Tracy Kraft-Tharp
Commissioner Lesley Dahlkemper

Staff Present: Kate Newman, Acting County Manager
Kym Sorrells, County Attorney
Maylee Barraza, Deputy Clerk to the Board
April Glenn, Deputy Clerk to the Board
Nayara Winkworth, Deputy Clerk to the Board
Ana Cendejas, Deputy Clerk to the Board

1. Call to Order

Commissioner Kerr called the meeting to order.

2. Pledge of Allegiance

Pledge of Allegiance was recited.

3. Public Comment

No comments.

4. Business Meeting

5. Approval of Minutes dated November 1, 2022

Motioned by Commissioner Kraft-Tharp
Seconded by Commissioner Dahlkemper

The Board unanimously approved the minutes of November 1, 2022

6. Consent Agenda

Motioned by Commissioner Kraft-Tharp
Seconded by Commissioner Dahlkemper

The Board unanimously approved the following Resolutions:

6.1 Resolution CC22-292

Expenditure Approval Listings dated November 10, 2022 - Finance

6.2 Resolution CC22-293

Ratification of Expenditure Approval Listings dated November 3, 2022 - Finance

6.3 Resolution CC22-294

Expenditure Approval Listing dated November 17, 2022- Finance

6.4 Resolution CC22-295

Expenditure Approval Listing dated November 23, 2022- Finance

6.5 Resolution CC22-296

Abatement/Refund of Property Taxes - Board of Equalization

6.6 Resolution CC22-297

Lease - Charles P. Brewer for Grazing and Pasturing on County Owned Property Adjoining Central Shops - Facilities

6.7 Resolution CC22-298

License Agreement - Colorado Department of Transportation (CDOT) to Install a Wildlife Fence at the Intersection of Ken Caryl Avenue and State Highway No. 470 - Transportation and Engineering

6.8 Resolution CC22-299

Evergreen Metropolitan District - Evergreen Lake Termination and Repayment Agreement JCOS22-11 - Open Space

6.9 Resolution CC22-300

Douglas Mountain - Mount Tom Land Conservation Area JCOS22-06 -
Open Space

6.10 Resolution CC22-301

Projects/Requests Funded through the American Rescue Plan Act (ARPA)
- Federal Grants Program

7. Regular Agenda

7.1 Resolution CC22-302

Certification - Abstract of Assessment - Board of Equalization

Scott Kersgaard: Presenter

Motioned by Commissioner Kraft-Tharp

Seconded by Commissioner Dahlkemper

The Board unanimously approved the following Resolution CC22-
302: Certification - Abstract of Assessment - Board of Equalization

7.2 Resolution CC22-303

Amendment Purchase and Sale Agreement - BBGR LLC for Ramstetter
Property located at 5079 State Highway 93, Golden, CO 80403 - Facilities

Kat Newman: Presenter

Motioned by Commissioner Kraft-Tharp

Seconded by Commissioner Dahlkemper

The Board unanimously approved the following Resolution CC22-
303: Amendment Purchase and Sale Agreement - BBGR LLC for
Ramstetter Property located at 5079 State Highway 93, Golden,
CO 80403 - Facilities

8. Public Hearing

9. Hearing Consent Agenda

9.1 Resolution CC22-282

2022- Budget - November Supplementary Budget and Appropriation -
Strategy, Planning and Analysis

Motioned by Commissioner Kraft-Tharp

Seconded by Commissioner Dahlkemper

The Board unanimously approved Resolution CC22-282: 2022-Budget - November Supplementary Budget and Appropriation - Strategy, Planning and Analysis

10. Hearing Regular Agenda

10.1 Resolution CC22-271

2023 Budget Adoption, Appropriation and Establishment of Mill Levies -
County Manager

Stephanie Corbo: Presenter

Daniel Conway: Presenter

Motioned by Commissioner Kraft-Tharp
Seconded by Commissioner Dahlkemper

The Board unanimously approved Resolution CC22-271: 2023
Budget Adoption, Appropriation and Establishment of Mill Levies -
County Manager

11. Law Enforcement Authority

Commissioner Kraft-Tharp motioned, and Commissioner Dahlkemper seconded for the Board of County Commissioners to adjourn as the Board of County Commissioners and to reconvene as the Board of Directors for the Law Enforcement Authority, passed unanimously.

11.1 Resolution LEA22-004

The Board unanimously approved the following Resolution LEA22-004: 2023 Budget Adoption, Appropriation and Mill Levy Certification - County Manager

Director Kraft-Tharp motioned, and Director Dahlkemper seconded for the Law Enforcement Authority to adjourn and to reconvene as the Board of County Commissioners, passed unanimously.

12. Public Comment

Beverly George

13. Reports

Commissioner Kraft-Tharp: Commissioner Kraft-Tharp congratulated the County Clerk and his team of staff and volunteers who ran a successful election, having a record number of 93,000 of ballots summited on Tuesday Election day.

Commissioner Kraft-Tharp thanked the election workers for all the work they did, including the video that was recorded a day prior to election day walking people through the ballot process and being transparent with the process. She congratulated everyone who participated in the election process and those who won. She also congratulated Commissioner Dahlkemper for being re-elected. Commissioner Kraft-Tharp welcomed the new Sheriff elect Regina Marinelli and the new County Clerk Amanda Gonzalez to the county and looks forward to working with them. Commissioner Kraft-Tharp thanked everyone who ran and put their names out there.

Commissioner Dahlkemper: Commissioner Dahlkemper gave a huge shout out to County Clerk George Stern and his team at the Clerk and Records office, its incredible that Jefferson County led the State in ballots returned, thanks to voters who are actively engaged across Jefferson County. Commissioner Dahlkemper also stated how grateful she is for the support to run a second term. She has much gratitude for the people who stepped up during this election and is thankful to the voters who weighed in on the County ballot initiatives. In addition she also thanked Beverly George with the League of Women Voters who testified earlier. Commissioner Dahlkemper is excited to share the draft and climate action plan with the community; You can review the draft and find the link to submit your public comments at jeffco.us/4410/Climate-Action-Plan. On another note the Jefferson County Sheriff's office and Commissioner Dahlkemper went up to Evergreen Chamber and met with different businesses that had been a part of smash and grab and tips were provided by the Jeffco Sheriff's office.

Commissioner Kerr: Commissioner Kerr congratulated County Clerk George Stern and his team for a very smooth election and for being very transparent with the process. Commissioner Kerr congratulated the new County Clerk Amanda Gonzalez, the Sheriff Regina Marinelli, and everyone else on the ballot who was re elected. We have some new State Legislators, some State Legislators who have new titles trading chambers, and some new representation. He Congrated them all for a safe and secure election. Commissioner Kerr also brought up Saturday November 26, 2022 , which is small business Saturday. Its a day to celebrate small businesses and all they do for the community, he asked everyone to join and support the small businesses all around the County.

Acting County Manager Kate Newman followed up on the earlier public comment regarding county solar portfolio; 58% our buildings energy uses are from solar either from a subscription base or what they have in the various locations throughout the properties.

County Attorney: County Attorney Kym Sorrells congratulated the newly elected officials and Commissioner Dahlkemper on her re-election.

14. Adjournment

There being no further business to come before the Board, the meeting was adjourned.


These minutes summarize the final decision made by the Board at the referenced meeting. This meeting was also audio recorded and that recording is available for review. In the event there is confusion as to what the final decision of the Board is, the Board will rely on the audio tape to interpret the Board's intent. The audio tape shall act as an official record of these proceedings for any necessary purpose when, in the opinion of the Board, the minutes are in any way insufficient. An audio copy of the Board of County Commissioners' proceedings is available by contacting the Deputy Clerk to the Board.

Chair

Deputy Clerk

M E M O R A N D U M

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM: Kate Newman, Acting County Manager 

RE: EXPENDITURE APPROVAL LISTINGS

DATE: December 6, 2022

Staff Recommendation:

Allow settlement of accounts listed on the Expenditure Approval Listings dated December 1, 2022

Resolution No. CC22-306

Background:

Jefferson County has established a system of controls to reasonably assure that the claims to be examined and settled by the BCC on the Expenditure Approval Listings are allowable.

Further, the staff has reviewed all claims and has reasonable assurance that all claims are allowable and are in order to be paid.

Original returned to:


Stephanie Corbo, Chief Financial Officer x8542, Jefferson County Finance Division

Distribution:

Jerry DiTullio, County Treasurer

M E M O R A N D U M

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM: Kate Newman, Acting County Manager 

RE: Ratification of Expenditure Approval Listing dated November 17, 2022

DATE: December 6, 2022

Staff Recommendation:

Allow settlement of accounts listed on the Expenditure Approval Listings dated November 17, 2022 that were prepared by the Finance Division and reviewed and approved by the County Manager or their designee.

Resolution No. CC22-307

Background:


Jefferson County has established a system of controls to reasonably assure that the claims to be examined and settled by the BCC on the Expenditure Approval Listings are allowable.

Further, the staff has reviewed all claims and has reasonable assurance that all claims are allowable and are in order to be paid.

Distribution: Jerry DiTullio, Treasurer

M E M O R A N D U M

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM: Kate Newman, Acting County Manager 

RE: Ratification of Expenditure Approval Listing dated November 23, 2022

DATE: December 6, 2022

Staff Recommendation:

Allow settlement of accounts listed on the Expenditure Approval Listings dated November 23, 2022 that were prepared by the Finance Division and reviewed and approved by the County Manager or their designee.

Resolution No. CC22-308

Background:


Jefferson County has established a system of controls to reasonably assure that the claims to be examined and settled by the BCC on the Expenditure Approval Listings are allowable.

Further, the staff has reviewed all claims and has reasonable assurance that all claims are allowable and are in order to be paid.

Distribution: Jerry DiTullio, Treasurer

M E M O R A N D U M

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM: Kate Newman, Acting County Manager 

RE: Approval of Expenditure Approval Listings dated December 8, 2022

DATE: December 6, 2022

Staff Recommendation:

Allow settlement of accounts listed on the Expenditure Approval Listings dated December 8, 2022 to be prepared by the Finance Division subject to review and approval by the County Manager or their designee.

Resolution No. CC22-309

Background:

Jefferson County has established a system of controls to reasonably assure that the claims to be examined and settled by the BCC on the Expenditure Approval Listings are allowable.

Further, the staff has reviewed all claims and has reasonable assurance that all claims are allowable and are in order to be paid.

Distribution: Jerry DiTullio, Treasurer

M E M O R A N D U M

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM: Board of Equalization

CC: Kimberly S. Sorrells, County Attorney

RE: Abatement/Refund of Property Taxes

DATE: December 6, 2022

Staff Recommendation:

Resolved, that the Board of County Commissioners approves the findings and recommendations of the board-appointed referee denoted in the corresponding abatement resolutions and adopts those findings and recommendations as its final action on these abatement appeals.

<u>CASE NO.</u>	<u>PETITIONER</u>	<u>TAXES ABATED/ REFUNDED</u>
A22-123	Sharon Biere	\$1,876.82
A22-121	Granite Commercial Properties LLC	\$768.49
A22-180	David Hudnall	\$340.09
A22-147	Veragnes LLC	\$12,388.94

Resolution No. CC22-310

Background:

Final Board action on 4 abatement petitions, \$15,374.34 to be refunded. Taxpayers have filed abatement petitions alleging that their property has been overvalued or that their tax levy is illegal. The Assessor recommended that the petitions be denied and a hearing was held before a board-appointed referee. The referee recommends approval of these petitions in the amounts indicated in the corresponding resolutions. The Board is taking final action on said petitions by accepting or rejecting the referee's recommendations.

If an abatement petition is approved by the Board, the Treasurer's Office will calculate interest owed and send payment to the taxpayer. The


Property Tax Administrator must approve all refunds in excess of \$10,000.00. If unsatisfied with this Board's action, a taxpayer may appeal further to the State Board of Assessment Appeals. Abatement refunds over \$10,000.00 are recommended for the following reasons:

A22-147: Hearing Officer recommends approval in part. Assessor's comparable sales and income and expense information support an adjustment to value.

Prepared by: Amber Munck, Assistant County Attorney
Distribution: Board of Equalization

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM: Kate Newman, Acting County Manager 

RE: Reappointment and Appointment of Veterans Service Officers

DATE: December 6, 2022

Staff Recommendation: That the Board of County Commissioners reappoints Peter P. Mortaro and Diane C. Ricci and appoints Kevin Ashcraft to serve as Jefferson County's Veterans Service Officers, each to serve a two-year term commencing January 1, 2023, and expiring December 31, 2024 (with possible future reappointments), with compensation to be set by the Human Services manager pursuant to Human Resources' recommendations.

Resolution No. CC22-311

Background: Colorado law requires the board of county commissioners of each county to establish a county veterans service office and to appoint one or more county Veterans Service Officers to two-year terms to assist veterans and other qualifying persons file claims for insurance, pensions, disability compensation or other benefits they may be entitled to under the law. Colorado law requires Veterans Service Officers to (a) be residents of the State (b) have served in the U.S. military and have been honorably discharged or be a discharged LGBT veteran; and (c) be well-qualified to perform the duties of the office based on their education and experience. Colorado law also requires the board of county commissioners to seek the advice of the chief officer of each post of the regularly established veterans' organizations in the county prior to appointing a Veterans Service Officer. All such requirements have been satisfied.

Fiscal Impact: Fiscal Impact:

- Year of impact: 2023-2024
- TABOR impact: \$28,979
- Existing grant or project: Continued mandated service
- New grant or project: NA
- Requested in adopted budget: included in 2023 budget package
- Ongoing or one-time: Ongoing
- General Fund impact: \$264,896
- Staffing impact: 2.5 FTE
- APRA impact: NA
- Match requirements: Yes, \$264,896

- Mandate/Contractual obligation: Colorado Revised Statutes (C.R.S. 28-5-801)

BCC Briefing Presented on: November 15, 2022, by Kat Douglas

Originator: Kat Douglas, Housing, Economic and Employment Services
Division Director (x 8372)

Distribution: Mary Berg, Executive Director of Human Services (x4163)


Human Services Routing Form

Title of Contract or Briefing	December 6, 2022 Hearing – Agenda Memo – Reappointment and Appointment of Veterans Service Officers	
Approvals	Kat Douglas, Director HEES Jean Biondi, Assistant County Attorney Gena Sagen, Budget and Finance Manager Lynnae Flora, Deputy Director Human Services Janice Mayer, BCC Agenda Coordinator JCM	11/15/2022 11/16/2022 11/01/2022 11/16/2022
Final Signatory	BCC	
Vendor/Provider Name		
End User	Housing, Economic and Employment Services Division	
Type (Contract, PO, etc.)	Agenda Memo	
Dollar Value	This agreement would result in state revenue to the County of approximately \$350,000 in CPP funds which were already included in JCHS's 2022 budget based on anticipated enrollment.	
Term	January 1, 2023 to December 31, 2024	
Description/Service	Requesting that the Board of County Commissioners reappoints Peter P. Mortaro and Diane C. Ricci and appoint Kevin Ashcraft to serve as Jefferson County's Veterans Service Officers, each to serve a two-year term (with possible future appointments).	
Originator	Kat Douglas, Housing, Economic and Employment Services Division Director (x 8372)	
Budgeted funds are available for this expenditure. Account number: Funding Source:	N/A	
Attachments:	Agenda Memo, routing form and approvals.	

MEMORANDUM

Agenda Item 6.7

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM: Kate Newman, Acting County Manager 

RE: Transportation & Engineering – O'Brien Property Purchase

DATE: December 6, 2022

Staff Recommendation: RESOLVED, that the Board of County Commissioners (the "Board") approves the purchase of a parcel of land and residence from Carolyn O'Brien, said property located at 4790 Jefferson County Highway 73 (JC-73) for \$680,450.

Resolution No. CC22-312

Background: JC-73 is a primary travel route between State Highway 74 and US-285 and has long been identified as a road where improvements are needed, especially bike and pedestrian infrastructure, shoulders, and access to properties, businesses, and downtown Evergreen. The acquisition of this property is necessary to construct required drainage and storm sewer infrastructure.

Fiscal Impact: \$680,450 from the R&B Fund.

BCC Briefing Presented on: February 1, 2022 and approved March 29, 2022.

Originator: Robert Taylor, Right of Way/Survey Supervisor, T&E, 8459

Distribution: Robert Taylor – Transportation & Engineering
Mike Vanatta – Transportation & Engineering
Carey Markel – County Attorney Office
Becky Gehrig – County Attorney Office
Clerk to the Board

BCC HEARING ROUTING FORM (non-purchasing items)

Contacts: Originating Division and Contact: T&E Robert Taylor Phone: 8459
 County Attorney Contact: Carey Markel Phone: 8964

Transportation and Engineering Division – O'Brien Property Purchase


Business Consent Agenda – BCC Hearing December 6, 2022

ROUTING					
O R D E R	Division	Authorized Signatures Name/Initials	Date Rec'd	Date Frw'd	Comments
(1)	Originator	Robert Taylor	11/23/22	11/23/22	
4)	Assistant Division Director	Mike Vanatta	11/23/22	11/28/22	
(2)	Department Director	Abel Montoya	11/23/22	11/29/22	
(3)	County Attorney	Carey Markel	11/23/22	11/28/22	
()	Elected Official				
(5)	BCC Agenda Coordinator	Janice Mayer	JCM		

09/02/2009

M E M O R A N D U M

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM: Kate Newman, Acting County Manager 

RE: Mount Glennon – River Bend Corporation JCOS22-10

DATE: December 6, 2022

Staff Recommendation:

Whereas the Board of County Commissioners has received the recommendation made in Open Space Advisory Committee Resolution #22-14, to purchase the Mount Glennon - River Bend Corporation property for the purchase price of \$400,000;

NOW, THEREFORE, BE IT RESOLVED that the Board 1) authorizes the Chair of the Board to execute the Purchase and Sale Agreement and all related documents; 2) authorizes the Director of Open Space or his designee to sign the closing documents; 3) authorizes the Chair of the Board or the Assistant County Attorney to accept the deeds and other documents when received; 4) authorizes the County Attorney's Office to cause the deed and easements to be recorded in the Jefferson County Clerk & Recorder's Office; and 5) directs the Treasurer or his designee to make an electronic payment for the purchase price and transaction costs, using specific payment delivery instructions to be provided by the Director of Accounting.

Resolution No. CC22-313

Background:

The River Bend Corporation property is one of the last remaining private properties on Soda Lakes Road, which is adjacent to the Jeffco Open Space (JCOS) Mount Glennon property. Mount Glennon is part of the Dakota Ridge Hogback and within the Front Range Mountain Backdrop/Foreground Preservation Area. The property has been a priority acquisition for several years, but JCOS staff was unable to reach an agreement with prior landowners on a fair purchase price. The current owners acquired the property through a foreclosure and approached Jefferson County to sell the property at a discounted price which was supported by staff analysis.

Fiscal Impact: \$400,000, plus \$15,000 to be paid to Seller for Seller's closing costs (including property taxes), plus additional funds for closing fees paid to the title company, paid with Open Space funds from the adopted 2022 budget.

Originator: Patrick Gardner, Real Estate Specialist

Distribution: Karey Baker, Hillary Merritt, Joy Lucisano, Melinda Beck,
Lori Foster and Clerk to the Board

CONTRACT REVIEW ROUTING FORM

Parties to Contract: Jefferson County

Project: Mount Glennon River Bend Corporation JCOS22-10

Process Dates: Must be executed by BCC: December 6, 2022.

Deadline to County Manager: November 23, 2022

Contacts: Originating Department/Contact: Open Space/ Patrick Gardner
County Attorney/Contact: Melinda Beck

Phone: 303-271-5944

Phone: 303-271-8926

MANDATORY ACCOUNT INFORMATION				Total Amount: \$415,000	
Account Number:	<u>53180, 550000:SC557110</u>	Project:	<u>JCOS22-10</u>	Funds Available:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

ROUTING


O R D E R	Department	Authorized Signatures Name/Initials (*)	Date Rec'd	Date Forward	Comments
	Originator	Patrick Gardner	11/22/2022	11/22/2022	
	Department/Division Director	Tom Hoby	11.28.22	11.28.22	
	County Attorney	Melinda Beck	11-28-22	11-29-22	
	Director of Accounting				
	BCC Agenda Coordinator	JCM			

INSTRUCTIONS

- (*) Initials of reviewer indicate that the contract is acceptable and ready for BCC action, from reviewer's perspective.
 (**) Signature of authorized department contact for contractual questions.

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM: Kate Newman, Acting County Manager 

RE: 2023 Pre-approval of Business Innovation & Technology's Annual Agreements

DATE: December 6, 2022

Staff Recommendation: The Jefferson County Board of County Commissioners authorizes that these 2023 renewals be placed on the consent agenda for pre-approval, substantially in the amounts specified, and authorizes the Chairman to execute those renewals and documentation related to those renewals, if applicable, following approval as to form by the County Attorney's Office and BIT.

Covendis, annual staff augmentation services, \$1,100,000
 Insight, annual support and licensing for Microsoft, \$1,228,000
 Workday, annual subscription, \$683,000

Resolution No. CC22-314

Background: BIT has several agreements that renew on an annual basis and require the approval of the Board of County Commissioners. Pre-approving them will streamline and enable efficient processing. An estimate of each renewal is listed above, but the amount may differ at the time of processing the renewal.

Fiscal Impact:

- Year of impact: 2023
- TABOR impact: n/a, no new revenue is being requested
- Existing grant or project: n/a
- New grant or project: n/a
- Requested in adopted budget: yes, included in the 2023 Adopted Budget
- Ongoing or one-time: ongoing agreements
- General Fund impact: yes, these are budgeted in the General Fund
- Staffing impact: n/a
- APRA impact: n/a

- Match requirements: n/a
- Mandate/Contractual obligation: n/a

BCC Briefing: Presented by Andy Corbett on November 15, 2022

Originator: Kara Dorobek, BIT, 303-271-8076

Distribution:

- Clerk to the Board
- Andy Corbett, BIT
- Melanie Ortiz, Purchasing Agent

BCC HEARING ROUTING FORM (non-purchasing items)

Contacts:

Originating Division and Contact:	Andy Corbett, Business Innovation & Technology	Phone:	303-271-8807
County Attorney Contact:	Kurt Behn	Phone:	303-271-8923


Agenda Placement:

Item Title: 2023 Pre-approval of Business Innovation & Technology's Annual Agreements

ROUTING					
O R D E R	Division	Authorized Signatures Name/Initials	Date Rec'd	Date Frw'd	Comments
()	Originator	Kara Dorobek/KND		11/18/22	
()	Division Director	Andy Corbett <i>AC</i>		11/21/2022	
()	County Attorney	Kurt Behn <i>KDB</i>		11/21/2022	
()	Department Director				
()	Budget	Seth Kelly <i>SK</i>		11/21/2022	
()	Elected Official				
()	BCC Agenda Coordinator	Janice Mayer <i>JCM</i>			

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM: Kate Newman, Acting County Manager 

RE: American Rescue Plan Act Support of 2023 General Fund Shortfall

DATE: December 6, 2022

Staff Recommendation:

WHEREAS, on March 11, 2021, the United States Congress adopted the American Rescue Plan Act of 2021, Pub. L. No. 117-2, H.R. 1319, 117th Cong. (“ARPA”), a \$1.9 trillion stimulus fund of which \$130 billion was established for a Coronavirus Local Fiscal Recovery Fund, including approximately \$65 billion for payment to counties: and

WHEREAS, Jefferson County has been awarded \$113.2 million in ARPA funds from the United States Department of Treasury; and

WHEREAS, the use of American Rescue Plan Act dollars to cover a budget shortfall in the county’s general fund has been determined by the County to be allowable under ARPA and has received all required preliminary County approvals; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners approves the use of ARPA funds to support the General Fund budgeted shortfall of \$13.9M in 2023.

Resolution No. CC22-315**Background:**

Jefferson county has been facing financial challenges for the past few years and those challenges continue. These challenges largely stem from the continuing gap between allowed revenue growth and the increasing costs to provide services. The Taxpayer’s Bill of Rights (TABOR) sets limits on both property tax revenue and total revenue growth from one year to the next. The calculation of this revenue limit formula was significantly impacted in 2020 when the county received approximately \$14.5M less revenue than anticipated due to the economic shutdown related to the COVID-19 pandemic. This lower revenue level resulted in what is known as a “ratchet down” effect to the TABOR revenue limit calculation, meaning the amount of revenue the county can retain and spend is now much lower. This in turn has placed a greater reliance on the General Fund reserves to cover the revenue gap..

Because the continued use of those General Fund reserves is not sustainable, the county made spending reductions within the General Fund to slow the rate of spending and balance the county’s budget – totaling \$16.1 million in 2020 and approximately \$8.7 million in 2021. With more spending cuts, the county will be unable to maintain existing service levels or keep up with the growing demands from our increasing population.

The General Fund receives most of its revenue from property taxes, user fees, and federal and state grants. These dollars are used to meet the county’s statutory requirement to provide fund

and support social services, the District Attorney, public health, the Sheriff's Office and county jail, elections, motor vehicle, county roads and bridges, land use, planning and zoning, property assessment and tax collection, licenses and permits, and vital records, such as death certifications and autopsies.

In 2020, the \$16.2M in General Fund reductions were in areas such reduced staffing for the sheriff, reduction in district attorney staffing in the areas of elder abuse, crimes against children and investigation and diversion units, reduction in a variety of staff to part time, hiring staff at lower salaries and not filling many vacancies, centralizing the management of county fleet vehicles, reducing technology services, and reducing funding for social services and road and bridge.

In 2021, the \$8.7M in reductions came from implementing a four-day business week, increasing the number of staff teleworking, reducing staffing, not filling many positions, deferring more road and bridge and facilities projects, reducing janitorial and other services contracts, and continuing many reductions made in 2020.

Despite these spending reductions, funding for public safety, such as the Sheriff, District Attorney, and Coroner, remains a top priority for the county and continues to receive the most funding.

As work began on the 2023 budget, the county faced the possibility of additional spending reductions. During the budget development process, the estimated General Fund revenue shortfall of approximately \$13.9M was identified. However, to avoid additional impacts to service levels, the county has authorized the use of federal funds from the American Rescue Plan Act in the 2023 proposed budget to help bridge the General Fund revenue gap.

The American Rescue Plan Act (ARPA) was passed on March 11, 2021, by the United States Congress and was put in place to help governments recover from the COVID-19 pandemic. Unfortunately, ARPA dollars are one-time in nature and the use of this funding to cover the 2023 General Fund revenue shortfall does not provide a long-term solution. However, use of these dollars does temporarily bridge the gap while the search for a long-term financial solution continues.

The 2023 Proposed Budget was adopted by the Board of County Commissioners on November 15, 2022.

Fiscal Impact: Funding for the 2023 General Fund shortfall via the American Rescue Plan. This request does not increase the budget but identifies spending within the appropriated ARPA funding.

Originator: Mary O'Neil, Director of Federal Grants, Strategy, Innovation and Finance x8570

Distribution:

Andrea Niedziela, Budget Supervisor, Strategy, Innovation & Finance, x8574
Carey Markel, Deputy County Attorney, County Attorney's Office, x8964
Daniel Conway, Director of Strategy & Budget, Strategy, Innovation & Finance, x8507
Jean Biondi, Assistant County Attorney, County Attorney's Office, x8963
Joy Hiraki, Sr Budget Analyst, Strategy Innovation & Finance, x8569
Patrick Mayne, Assistant County Attorney, County Attorney's Office, x8952
Stephanie Corbo, Chief Financial Officer, Strategy, Innovation & Finance, x8542

BCC HEARING ROUTING FORM (non-purchasing items)

Contacts: Originating Division and Contact: Mary O'Neil Phone:
 County Attorney Contact: Patrick Mayne Phone:

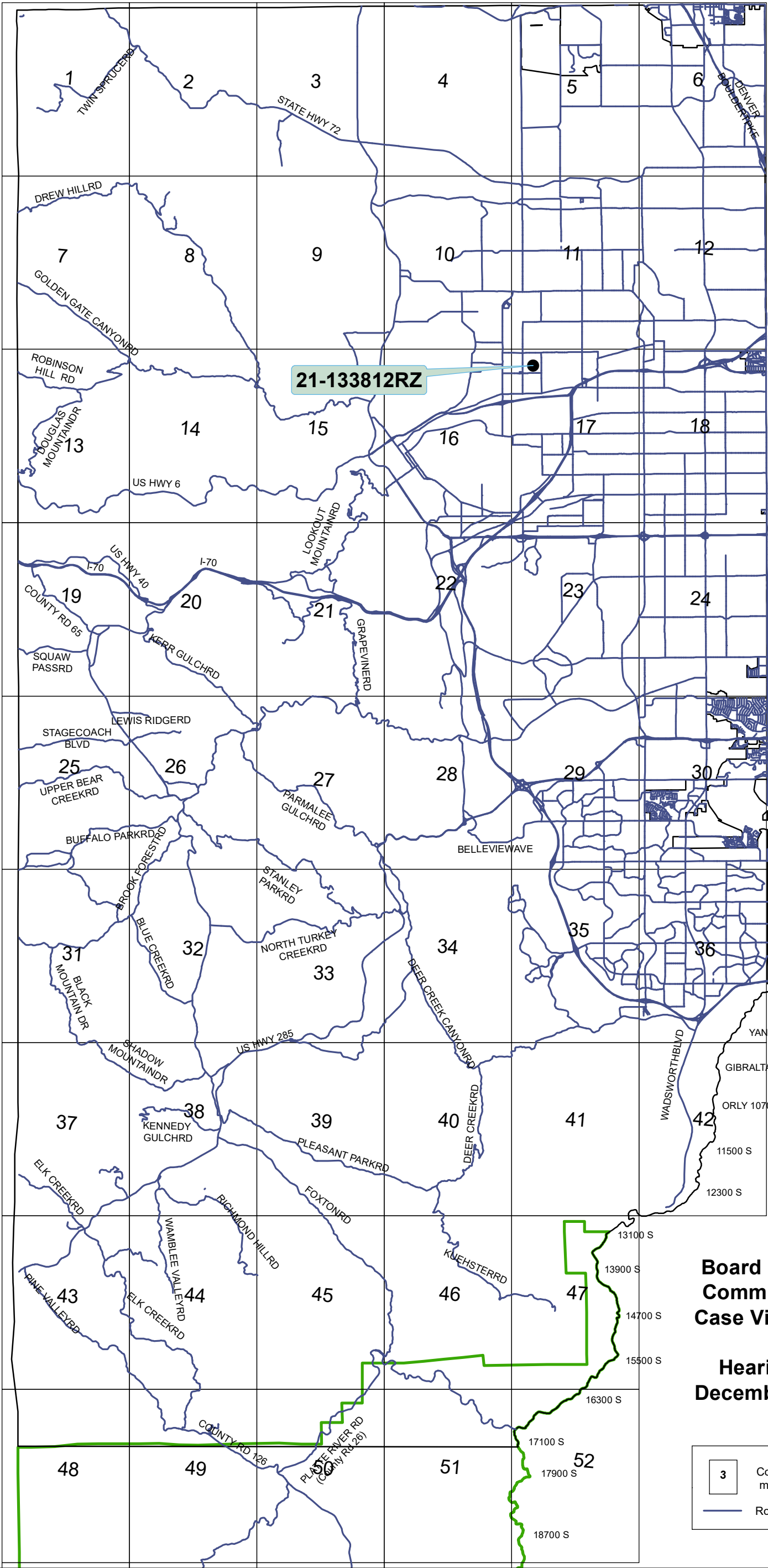
Agenda Placement: Consent

Item Title: ARPA General Fund Support

ROUTING					
O R D E R	Division	Authorized Signatures Name/Initials	Date Rec'd	Date Frw'd	Comments
()	Originator	Mary O'Neil			See attached email
()	Division Director				
()	County Attorney	Patrick Mayne			See attached email
()	Department Director	Stephanie Corbo			See attached email
()	Budget				
()	Elected Official				
()	BCC Agenda Coordinator	JCM			

32400 29200 26000
WHETTERHORN 22800
OLYMPUS ST. 21200
GORE ST. 19600
YANKEE ST. 18000
QUAKER ST. 16400
INDIANA ST. 14800
ALKIRE ST. 13200
SIMMS ST. 11600
KIPLING ST. 10000
CARR ST 8400
PIERCE ST. 6800
SHERIDAN BLVD. 5200

W. 120TH AV. 12000
W. 112TH AV. 11200
W. 104TH AV. 10400
W. 96TH AV. 9600
W. 88TH AV. 8800
W. 80TH AV. 8000
W. 72ND AV. 7200
W. 64TH AV. 6400
W. 56TH AV. 5600
W. 48TH AV. 4800
W. 38TH AV. 3800
W. 26TH AV. 2600
W. COLFAX AV. 1500
W. 6TH AV. 600
ALAMEDA AV. 300 S
MISSISSIPPI AV. 1100 S
JEWELL AV. 1900 S
YALE AV. 2700 S
HAMPDEN AV. 3500 S
QUINCY AV. 4300 S
BELLEVUE AV. 5100 S
BOWLES AV. 5900 S
COAL MINE AV. 6700 S
KEN CARYL AV. 7500 S
CHATFIELD AV. 8300 S
YANCY 9100 S
GIBRALTAR 9900 S
ORLY 10700 S
11500 S
12300 S

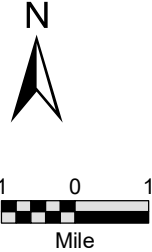


**Board of County
Commissioners'
Case Vicinity Map
for
Hearing Date
December 6, 2022**

3

County Road Atlas
map number

Roads



CASE SUMMARY
Regular Agenda

PC Hearing Date: November 9, 2022

BCC Hearing Date: December 6, 2022

21-133812RZ Rezoning

Case Name: 14320 W 50th Avenue ODP

Owner/Applicant: Redwood, LLC, a Colorado Limited Liability Company

Location: 14320 W 50th Avenue
Section 18, Township 3 South, Range 69 West

Approximate Area: 4.19 Acres

Purpose: **To Rezone from Agricultural-Two (A-2) to Planned Development (PD) to allow for the future subdivision of the property into 10 lots for single-family detached units.**

Case Manager: Sara Kohles

Applicant Team Presenters: To be determined.

Issues: None.

Recommendations:

- **Staff:** Recommends APPROVAL

Interested Parties: None.

Level of Community Interest: Medium

General Location: W 50th Avenue, east of Indiana Street, west of Eldridge Street

Case Manager Information: Phone: 303-271-8734 e-mail: skohles@jeffco.us

**Jefferson County Land Use Case Management
CASE DATES SUMMARY**

December 6, 2022

Case Number: 21-133812RZ

Case Type: **Rezoning (rehearing)**

Pre-application Meeting Date: July 29, 2021

Community Meeting Date: August 30, 2021

Applicant Makes Complete Submittal: **September 21, 2021**

Case Sent on First Referral: **October 12, 2021**

All Responses Provided to Applicant: November 8, 2021

Case Sent on Second Referral: **November 29, 2021**

All Responses Provided to Applicant: December 7, 2021

Determination That Case Should Proceed to Rehearing: August 9, 2022

Rehearing Case Sent on First Referral: **October 13, 2022**

Rehearing Responses Provided to Applicant: November 2, 2022

Planning Commission Hearing: November 9, 2022

Planning Commission Determination: **Recommends Approval**

County Staff Determination: **Recommends Approval**

Applicant's Request: **Rezone from Agricultural-Two (A-2) to a Planned Development (PD) that follows Residential-One A (R-1A) standards, with a restriction on the maximum number of lots (ten single-family residential).**

Staff Report Summary

Case Number:

21-133812RZ

Summary of Process

- The Staff evaluation of an application will be presented at the required Planning Commission and Board of County Commissioners' Hearings.
- The Planning Commission will review the evidence and will make a recommendation to the Board of County Commissioners.
- The final decision on the request will be made by the Board of County Commissioners.

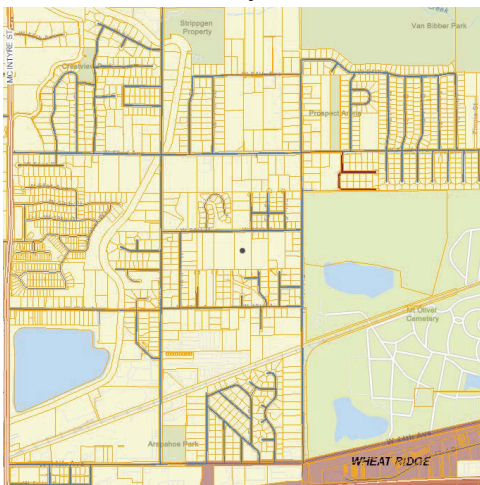
Case Summary

Rezone from Agricultural-Two (A-2) to a Planned Development (PD) that follows Residential-One A (R-1A) standards, with a restriction on the maximum number of lots (ten single-family residential).

Purpose 14320 W 50th Avenue ODP		Sara Kohles		September 21, 2021	
Case Name		Case Manager		Formal Submittal Date	
July 29, 2021	August 30, 2021	November 9, 2022	December 6, 2022	Subdivision Plat	
Pre-Application Date		Community Meeting Date		PC Hearing Date	
Mike Chadwick		Redwood, LLC, a Colorado limited liability company			
Applicant/Representative, check if same as owner: <input type="checkbox"/>		Owner			
14320 W. 50th Avenue	Golden	80403	4.19 acres	18	3S 69W
Property Address	City	Zip	Area ≈	Section	Township Range
39-183-07-056	W 50th Avenue, east of Indiana Street, west of Eldridge Street				
Pin	General Location				

Land Use and Zoning

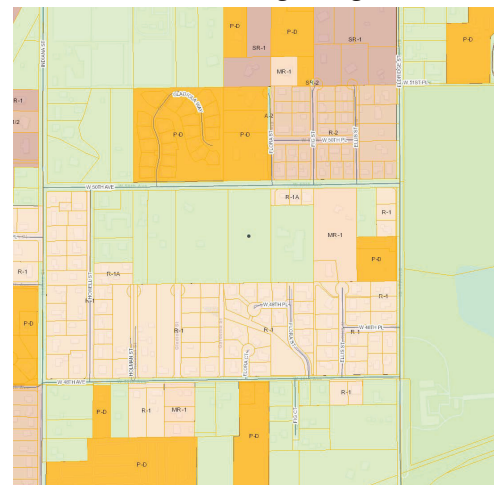
Vicinity



Detail



Surrounding Zoning



Existing Land Use: Vacant land	Existing Zoning: Agricultural-Two	CMP Recommended Land Use: density of 2.5 dwelling units/acre	Requested Zoning: Planned Development
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Plan Area: North Plains **Number of citizens at Community Meetings:**

PC Recommendations: **Level of Community Interest:** Moderate

Key Issues: None.

Criteria for Rezoning:

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

✓	○	✗
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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It was moved by Commissioner **Spencer** that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION
COUNTY OF JEFFERSON
STATE OF COLORADO

November 9, 2022

RESOLUTION

<u>21-133812RZ</u>	Rezoning
Case Name:	14320 W 50th Avenue ODP
Owner/Applicant:	Redwood, LLC, a Colorado Limited Liability Company
Location:	14320 W 50th Avenue Section 18, Township 3 South, Range 69 West
Approximate Area:	4.19 Acres
Purpose:	To Rezone from Agricultural-Two (A-2) to Planned Development (PD) to allow for the future subdivision of the property into 10 lots for single-family detached units.
Case Manager:	Sara Kohles

The Jefferson County Planning Commission hereby recommends **APPROVAL**, of the above application, on the basis of the following facts:

1. That the factors upon which this decision is based include evidence and testimony and staff findings presented in this case.
2. The Planning Commission finds that:
 - A. The proposed single-family detached residential land use is compatible with the existing and allowable single-family residential uses in the surrounding area. The Rezoning would allow 10 single-family residential lots on approximately 4.19 acres, which density is consistent with that of the surrounding land uses.
 - B. The proposal is in general conformance with the Comprehensive Master Plan (Plan). The proposal adheres to the Plan density recommendation of 2.5 dwelling units per acre. All other applicable goals and policies of the Plan have also been met.
 - C. The ability to mitigate the negative impacts of the proposed land use upon the surrounding area have been considered, and no negative impacts were identified.
 - D. The subject property is served by the Fairmount Fire Protection District and the North Table Mountain Water and Sanitation

District. Law enforcement services are provided by the Jefferson County Sheriff's Office. Existing infrastructure and services are adequate and available to serve the proposed land use.

- E. The proposed land use will not result in significant impacts to the health, safety, and welfare of the residents and landowners in the surrounding area.

Commissioner **Duncan** seconded the adoption of the foregoing Resolution, and upon a vote of the Planning Commission as follows:

Commissioner	Rogers	aye
Commissioner	Spencer	aye
Commissioner	Jost	aye
Commissioner	Duncan	aye
Commissioner	Stephens	aye

The Resolution was adopted by **unanimous** vote of the Planning Commission of the County of Jefferson, State of Colorado.

I, Kimi Schillinger, Executive Secretary for the Jefferson County Planning Commission, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Jefferson County Planning Commission at a regular hearing held in Jefferson County, Colorado, November 9, 2022.



Kimi Schillinger
Executive Secretary

STAFF REPORT

1. SUBJECT REQUEST

This is a rehearing for 14320 W 50th Avenue Official Development Plan (ODP). The original hearings took place in early 2022 when the case was denied by the Board of County Commissioners (BCC) 2-1 on February 22, 2022. On August 9, 2022, the BCC approved the applicant's petition for rehearing.

The applicant is requesting to Rezone this property from Agricultural-Two (A-2) to a Planned Development (PD) that follows Residential-One A (R-1A) standards, with a restriction on the maximum number of lots and a provision to protect the existing irrigation channel. The proposed zoning would allow for a single-family residential development with up to 10 detached single-family dwellings on the approximately 4.19-acre parcel.

2. CONTEXT



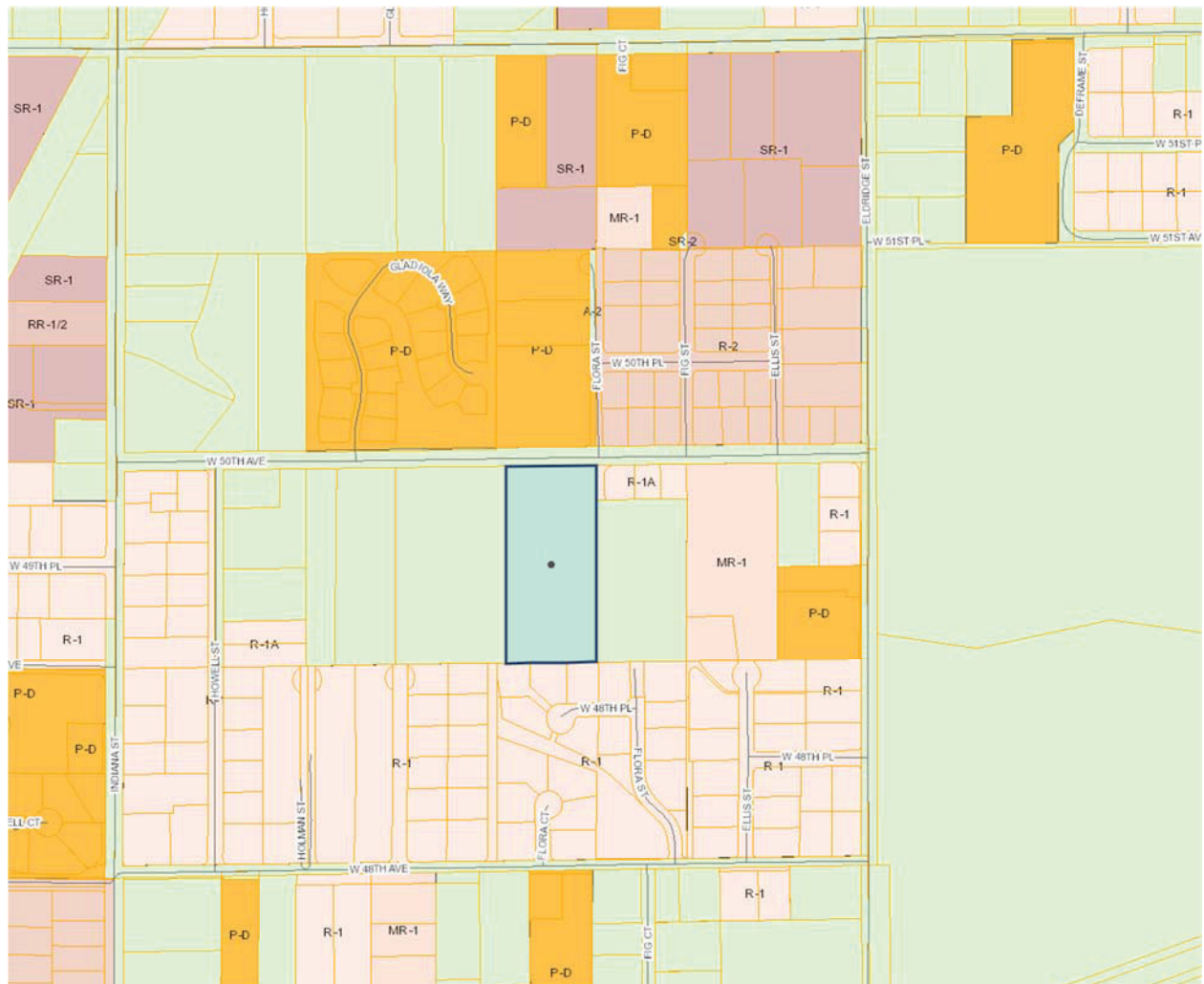
Figure 1. Property Location.

The subject property is in the plains of northern Jefferson County, north of State Highway 58, east of McIntyre Street, west of Eldridge Street, with frontage on the south side of W 50th Avenue. It is lot 20 of the Wheat Ridge Gardens subdivision, recorded in Plat Book 2, Page 24 A on April 29, 1976. The area surrounding the property is primarily residential, with a mixture of architecture, ranging from older agricultural-type and ranch-style homes to newer two-story residences. There are agricultural uses adjacent to the subject property on both sides (east/west).

Since the case was denied in February 2022, the applicant has revised the proposal. Instead of rezoning to allow 12 lots, the applicant is requesting to allow 10 lots. This brings the proposal into conformance with the Comprehensive Master Plan.

3. SURROUNDING ZONING/LAND USE

	Adjacent Zoning	Land Use
North:	Planned Development (PD) Termentozzi Official Development Plan (ODP) follows Suburban Residential-One (SR-1) regulations	Single-Family Home and Agricultural
South:	Residential-One (R-1)	Single-Family Residential
East:	A-2	Single-Family Residential and Agricultural
West:	A-2	Single-Family Residential and Agricultural



4. SUMMARY OF PROPOSED CHANGES

	Current Zoning – A-2	Proposed Zoning - PD
Land Use	Vacant Land	Single-Family Dwellings
Minimum Lot Size	10 Acres	9,000 square feet
Setbacks – Primary Structures	50-foot front setback 30-foot side setback 50-foot rear setback	20-foot front setback 5-foot side setback with a total of 15 feet for both sides 10-foot rear setback

The proposed PD zone district would follow R-1A standards with a maximum of 10 single family residential lots. If the rezoning is approved, the applicant's intention is to pursue a subdivision of land, in accordance with the County's Preliminary and Final Plat process. Based on the size of the subject parcel (approximately 4.19 acres) and the minimum lot size requirement in R-1A (9,000 square feet), the applicant could create 20 lots, whereas the written restrictions would limit the number of lots to 10.

The proposed change in zoning from A-2 to PD that follows R-1A (with modifications) would change the land use entitlements, as well as the lot and building standards. R-1A properties do not allow agricultural uses.

5. TRANSPORTATION

An engineered transportation analysis was required with this Rezoning application and indicated a minimal increase in traffic based on the previously proposed allowance of 12 single family dwellings. Since the applicant is now proposing fewer dwelling units, it is not necessary to provide a new transportation analysis. The applicant used the traffic assumptions from the Institute of Transportation Engineers (ITE) for single family uses (Land Use 210). Using single family uses, the analysis resulted in a total of 113 vehicular trips per day with 9 peak AM trips and 12 peak PM trips. With such a low trip generation, staff finds that the impacts to the surrounding road network will be minimal and can be incorporated in the street network. Specific access and street standards will be evaluated at the time of Preliminary and Final Plat. There are no staff concerns related to transportation.

6. CRITERIA FOR DECISIONS FOR PLANNED DEVELOPMENT REZONING APPLICATIONS

Section 6 of the Zoning Resolution states, *in reviewing Rezoning and Special Use applications, the Planning Commission and the Board of County Commissioners may consider the following criteria:*








- ✓ a. The compatibility with existing and allowable land uses in the surrounding area.
 - ✓ b. The degree of conformance with applicable land use plans.
 - ✓ c. The ability to mitigate negative impacts upon the surrounding area.
 - ✓ d. The availability of infrastructure and services.
 - ✓ e. The effect upon the health, safety, and welfare of the residents and landowners in the surrounding area.
-

a. The compatibility with existing and allowable land uses in the surrounding area.

Staff finds that the proposed PD zone district for single-family detached residential uses is compatible with both existing and allowable residential uses in the surrounding area. Properties to the north and south have similar zoning restrictions, including land use, lot size, and setback requirements. The properties to the west and east of this parcel are zoned A-2 but are considered to have non-conforming lot sizes as none of the parcels meet the 10-acre minimum lot size requirement. Due to the subject property's proximity to other properties with varying lots sizes and uses, the request is compatible with existing and allowable land uses in the surrounding area.

b. The degree of conformance with applicable land use plans.

The Comprehensive Master Plan (CMP), an advisory document required by State statute, contains Goals and Policies that are used to guide land use decisions. The Area Plans section of the CMP contains supplementary policies and land use recommendations for evaluation.

	Summary	Conforms with CMP?   
Land Use	The CMP discusses the need for a variety of uses to create a vibrant, enduring community. The Plan encourages diverse communities in which to live, work, and enjoy outdoor recreation.	
Physical Constraints	The CMP describes physical constraints as those physical features that due to safety concerns may potentially restrict where and how development occurs. Physical Constraints include geologic hazards and constraints, floodplains, wetlands, wildfire, radiation, landfills, abandoned mines, and wildlife habitat	
Community Resources	The CMP contains policies that relate to historic structures or sites, scenic corridors, natural features, air quality, light, odor and noise pollution, open space and trails.	
Infrastructure Water and Services	The CMP describes the importance of new developments having adequate Transportation, Water and Wastewater, and Services.	

Staff concludes that the subject request is in general conformance with the applicable goals and policies of the Comprehensive Master Plan.

Land Use: The subject property is located within the North Plains Area Plan of the CMP and is recommended for residential land uses with a density up to 2.5 dwelling units per acre. The proposed ODP follows R-1A standards, which requires a minimum lot size of 9,000 square feet and has a restriction on the number of parcels allowed within the development: 10 single-family lots. Per the CMP, the maximum recommended number of units on 4.19 acres is 10 (2.39 dwelling units per acre) so the proposal conforms with the Plan density recommendations.

Additionally, per the CMP, new developments should ensure compatibility to the surrounding existing and allowable land uses.

Physical Constraints: There are no identified geologic hazards or mapped floodplains on the property, and it is not in an identified high Wildlife Quality Habitat Area. In regard to wildlife, Colorado Parks and Wildlife was contacted about this case but did not provide comment. Staff did not identify any physical constraints. The request is in conformance with the Physical Constraints section of the CMP.

Community Resources: There are no identified community resources on the subject property or in the vicinity that would be affected by this request. While the existing irrigation channel is not an identified visual resource, the written restrictions do require the protection of a 30-foot-wide buffer along this channel. This will help break up the development and provide some mitigation of visual impacts. The request is in conformance with the Community Resources section of the CMP.

Infrastructure, Water and Services: Existing infrastructure and services are adequate to support the proposed Rezoning. Traffic would have a minimal increase on this property, and road improvements will be evaluated at the time of Preliminary and Final Plat. The subject property receives fire protection from the Fairmount Fire Protection District; the fire protection district provided a will serve letter for this Rezoning request. The Jefferson County Sheriff's Office provides emergency services for this property. The subject property is located within the North Table Mountain Water and Sanitation District. Water and sewer service are available, and the subject property is eligible for service subject to the District's conditions at time of development. The District does not have requirements for rezoning.

c. The ability to mitigate negative impacts upon the surrounding area.

Staff has not identified unmitigated negative impacts of this request. While there is an increase to the number of dwelling units allowed on the approximate 4.19-acre parcel, the requested PD zoning aligns with the character and existing uses of the surrounding properties. Further, and as stated above, the written restrictions also require the preservation of a 30-foot strip of land along the existing irrigation channel.

d. The availability of infrastructure and services.

As discussed above, staff's analysis found that existing infrastructure and services are adequate and available to support the proposed rezoning request.

e. The effect upon health, safety, and welfare of the residents and landowners in the surrounding area.

The proposed land use will not result in significant impacts to the health, safety, and welfare of the residents and landowners in the surrounding area. No unmitigated deleterious effects relating to the proposed Rezoning have been identified.

7. COMMERCIAL MINERAL DEPOSITS

No known commercial mineral deposits exist on the subject property.

8. COMMUNITY MEETING

A Community Meeting was held virtually on August 30, 2021, before a formal application was submitted for the applicant's original request of 12 single family dwellings. Under Section 6.15 of the Zoning Resolution,

another Community Meeting was not required for a rehearing. At the Community Meeting, there were approximately 40 individuals in attendance. The applicants proposed the development of this parcel to allow for 18 duplexes. Community members expressed concerns about this request, stating that they did not want to see more housing in this area. Those in attendance suggested that the proposed density was too high, and that this parcel should be left vacant for wildlife and viewsheds. After hearing this response to the proposed development, the applicants revised their proposal to allow for 12 single family dwellings. Full details of the Community Meeting are available in the case packet. The amended application submitted for this rehearing seeks approval for 10 single family dwellings.

9. COMMUNITY/REFERRAL RESPONSES

During the processing of this rehearing Rezoning application, Staff received no comment from the community.

10. AGENCY REFERRAL RESPONSES

This application was sent on one referral to nine Jefferson County Departments & Divisions, 13 external agencies, and 11 registered associations (please see the first referral matrix and HOA mailing list in the case packet for more information). Referral agencies did not express concerns about this proposal, and there are no known outstanding issues with the referral agencies.

11. NOTIFICATION

Notification of the proposed development was provided in accordance with the Zoning Resolution. Please see the attached Notification Summary for more information.

12. POST HEARING REVIEW

If the Rezoning is approved, the post hearing review shall be in accordance with the Zoning Resolution as follows:

Planned Development: The applicant shall have 28 days after Board of County Commissioner's approval to submit a 'clean' copy of the approved red-marked ODP and pay the recordation fees. The Case Manager will have 7 days to review the submitted ODP. If the revisions have been made in accordance with the approval conditions, Staff will affirm and record the ODP documents, as appropriate. If the submitted documents are not in conformance with the approved red-marked ODP, the red-marked ODP shall be recorded.

13. SUBSEQUENT PROCESSES

If the Rezoning is approved, the applicant would be required to submit a Preliminary and Final Plat (Plat) to develop the proposed single-family detached use on the Property. The Plat process involves an intensive review of the applicant's proposed lot layout, construction documents, grading, drainage, parking, and other plans for compliance with the Official Development Plan, Zoning Resolution, Land Development Regulation, Transportation Design & Construction Manual, and the Storm Drainage Design & Technical Criteria. If the Plat is approved, the applicant would then apply for Building Permit(s) for the single-family homes.

SUMMARY OF STAFF ANALYSIS AND RECOMMENDATION

Staff's analysis concludes that the proposed Rezoning from A-2 to a PD following R-1A with a maximum of 10 dwelling units is in general conformance with the land use recommendation and policies of the CMP. No potential negative impacts to the surrounding community or wildlife were identified, and infrastructure and services are in place to support the use. This application meets all Rezoning criteria specified in the Zoning Resolution. Staff has no unresolved issues related to this Rezoning application. Based upon this and the findings below, staff recommends APPROVAL of the proposed rezoning.

FINDINGS:

Based on the analysis included in this report, staff concludes that the proposal satisfactorily addresses each of the criteria below which the Board of County Commissioners may consider, as detailed in subsection 6 of this staff report.

- 1. The proposed single-family detached residential land use is compatible with the existing and allowable single-family residential land uses in the surrounding area. The Rezoning would allow 10 single-family residential lots on approximately 4.19 acres, which density is consistent with that of the surrounding land uses.**
- 2. The proposal is in general conformance with the Comprehensive Master Plan (Plan). The proposal adheres to the Plan density recommendation of 2.5 dwelling units per acre. All other applicable goals and policies of the Plan have also been met.**
- 3. The ability to mitigate the negative impacts of the proposed land use upon the surrounding area have been considered, and no negative impacts were identified.**
- 4. The subject property is served by the Fairmount Fire Protection District and the North Table Mountain Water and Sanitation District. Law enforcement services are provided by the Jefferson County Sheriff's Office. Existing infrastructure and services are adequate and available to serve the proposed land use.**
- 5. The proposed land use will not result in significant impacts to the health, safety, and welfare of the residents and landowners in the surrounding area.**

PLANNING COMMISSION:

Planning Commission Recommendation (Resolution dated November 9, 2022 attached):

Approval	<u>X (5-0)</u>
Approval with Conditions	<u> </u>
Denial	<u> </u>

The case was scheduled on the regular agenda of the Planning Commission hearing, based on it being a rehearing process. One resident testified in opposition to the rezoning. The resident was concerned with the compatibility of the proposed single-family homes with the existing character of the community, poor drainage on the subject property, and changing mountain views from his property.

The Planning Commission discussed the resident's testimony and ultimately decided that the proposed rezoning is compatible with the surrounding area. The Planning Commission acknowledged that the Fairmount area is experiencing new development and is in transition in a manner recommended by the CMP.

The Planning Commission unanimously recommended the case for approval without any revisions to the proposed Official Development Plan.

BOARD of COUNTY COMMISSIONERS ACTION:

The Board of County Commissioners is charged with reviewing the request, staff report, and Planning Commission recommendation, receiving testimony and evidence on the application, and approving or denying the request.

COMMENTS PREPARED BY:

Sara Kohles

Sara Kohles

Planner

November 29, 2022

PROPOSED ZONING

14320 W 50th AVENUE ODP
Rezoning Case # 21-133812 RZ

A. Intent

The purpose of this Rezoning is to rezone from Agricultural-Two (A-2) to Planned Development (PD) to allow for a maximum of 10 single family units.

B. Written Restrictions

All of the uses and standards of the Residential-One A (R-1A) Zone District and other applicable sections of the Zoning Resolution shall apply to the property as shown on the graphic attached hereto as Rezoning Exhibit A and the legal description attached hereto as Exhibit B, with the following modifications:

1. Maximum of 10 Single Family Units
2. At the time of Plat, any roads shall be either dedicated as public Right-of-Way or placed in a separate tract.
3. A 30-foot wide buffer centered on the irrigation channel shall be preserved as a “no build area.”

APPROVED FOR RECORDING:

This Official Development Plan, titled 14320 W 50th Avenue ODP, was approved the _____ day of _____ 2022, by the Board of County Commissioners, of the County of Jefferson, State of Colorado and is approved for recording.

The owner of the property, at the time of approval was: _____

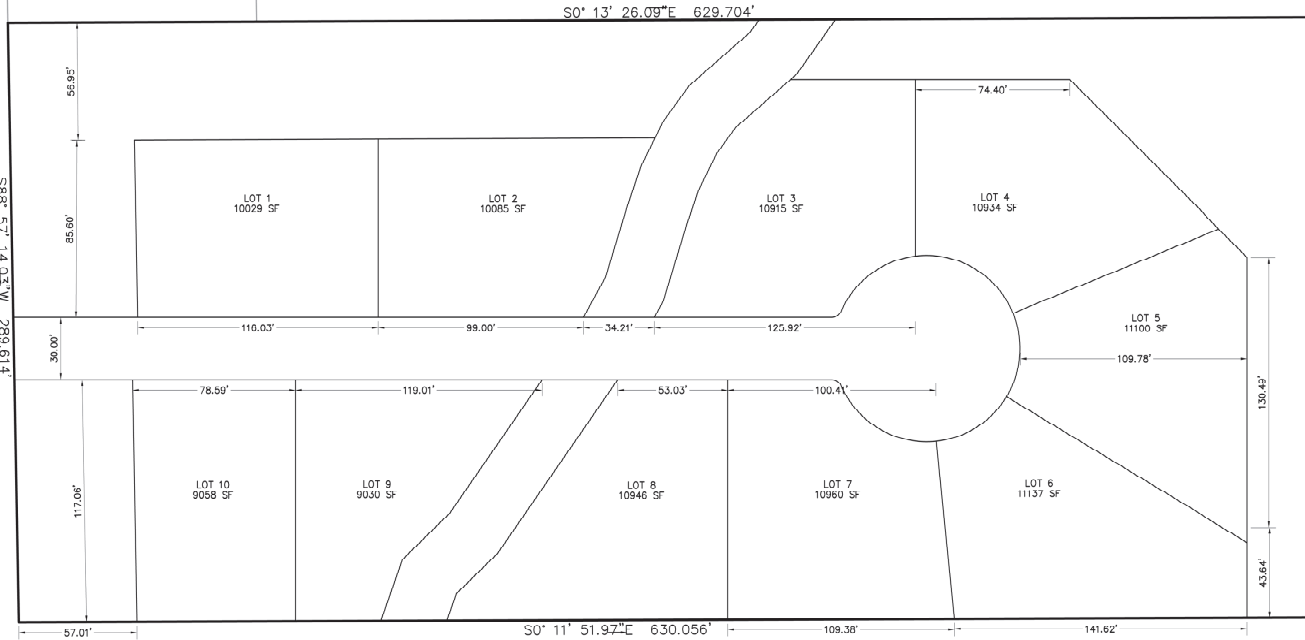
By: Jefferson County Planning and Zoning Director

Signature: _____

Date: _____

WEST 50TH AVENUE

S88° 57' 14.03" W 289.614'

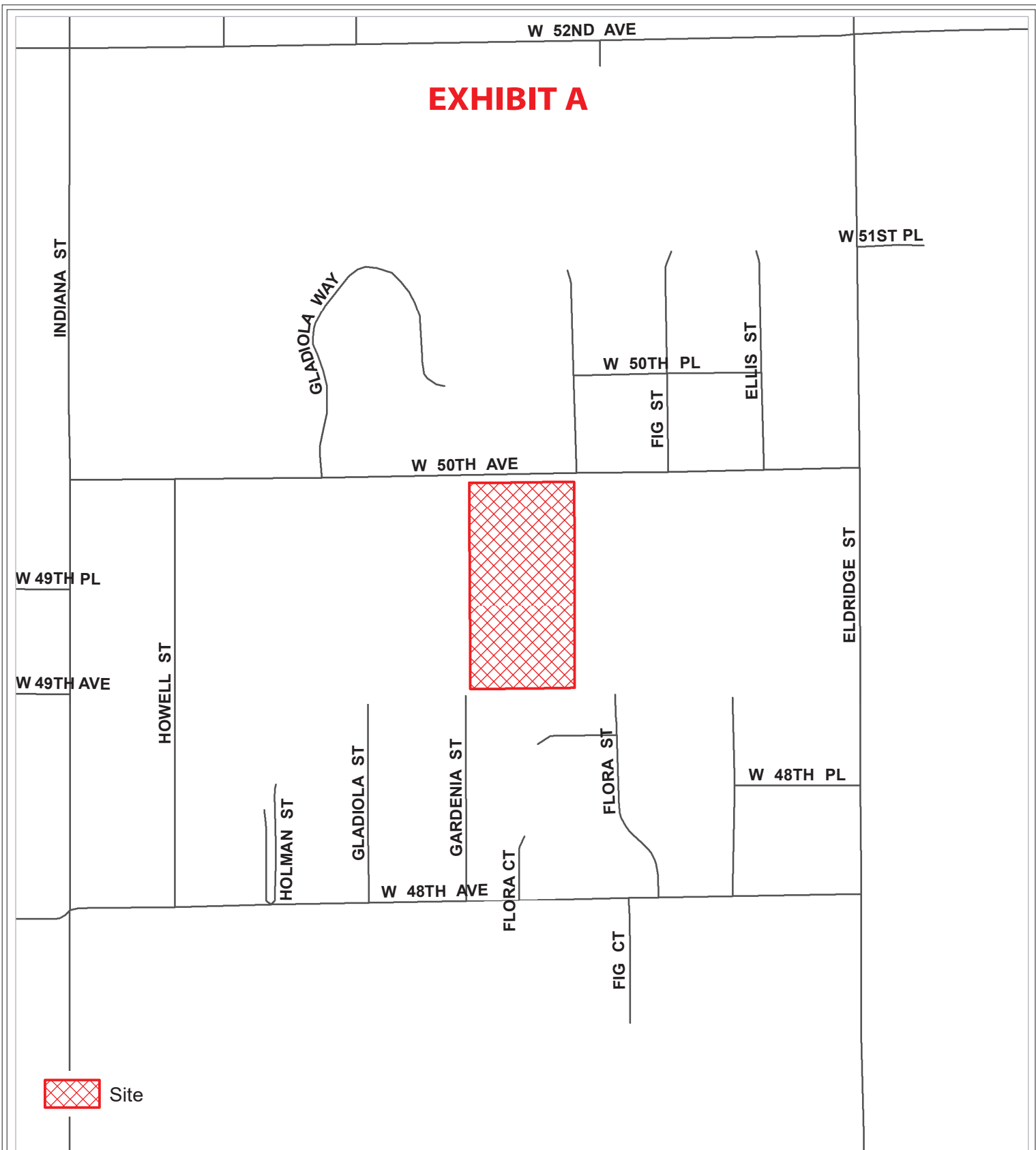


**SITE PLAN - PROPOSED ZONING R-1A
FOR 10 TOTAL SINGLE FAMILY UNITS**



1 inch = 30 ft. Horizontal

CLN		14350 W 50TH	
CLN		FEBRUARY 27, 2022	
DPT		OWNER: MIKE D. BERGER	
DPT		14350 W. 50TH AVENUE SITE PLAN	
THEISEN ENGINEERING, LLC		<small>THEISEN ENGINEERING, LLC 1500 KANSAS STREET DENVER, COLORADO 80202 PHONE (303) 992-8885</small>	
REVISIONS		<small>DATE</small> <small>BY</small> <small>DESCRIPTION</small>	
SCALE VERIFICATION		<small>DATE</small> <small>BY</small> <small>SCALE</small> <small>NOT TO BE USED FOR ANY OTHER PROJECTS</small>	
REUSE OF DOCUMENT		<small>THIS DOCUMENT IS THE PROPERTY OF THEISEN ENGINEERING, LLC AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THEISEN ENGINEERING, LLC.</small>	



Case Number: 21-133812RZ
Location: Section 18, T3S, R69W



JEFFERSON
 COUNTY COLORADO

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EXHIBIT B

Case No. 21-133812RZ

Legal Description

Street Location of Property 14320 West 50th Avenue

Is there an existing structure at this address?

Yes X No

Type the legal description and address below.

**Lot or Plot 20,
Wheat Ridge Gardens,
County of Jefferson,
State of Colorado**

And

East half of vacated right-of-way indicated on Plat book 224, Page 433, County of Jefferson,
State of Colorado

Containing 4.62 Acres, more or less.

Section 18 Township 3 S. Range 69 W.

Calculated Acreage 4.62 Acres Checked by: Ben Hasten

Address Assigned (or verified) 14320 West 50th Avenue

Section 30 - Residential District

(orig. 3-26-13)

A. Intent and Purpose

1. The Residential Districts are intended to provide areas for residential development and includes single-family dwellings, two-family dwellings, duplexes, townhomes and multi-family dwellings, where allowed. (orig. 3-26-13)
2. Contained in this section are the allowed land uses, building and lot standards (including minimum setbacks) and other general requirements for each specific residential zone district. (3-26-13)
3. The Residential Zone Districts are divided as follows: (orig. 3-26-13)
 - a. Residential-One (R-1)
 - b. Restricted Residential (RR)
 - (1) Restricted Residential Quarter Acre (RR-1/4)
 - (2) Restricted Residential One Half Acre (RR-1/2)
 - (3) Restricted Residential One Acre (RR-1)
 - (4) Restricted Residential Two Acre (RR-2)
 - (5) Restricted Residential Five Acre (RR-5)
 - (6) Restricted Residential Ten Acre (RR-10)
 - c. **Residential-One A (R-1A)**
 - d. Residential-One B (R-1B)
 - e. Residential-One C (R-1C)
 - f. Residential-Two (R-2)
 - g. Residential-Three (R-3)
 - h. Residential-Three A (R-3A)
 - i. Residential-Four (R-4)

B. Permitted Uses (orig.3-26-13; am. 7-17-18)

Use	R-1	RR	R-1A	R-1B	R-1C	R-2	R-3	R-3A	R-4
Single-family dwelling	X	X	X	X	X	X	X		
Two-family dwelling or duplex						X	X	X	
Multi-family dwelling or townhome							X	X	
Multi-family dwelling (20 dwelling units to 50 dwelling units per acre).									X
Religious Assemblies and related uses, parish house and/or parsonage.							X	X	X
Private nonprofit museum							X	X	X
Parochial or private schools. Not included are private vocational, trade or professional schools, schools of art, music or dance and schools for subnormal or mentally disturbed adults.							X	X	X
Colleges; not included are private vocational, trade or professional schools, schools of art, music or dance and schools for subnormal or mentally disturbed adults.									X

Use	R-1	RR	R-1A	R-1B	R-1C	R-2	R-3	R-3A	R-4
State licensed daycare or large day –care home or preschool or nursery.							X	X	X
Group Home for up to 8 aged persons not located within 750 ft of another such group home; state licensed group home for up to 8 developmentally disabled persons not located within 750 ft of another such group home; state licensed group home for up to 8 mentally ill persons not located within 750 ft of another such group home or group home for the aged or developmentally disabled persons.	X	X	X	X	X	X	X	X	X
Public park, Class I public recreation facilities.	X	X	X	X	X	X	X	X	X
Class II public recreation facility							X	X	X
Homes for the aged and nursing homes							X	X	X
Hospital, nursing homes and clinics but not including institutions exclusively for the mentally disturbed, or for contagious or infectious diseases.									X
Telecommunications Land Uses shall comply with the provisions of the Telecommunications Uses Section of this Zoning Resolution.	X	X	X	X	X	X	X	X	X
Energy Conversion Systems (ECS) land uses shall comply with the provisions of the Alternative Energy Resources Section of the Zoning Resolution.	X	X	X	X	X	X	X	X	X

C. Accessory Uses (orig.3-26-13; am. 7-17-18)

Use	R-1	RR	R-1A	R-1B	R-1C	R-2	R-3	R-3A	R-4
Private garage, mini structure, storage shed	X	X	X	X	X	X	X	X	X
Private greenhouse and nursery, noncommercial conservatory for plants and flowers.	X								
Private poultry house and pigeon coop with no more than 400 square feet of floor area; private rabbit and chinchilla hut with no more than 100 square feet of floor area.	X								
Private building or kennel for housing dogs, cats and similar domestic pets. ¹	X	X	X	X	X	X	X	X	
Private stable and/or barn for keeping horses, cattle, sheep, goats or other similar domesticated animals. See general requirements below.	X								
Home Occupations provided the requirements and conditions of the Board of Adjustment or the Home Occupation Section of the Zoning Resolution have been met.	X	X	X	X	X	X	X		

Use	R-1	RR	R-1A	R-1B	R-1C	R-2	R-3	R-3A	R-4
Accessory Uses per the Accessory Use Section of the Zoning Resolution.	X	X	X	X	X	X	X	X	X
Commercial service activities, which are accessory to the main use of the building ²									X

¹ But not including horses, cattle, sheep, goats, chickens, ducks, geese or other fowl. The maximum total number of dogs, cats and similar domestic pets which may be kept shall be 3. Offspring of domestic pets may be kept until weaned.

² May be conducted, provided said use is contained within the main building. Cafeterias, offices, studios and personal services such as beauty parlors, barber shops, laundry pick-up stations and pharmacies may be conducted. However, the sum total of commercial uses may not exceed more than 10 percent of the floor area of any single building or structure. The entrance to any such accessory business will be from inside the building. Such accessory use is one which:

- a. Is subordinate to and serves the principal building or principal use.
- b. Is subordinate in area, extent, or purpose to the principal building or principal use served.
- c. Contributes to the comfort, convenience, or necessity of occupants of the principal building or principal use served.
- d. Is located on the same lot as the principal building or principal use served.

D. Special Uses (3-26-13)

The following uses shall be permitted only upon review by the Planning Commission and approval by Board of County Commissioners: (orig. 3-26-13; am. 7-17-18)

Use	R-1	RR	R-1A	R-1B	R-1C	R-2	R-3	R-3A	R-4
Religious Assemblies and related uses, parish house and/or parsonage.	X	X	X	X		X			
Private nonprofit museum	X	X	X	X		X			
Cable Television reception station	X	X	X	X	X	X	X	X	X
Water supply reservoir and irrigation canal	X	X	X	X	X	X	X	X	
A group living facility, other than homes for social rehabilitation, or a home where up to 6 unrelated individuals are living together, that is occupied by more than one registered sex offender.	X	X	X	X	X	X	X	X	X
Group, foster or communal home, residential treatment center, community residential home, home for social rehabilitation, assisted living residence, personal case boarding home, specialized group facility, receiving home for more than 4 foster home residents, residential child care facility or shelter from domestic violence, licensed or certified by state if applicable, in which 7 or more residents who are not legally related live and cook together as a single housekeeper unit not located within 750 ft of another similar type home or shelter.	X	X	X	X	X	X	X	X	X

Use	R-1	RR	R-1A	R-1B	R-1C	R-2	R-3	R-3A	R-4
Group home for the aged, group home for the developmentally disabled, group home for the mentally ill persons, licensed or certified by the state if applicable, in which 9 or more residents who are not legally related live and cook together as a single housekeeper unit, where such home is not located within 750 ft of another similar type home, licensed or certified by the state if applicable.	X		X	X	X	X	X	X	X
State licensed daycare center or preschool or nursery	X	X	X	X	X	X			
Parochial or private schools. Not included are private vocational, trade or professional schools, schools of art, music or dance and schools for subnormal or mentally disturbed adults. Exceptions listed above shall not preclude home occupations authorized by the Board of Adjustment or the Home Occupations Section of this Zoning Resolution.	X	X	X	X	X	X			
Home for social rehabilitation or adjustment for up to 10 residents plus staff, not located within 750 ft. of another similar facility.							X		
Oil and gas drilling and production subject to the Drilling and Production of Oil and Gas Section of this Zoning Resolution, except where located within a subdivision platted and recorded in the records of the Clerk and Recorder.	X	X	X	X		X	X	X	X
Class I or II commercial recreational facility. Class II public recreational facility.	X	X	X	X		X	X	X	X

E. Lot and Building Standards (orig. 3-26-13; am. 7-17-18)

Districts	Front Setback		
	Primary Structure/ Garages (attached or detached)	Adjacent to Arterial	All Other Accessory Structures
R-1	20 ft.	30 ft.	Housing Livestock – 100 ft. All Other Accessory Structure – 50 ft.
R-1A	20 ft.	30 ft.	50 ft.
R-1B	20 ft.	30 ft.	50 ft.
R-1C	12 ft. (living space) 20 ft. (garage)	18 ft. (living space) 30 ft. (garage)	30 ft.
R-2	20 ft.	30 ft.	20 ft.

Districts	Front Setback		
	Primary Structure/ Garages (attached or detached)	Adjacent to Arterial	All Other Accessory Structures
R-3	20 ft.	30 ft.	50 ft.
R-3A	20 ft.	30 ft.	50 ft.
R-4	40 ft.	40 ft.	40 ft.
RR-1/4	20 ft.	20 ft.	20 ft.
RR-1/2	30 ft.	30 ft.	30 ft.
RR-1	30 ft.	30 ft.	30 ft.
RR-2	30 ft.	30 ft.	30 ft.
RR-5	50 ft.	50 ft.	50 ft.
RR-10	75 ft.	75 ft.	75 ft.

Districts	Side Setback ¹		
	All Structures	Adjacent to local/collector	Adjacent to arterial
R-1	15 ft.	20 ft.	30 ft.
R-1A	5 ft. min (15 ft. total) ²	20 ft.	30 ft.
R-1B	5 ft.	20 ft.	30 ft.
R-1C	5 ft.	15 ft.	20 ft.
R-2	5 ft. min (15 ft. total) ²	20 ft.	30 ft.
R-3	5 ft. ³	20 ft.	30 ft.
R-3A	5 ft. ³	20 ft.	30 ft.
R-4	30 ft.	30 ft.	30ft.
RR-1/4	10 ft.	20 ft.	20 ft.
RR-1/2	20 ft.	30 ft.	30 ft.
RR-1	30 ft.	30 ft.	30 ft.
RR-2	30 ft.	30 ft.	30 ft.
RR-5	50 ft.	50 ft.	50 ft.
RR-10	50 ft.	75 ft.	75 ft.

¹For a two-family dwelling, no side setback shall be required where there is a common wall shared between buildings on adjacent lots.

² Each side setback must be a minimum of 5 feet, and both side setbacks added together must equal 15 feet or more.

³ The minimum side setback for a single-family dwelling, two-family dwelling, duplex, townhome, or multi-family dwelling with 1 story, shall be 5 feet on each side. The minimum side setback for any other main building shall be 10 feet on each side.

Districts	Rear Setback					
	Single-Family	Two-Family or Duplex	Townhome	Multi-Family	Other Main Building	Detached Garage or Other Accessory Structure
R-1	5 ft.	n/a	n/a	n/a	5 ft.	5 ft.
R-1A	10 ft.	n/a	n/a	n/a	10 ft.	5 ft.
R-1B	10 ft.	n/a	n/a	n/a	10 ft.	5 ft.
R-1C	10 ft.	n/a	n/a	n/a	10 ft.	5 ft.
R-2	5 ft.	5 ft.	n/a	n/a	5 ft.	5 ft.
R-3	5 ft.	5 ft.	10 ft.	10 ft.	10 ft.	5 ft.
R-3A	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.
R-4	n/a	n/a	n/a	30 ft.	30 ft.	30 ft.
RR-1/4	20 ft.	n/a	n/a	n/a	20 ft.	20 ft.
RR-1/2	20 ft.	n/a	n/a	n/a	20 ft.	20 ft.
RR-1	20 ft.	n/a	n/a	n/a	20 ft.	20 ft.
RR-2	30 ft.	n/a	n/a	n/a	30 ft.	30 ft.
RR-5	50 ft.	n/a	n/a	n/a	50 ft.	50 ft.
RR-10	50 ft.	n/a	n/a	n/a	50 ft.	50 ft.

Districts	Building Separation		Building Height		
	Between Townhome or Multi-family Groups	From Building on Adjacent Lot	Primary Structure	Multi-Family Structure	All Other Accessory Structure ¹
R-1	n/a	n/a	35 ft.	n/a	25 ft.
R-1A	n/a	15 ft.	35 ft.	n/a	25 ft.
R-1B	n/a	n/a	35 ft.	n/a	25 ft.
R-1C	n/a	n/a	30 ft.	n/a	25 ft.
R-2	n/a	15 ft.	35 ft.	n/a	25 ft.
R-3	25 ft.	n/a	35 ft.	45 ft.	25 ft.
R-3A	25 ft.	n/a	35 ft.	45 ft.	25 ft.
R-4	30 ft. ²	n/a	80 ft.	80 ft.	25 ft.
RR-1/4	n/a	n/a	35 ft.	n/a	25 ft.
RR-1/2	n/a	n/a	35ft	n/a	25 ft.
RR-1	n/a	n/a	35 ft.	n/a	25 ft.
RR-2	n/a	n/a	35 ft.	n/a	25 ft.
RR-5	n/a	n/a	35 ft.	n/a	25 ft.
RR-10	n/a	n/a	35 ft.	n/a	25 ft.

¹ No such building shall exceed the lesser of the height indicated or the height of the primary structure.

Districts	Lot Size				
	Single-Family Dwelling	Two-Family Dwelling	Duplex	Townhome	Multi-Family
R-1	12,500 s.f.	n/a	n/a	n/a	n/a
R-1A	9,000 s.f.	n/a	n/a	n/a	n/a
R-1B	7,500 s.f.	n/a	n/a	n/a	n/a
R-1C	4,500 s.f.	n/a	n/a	n/a	n/a
R-2	9,000 s.f.	12,500 s.f. min. develop area and 5,000 s.f. min lot area per unit	12,500 s.f.	n/a	n/a

Districts	Lot Size				
	Single-Family Dwelling	Two-Family Dwelling	Duplex	Townhome	Multi-Family
R-3	7,500 s.f.	3,000 s.f. min. develop area and 1,500 s.f. min lot area per unit	9,000 s.f.	12,500 s.f. min. develop area and 2,000 s.f. min lot area per unit	12,500 s.f. min. develop area and 2,000 s.f. min lot area per unit
R-3A	n/a	4,000 s.f. min. develop area and 2,000 s.f. Min lot area per unit	12,500 s.f.	4,000 s.f. min. develop area and 2,000 s.f. Min lot area per unit	12,500 s.f. min. develop area and 3,000 s.f. min lot area per unit
R-4	n/a	n/a	n/a	n/a	1 acre min develop area and 850 s.f. Min lot area per unit
RR-1/4	¼ acre (10,890 s.f.)	n/a	n/a	n/a	n/a
RR-1/2	½ acre (27,180 s.f.)	n/a	n/a	n/a	n/a
RR-1	1 acre (43,560 s.f.)	n/a	n/a	n/a	n/a
RR-2	2 acres (87,120 s.f.)	n/a	n/a	n/a	n/a
RR-5	5 acres (217,800 s.f.)	n/a	n/a	n/a	n/a
RR-10	10 acres (435,600 s.f.)	n/a	n/a	n/a	n/a

F. Fences

1. Maximum fence height: 6 feet. (orig. 3-26-13)
2. No fence more than 42 inches in height of any type shall be permitted within the front setback line and the front lot line. (orig. 3-26-13)
3. No barbed wired or electric fence shall be permitted in this zone district. (orig. 3-26-13)
4. On adjacent lots where allowed fence heights differ, the lower height restriction shall govern. (orig. 3-26-13)

G. General Requirements

1. Corner lots must comply with the vision clearance triangle requirements. (orig. 3-26-13; am.7-17-18)
2. No structure may be erected, placed upon or extend over any easement unless approved in writing by the agency or agencies having jurisdiction over such easement. (orig. 3-26-13)

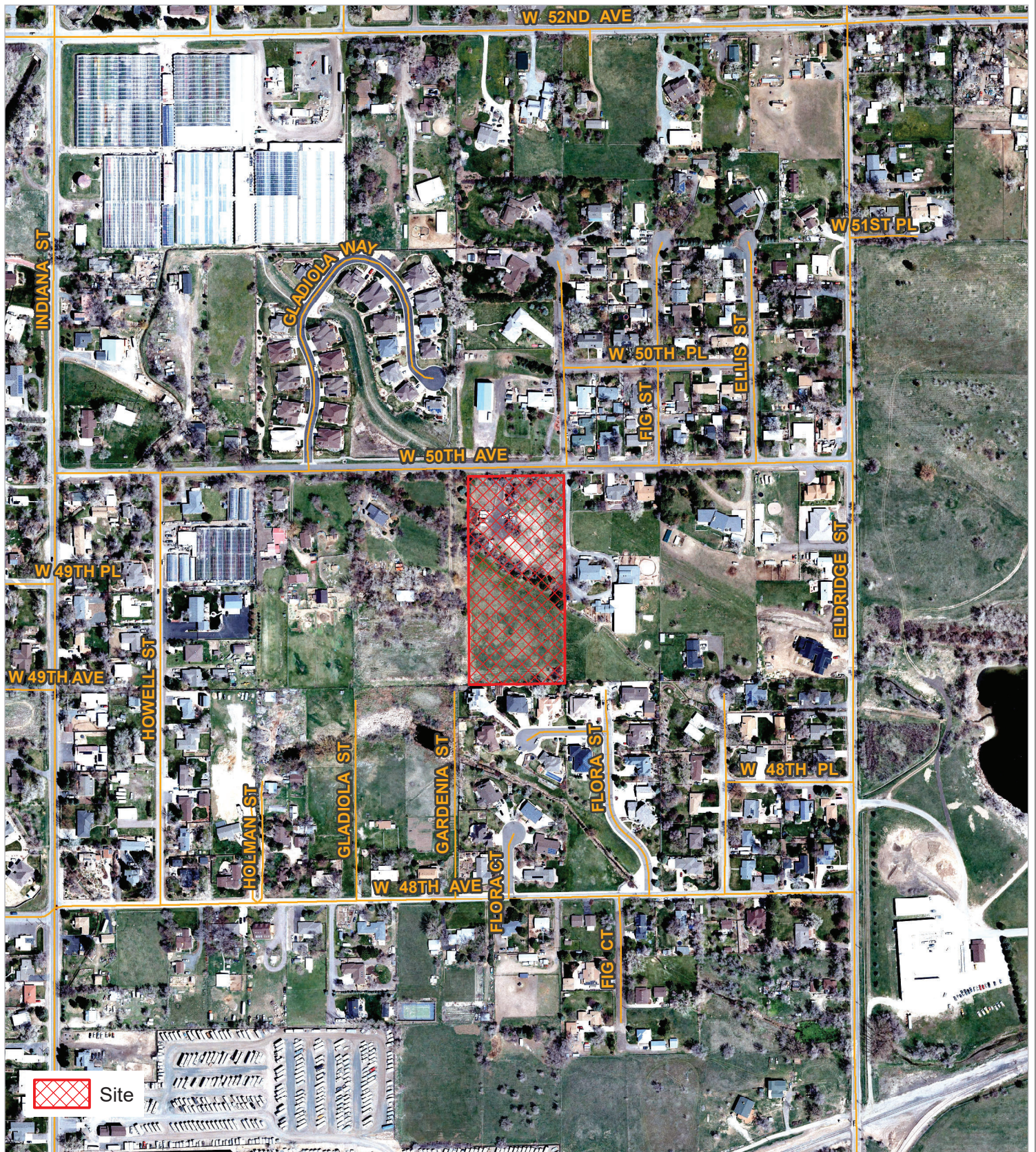
H. Animals

1. Manure shall not be allowed to accumulate so as to cause a hazard to the health, safety or welfare of humans and/or animals. The outside storage of manure in piles shall not be permitted within 100 feet of the front lot line and shall conform to the side and rear setback requirements of a dwelling. (orig. 3-26-13)
2. Stallions and bulls shall be kept in a pen, corral or run area enclosed by a 6-foot chain link fence, or material equal or greater in strength, except when it is necessary to remove them for training, breeding or other similar purposes. (orig. 3-26-13)

3. Where allowed the keeping of horses, cattle, sheep, goats, or other similar domesticated animals shall be kept in a fenced area. The total number of animals, listed above, is limited as follows. (orig. 3-26-13)

The minimum square footage of open lot area available to the animals, shall be 9,000 square feet for the first animal and 6,000 square feet for each additional animal. The total number of such animals that may be kept shall not exceed 4 per 1 acre; except that offspring of animals on the property may be kept until weaned. (orig. 3-26-13; am. 7-17-18)

MAPS



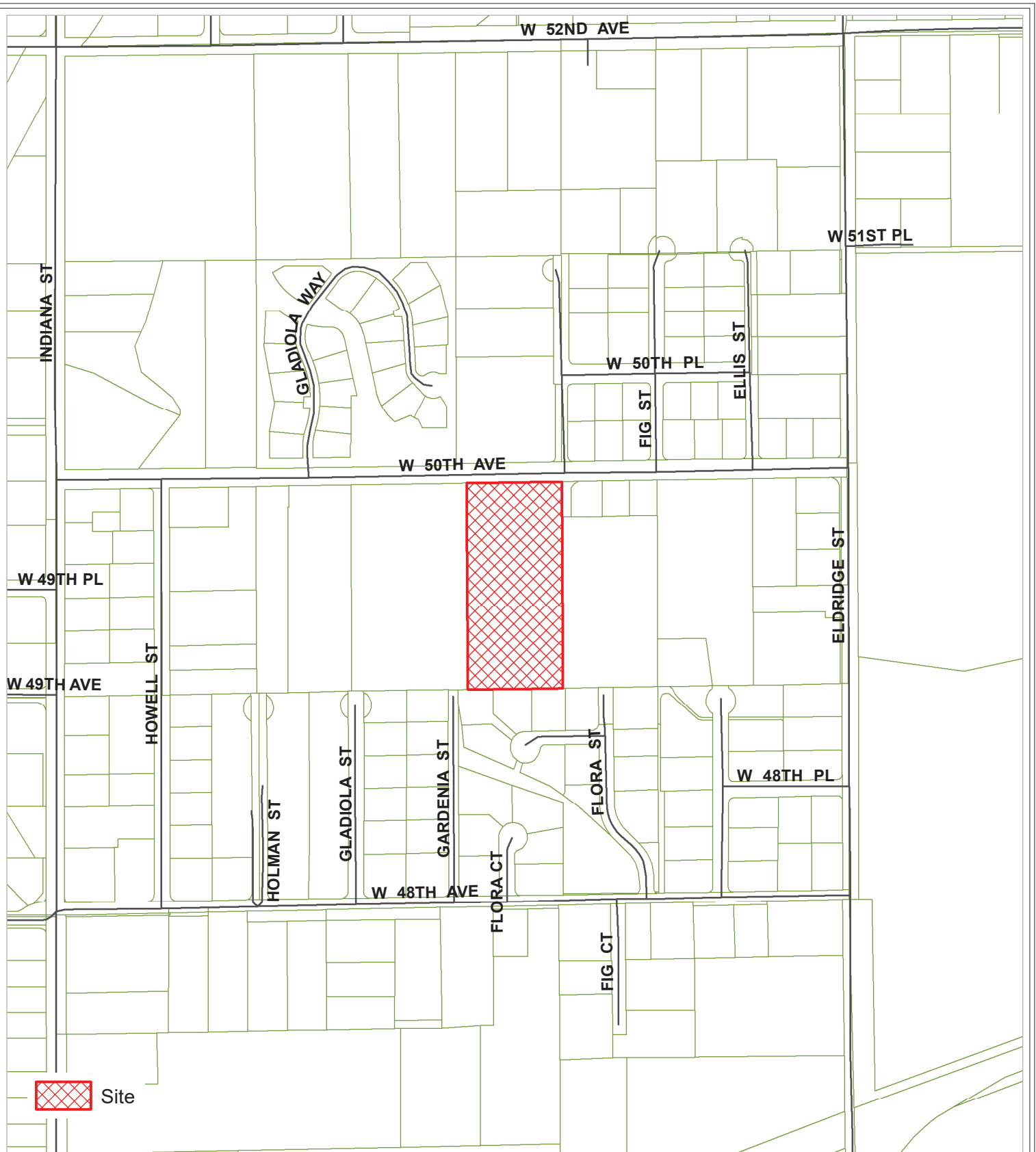
Case Number: 21-133812RZ
 Location: Section 18, T3S, R69W



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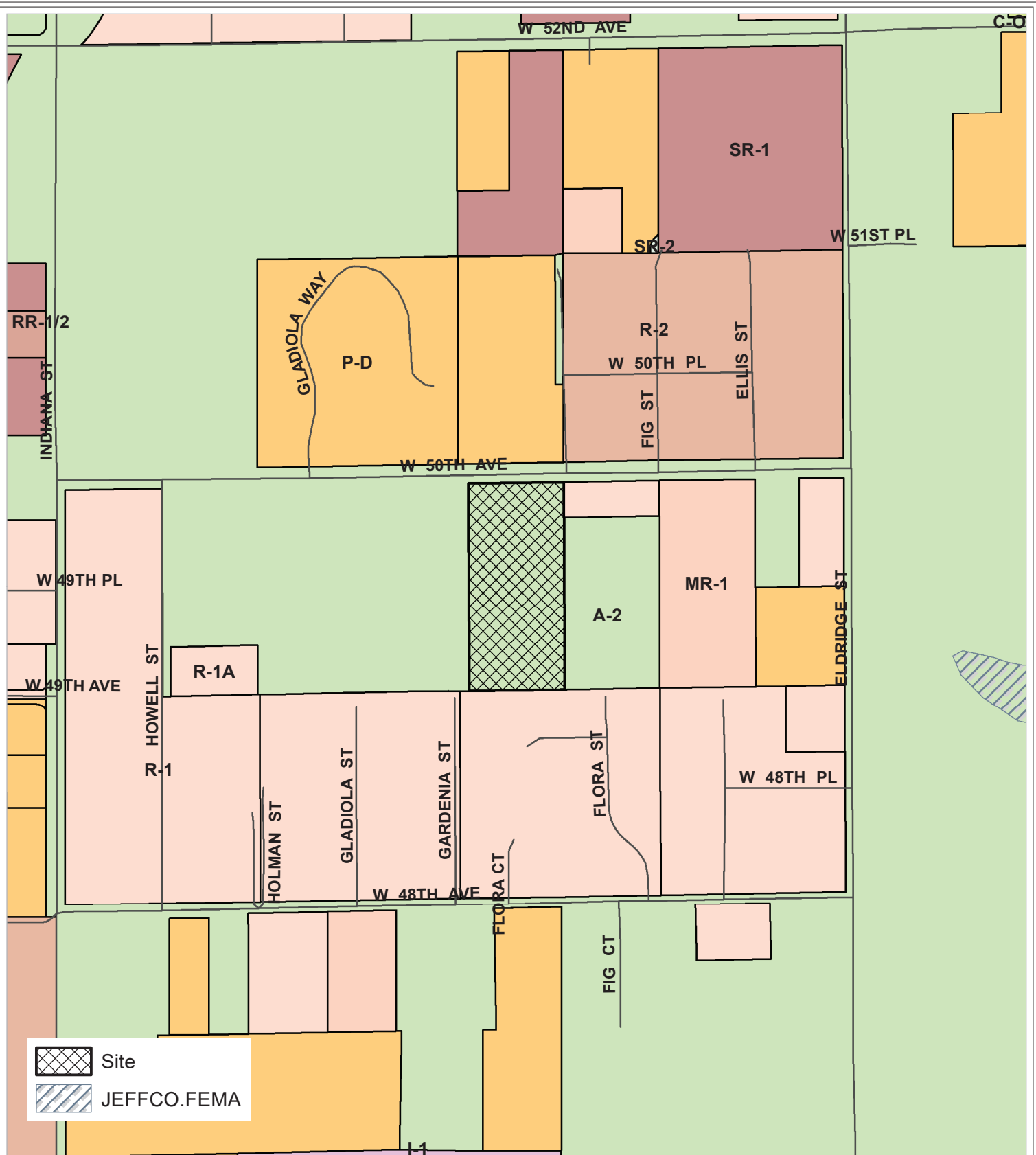
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Case No. 21-133812RZ

Legal Description

Street Location of Property 14320 West 50th Avenue

Is there an existing structure at this address?

Yes X No

Type the legal description and address below.

**Lot or Plot 20,
Wheat Ridge Gardens,
County of Jefferson,
State of Colorado**

Containing 4.19 Acres, more or less

Section 18 Township 3 S. Range 69 W.

Calculated Acreage 4.19 Acres Checked by: Ben Hasten

Address Assigned (or verified) 14320 West 50th Avenue

COMMUNITY MEETING SUMMARY

COMMUNITY MEETING SUMMARY

Case Number

21-127665 CMT

Meeting Date

8/30/2021

Approx. # of Citizens

40

Signed in
Meeting Location

Virtual CMT - Microsoft Teams

Subject Property

14320 W 50th Avenue

Property Owner

Redwood LLC

Applicant/Representative

David Theisen

Summary of the Applicant's Presentation

Community Meeting to discuss rezoning from Agricultural-1 (A-1) to Residential-2 (R-2) to develop up to 18 single-family attached residences

Information Presented/Format of the Meeting

Conceptual site plan of development

Overall Impression/Tone of Meeting

Generally critical/negative. Neighbors expressed concerns about density, traffic, loss of open space/views, wildlife impacts

Main Points/Issues Raised by Citizens/Applicant's Response

Density of proposed residences exceeds Comprehensive and Area Plan recommendations, perceived as too dense for the context

Duplexes not aligned with character of existing development

Roads lack sidewalks and additional traffic from proposed development would make walking in area more hazardous

Concern about potential golden eagle nest on property and general loss of open space and views which could be caused by this development

REFERRAL COMMENTS

Subject: FW: 21-133812RZ ELECTRONIC REFERRAL FOR REZONING

Kirk Hagaman <khagaman@co.jefferson.co.us>; Ben Hasten <bhasten@co.jefferson.co.us>; Nathan Seymour <nseymour@co.jefferson.co.us>; Mike Schuster <mschuste@co.jefferson.co.us>; Ross Klopf <rklopf@co.jefferson.co.us>; Pat OConnell <poconnel@co.jefferson.co.us>; Felicity Selvoski <fselvski@co.jefferson.co.us>; Kayla Bryson <kbryson@co.jefferson.co.us>; Heather Gutherless <hgutherl@co.jefferson.co.us>; Russell Clark <rclark@co.jefferson.co.us>; Sara Kohles <skohles@co.jefferson.co.us>; Kai Perea <kperea@co.jefferson.co.us>; Mark Weiden <mweiden@co.jefferson.co.us>; Michaelyne Baldwin <mbaldwin@co.jefferson.co.us>; Lindsay Townsend <ltownsen@co.jefferson.co.us>; Mike Vanatta <mvanatta@co.jefferson.co.us>; Ramey Fox <rfox@co.jefferson.co.us>; Nancy York <nyork@co.jefferson.co.us>; Jones, Kayla <kayla_jones3@comcast.com>; wendy@ntmwater.org; bart@ntmwater.org; ripatenco@fairmountfire.org; ablackmore@prospectdistrict.org; mhanson@prospectdistrict.org; asummers@drcog.org; gchiapella@drcog.org; treed@jeffco.k12.co.us; rhuxley@jeffco.k12.co.us; Matthew.Hanks@jeffco.k12.co.us; Supt@jeffco.k12.co.us; Elizabeth Stoner <estoner@co.jefferson.co.us>; Public Health EH Land Use <PublicHealthEHLandUse@co.jefferson.co.us>; George, Donna L <Donna.L.George@xcelenergy.com>; jgutierrez@summitutilitiesinc.com; twinkel@coloradonaturalgas.com; platreview@lumen.com; sarah.brucker@state.co.us; joanna.williams@state.co.us; matt.martinez@state.co.us; bjhanse2@gmail.com; luannkswim@gmail.com; pp925847@yahoo.com; dave@gcpaint.com; cici@acmhoa.com; meredith@kchoa.com; mthanson@earthlink.net; franevers@centurylink.net; etomandjudy@centurylink.net; codychristman@ymail.com; huebels@aol.com; mpoolet@gmail.com; jklitz@comcast.net; jscott@firstrounders.com; enoyes@mbpros.net; edegail@yahoo.com; donaldgparker@gmail.com; secretary@orchardhoa.org; president@orchardhoa.org

From: P&Z Admin

Sent: Monday, October 17, 2022 10:25 AM

Subject: 21-133812RZ ELECTRONIC REFERRAL FOR REZONING

ELECTRONIC REFERRAL

JEFFERSON COUNTY, COLORADO

Documents related to a Rezoning rehearing have been submitted to Jefferson County Planning and Zoning. This case is beginning the referral part of the rehearing process, and your agency's comments are requested. Please review the specific electronic documents related to the referral found [here](#). Comments should be submitted [via e-mail](#) to the case manager by the due date below.

Case Number: 21-133812RZ

Case Name: 14320 W 50th Ave

General Location: West 50th Avenue, west of Eldridge Street

Case Type: Rezoning

Purpose: To Rezone from Agricultural-Two (A-2) to Planned Development (PD) to allow for the future subdivision of the property into 10 lots for single-family detached units.

Case Manager: Sara Kohles, 303-271-8734, skohles@jeffco.us

Comments Due: **October 28, 2022**

Additional information related to this case can be viewed [here](#). Some of the links on this page that may be helpful are the links to the case file ([public documents](#)), to the Jeffco mapping system ([jMap](#)) and to the case tracking system ([general application details](#)).

In your comments, please indicate whether an additional referral is needed.

Jeffco: Addressing Cartography Engineer (Development Review) Geologist Historical Commission Long Range Planner (Development Review) Road and Bridge District 1 Transportation and Engineering Open Space Public Health	External: Comcast North Table Mountain Water & Sanitation District Fairmount Fire Protection District Prospect Recreation & Park District Denver Regional Council of Governments JeffCo Schools Public Service Company/Xcel Colorado Natural Gas Company CenturyLink/LUMEN Division of Water Resources Colorado Parks & Wildlife (plains)	HOA: Applewood POA Brookfield Acres HOA Candlelight Valley HOA Eagle Pointe HOA Fairmount Improvement Assn Jefferson County Horse Council Marriott Orchard HOA Plan Jeffco Rolling Hills East HOA Save The Mesas Inc The Orchard HOA
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Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571.3284
donna.l.george@xcelenergy.com

October 31, 2022

Jefferson County Planning and Zoning
100 Jefferson County Parkway, Suite 3550
Golden, CO 80419

Attn: Sara Kohles

Re: 14320 West 50th Avenue Rezone, Case # 21-133812RZ

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the request for the **14320 West 50th Avenue Rezone**. Please be advised that Public Service Company has existing overhead and underground electric distribution facilities along the south, east, and north property lines within this proposed rezone. Public Service Company has no objection to this proposed rezone, contingent upon PSCo's ability to maintain all existing rights and this amendment should not hinder our ability for future expansion, including all present and any future accommodations for natural gas transmission and electric transmission related facilities.

For future planning and to ensure that adequate utility easements are available within this development and per state statutes, PSCo requests that the following language or plat note is placed on the preliminary and final plats for the subdivision:

Six-foot (6') wide dry utility easements are hereby dedicated on private property adjacent to each front lot line of each lot and eight-foot (8') on each rear lot line of each lot in the subdivision. In addition, eight-foot (8') wide dry utility easements are hereby dedicated around the perimeter of tracts, parcels and/or open space areas. These easements are dedicated to Jefferson County for the benefit of the applicable utility providers for the installation, maintenance, and replacement of electric, gas, television, cable, and telecommunications facilities (Dry Utilities). Utility easements shall also be granted within any access easements and private streets in the subdivision. Permanent structures, improvements, objects, buildings, wells, water meters and other objects that may interfere with the utility facilities or use thereof (Interfering Objects) shall not be permitted within said utility easements and the utility providers, as grantees, may remove any Interfering Objects at no cost to such grantees, including, without limitation, vegetation. Public Service Company of Colorado (PSCo) and its successors reserve the right to require additional easements and to require the property owner to grant PSCo an easement on its standard form.

The property owner/developer/contractor must complete the application process for any new natural gas or electric service, or modification to existing facilities via [xcelenergy.com/InstallAndConnect](https://www.xcelenergy.com/InstallAndConnect). It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details.

For additional easements that may need to be acquired by separate document for new facilities, the Designer must contact a Right-of-Way and Permits Agent.

As a safety precaution, PSCo would like to remind the developer to contact Colorado 811 for utility locates prior to construction.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com

--{EXTERNAL}-- Re: [EXTERNAL] Rezoning agricultural land in Jefferson County CO - 14320 W 50th Ave Golden CO

Williams, Jen (she/her) <jennifer_williams@fws.gov>

Mon 10/31/2022 4:48 PM

To: Sara Kohles <skohles@co.jefferson.co.us>

CAUTION: This email originated from outside Jefferson County Government. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Sarah,

Yes, you are correct; the Service does not need to review projects for administrative changes like rezoning.

Thank you,

Jen

Dr. Jen Williams ([she/her \[cultureamp.com\]](mailto:jennifer_williams@fws.gov))
Fish and Wildlife Biologist
Colorado Ecological Services Field Office
134 Union Blvd
Lakewood CO 80228
303-236-4758
[jen_williams@fws.gov](mailto:jennifer_williams@fws.gov)

I changed my text format for accessibility purposes. Size 14 with Arial or Verdana fonts are the most legible.

From: Sara Kohles <skohles@co.jefferson.co.us>

Sent: Monday, October 31, 2022 4:27 PM

To: Williams, Jen (she/her) <jennifer_williams@fws.gov>

Subject: [EXTERNAL] Rezoning agricultural land in Jefferson County CO - 14320 W 50th Ave Golden CO

<p>This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.</p>
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Hello Jennifer,

My colleague reached out to you earlier this year (correspondence attached). The property in question was denied the original rezoning application and is going to a rehearing in November to allow 10 single family residential lots instead of 12 lots. Is the U.S. Fish and Wildlife response for a rezoning the same as

it was earlier this year? It sounds like you are primarily concerned with actual construction and development, not rezoning.

Just want to double check in case it comes up during the hearing process.

Best,

Sara Kohles
Planner

Jefferson County
100 Jefferson County Parkway
Suite 3550
Golden, CO 80419
P: 303-271-8734
skohles@jeffco.us



www.jeffco.us/Planning-and-Zoning/ [gcc02.safelinks.protection.outlook.com]

Planning and Zoning is open to the public and appointments are strongly encouraged. Virtual and in-person appointments are available Monday through Thursday. County offices are closed on Fridays. Please schedule [appointments \[gcc02.safelinks.protection.outlook.com\]](mailto:gcc02.safelinks.protection.outlook.com) and submit [applications \[gcc02.safelinks.protection.outlook.com\]](mailto:gcc02.safelinks.protection.outlook.com) online. Go to planning.jeffco.us [gcc02.safelinks.protection.outlook.com] for more information.

--{EXTERNAL}-- FW: 21-133812RZ ELECTRONIC REFERRAL FOR REZONING

Wendy Weiman <Wendy@ntmwater.org>

Fri 10/21/2022 12:02 PM

To: Sara Kohles <skohles@co.jefferson.co.us>

CAUTION: This email originated from outside Jefferson County Government. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Sara,

There were no water or sewer plans, therefore the District has no comment.

Thank you!

Wendy

Wendy M. Weiman, P.E.

Project Engineer

North Table Mountain Water & Sanitation District

14806 W. 52nd Avenue

Golden, Colorado 80403

Tel (303)279.2854 Ext. 306

Fax (303) 279-2865

Email - wendy@ntmwater.org

www.ntmwater.org [ntmwater.org]

From: P&Z Admin [mailto:PZAdmin@co.jefferson.co.us]

Sent: Monday, October 17, 2022 10:25 AM

Subject: 21-133812RZ ELECTRONIC REFERRAL FOR REZONING

ELECTRONIC REFERRAL

JEFFERSON COUNTY, COLORADO

Documents related to a Rezoning rehearing have been submitted to Jefferson County Planning and Zoning. This case is beginning the referral part of the rehearing process, and your agency's comments are requested. Please review the specific electronic documents related to the referral found [here](#). Comments should be submitted [via e-mail](#) to the case manager by the due date below.

Case Number: 21-133812RZ

Case Name: 14320 W 50th Ave

General Location: West 50th Avenue, west of Eldridge Street

Case Type: Rezoning

Purpose: To Rezone from Agricultural-Two (A-2) to Planned Development (PD) to allow for the future subdivision of the property into 10 lots for single-family detached units.

Case Manager: Sara Kohles, 303-271-8734, skohles@jeffco.us

Comments Due: **October 28, 2022**

Additional information related to this case can be viewed [here](#). Some of the links on this page that may be helpful are the links to the case file ([public documents](#)), to the Jeffco mapping system ([jMap](#)) and to the case tracking

P&Z REFERRAL T&E RESPONSE

To: Kayla Bryson

Case #: 21-133812 RZ

Case Name, Address, or PIN:

From: Transportation & Engineering

Due Date: October 28, 2022

14320 W. 50th Avenue

Amanda Attempt Result & Attachments:

☐ Comments Sent (no further review)

☐ Comments Sent (request re-review)

☒ No Comment (no further review)

Drainage

☐ T&E is currently working on a project in the area. See attached information.

☐ No concerns.

☐ Other Notes:

Right-of-Way / Roadway Corridor Expansion Projects

☒ **Corridor Projects / ROW**

☐ Land owner will need to refund the county \$ _____ for ROW purchased in _____ for
This amount **must** be paid before plat is recorded and / or plans are approved and released for construction.

☐ Documentation attached in AMANDA. ☐ Documentation to follow.

☐ Additional ROW needed for upcoming T&E project. Plan sheet attached with required width / area.

☐ Fee-in-lieu of adjacent roadway construction preferred, due to planned construction by the county. Please have the applicant submit a cost estimate.

☒ No Concerns.

☒ Other Notes:

Right of way dedication may be required at time of site development process. (30' from existing centerline)

Traffic Operations / Transportation Planning

Included in
referral

Reviewed

No

Yes

☒ **Transportation Planning**

☒ **Transportation Engineering**

Traffic Study

☐

☐

☐

Signage & Striping Plan

☐

☐

☐

Traffic Signal Plans

☐

☐

☐

Trails or Sidewalks

☐

☐

☐

Street / Road Plans

☐

☐

☐

☒ No Concerns.

☐ Other Notes:

No concerns. The surrounding network can absorb the traffic generated from 10 SFH. Access locations, parking, sidewalks, and other specific improvements will be evaluated at time of platting.

MEMO

TO: Sara Kohles
Jefferson County Planning and Zoning Division

FROM: Tracy Volkman
Jefferson County Environmental Health Services Division

DATE: October 17, 2022

SUBJECT: Case #21-133812 RZ
14320 W 50th Avenue

The applicant has met the public health requirements for the proposed rezone of this property. Jefferson County Public Health's comments remain unchanged.

We still encourage that an active living concept or feature be included in the proposed development. See active living section below.

PROPOSAL SUMMARY

Rezone 4.19 acres from Agricultural-1 to Residential-1A to allow 10 single family dwelling units for this proposed development.

COMMENTS

Jefferson County Public Health (JCPH) provided comments on July 20, 2021 regarding a pre-application case and on October 13, 2021 regarding the rezoning of this case. We have re-reviewed the public health documents submitted by the applicant for this rezone process and have the following comments:

The applicant must submit the following documents or take the following actions prior to a ruling on the proposed rezone of this property. NOTE: Items marked with a "✓" indicate that the document has been submitted or action has been taken. **Please read entire document for requirements and information. Please note additional documentation may be required. Failure to provide required documentation may delay the planning process.**

REZONING REQUIREMENTS (Public Water & Public Sewer Systems)

✓	Date Re-Reviewed	Required Documentation/Actions	Refer to Sections
✓	10/17/2022	Submit a will serve/proof of services letter from the Water and Sanitation District to provide proof of public water and sewer services in accordance with the Jefferson County Zoning Resolution and Land Development Regulation (LDR) Section 21 & 22.	Water/Wastewater

✓	Date Re-Reviewed	Required Documentation/Actions	Refer to Sections
✓	10/17/2022	Submit a notarized Environmental Questionnaire and Disclosure Statement in accordance with the Jefferson County Zoning Resolution and Land Development Regulation (LDR) Section 30.	Environmental Site Assessment

WATER/WASTEWATER (LDR 21 & 22)

The applicant provided a certificate of water/sewer availability signed by the North Table Mountain Water and Sanitation District dated July 14, 2021 stating that public water and sewer service is available to the proposed development.

ENVIRONMENTAL ASSESSMENT (LDR 30)

JCPH has reviewed the Environmental Questionnaire and Disclosure Statement. The applicant checked "No" on all categories of environmental concern on the cover sheet. From this information, it does not appear that any recognized environmental conditions exist which would negatively impact the property.

SENSORY IMPACT ASSESSMENT (LDR 26)

Although not required for the rezone process, JCPH reviewed the Sensory Impact Report dated September 17, 2021. This report complies with requirements set forth in Section 26 of the Jefferson County Land Development Regulation.

ACTIVE LIVING

JCPH strongly encourages the developer to consider some active living concept such as a central gathering area (gazebo), a community garden or some other built environment component that can foster social connectedness and community interaction. These amenities can promote public health by creating a sense of well-being in the future residents of the proposed development.

JCPH would also strongly encourage the developer to consider how the proposed development is designed in relation to a carefully planned built environment that would encourage physical activity, such as walking, biking and other modes of physical transportation (skateboards, scooters, roller blades, etc) other than just the automobile. This can lead to reduced vehicle miles travelled and can help decrease air pollution. It can also foster and promote positive health behaviors by allowing people to choose an active mode of transportation other than the automobile.

AIR

Land development activities that are less than 25 contiguous acres and less than 6 months in duration are exempt from permitting and do not need to report air emissions to the Air Pollution Control Division. However, the developer must use sufficient control measures and have a dust control plan in place to minimize any dust emissions during demolition, land clearing and construction activities. This department will investigate any reports of fugitive dust emissions from the project site. If confirmed, a notice of violation will be issued with appropriate enforcement action taken by the State.

Please be advised that a vehicle tracking pad or equivalent should be placed at egress points to prevent off property transport of materials during construction.

RADON

As of January 2019, to address the health hazard associated with radiation from radon gas, all new residential construction in Jefferson County must have a radon mitigation system installed in accordance with the Land Development Regulation Section 27 and the International Residential Code, Appendix F.

NOTE: These case comments are based solely upon the submitted application package. They are intended to make the applicant aware of regulatory requirements. Failure by Jefferson County Public Health to note any specific item does not relieve the applicant from conforming to all County regulations. Jefferson County Public Health reserves the right to modify these comments, request additional documentation, and or add appropriate additional comments.

LONG RANGE REVIEW MEMO

Date: October 23, 2022
 To: Sara Kohles, Planner
 From: Felicity Selvoski, Planner
 Case number: 21-133812RZ - rehearing
 Address/AIN: 14320 W 50th Ave
 Purpose: To rezone 4.19 acres from A-1 to PD, allowing a maximum of 10 dwelling units

Applicable Comprehensive Master Plan Sections

<u>Land Use</u>	<u>Physical Constraints</u>	<u>Community Resources</u>	<u>Infrastructure, Water & Services</u>	<u>Area Plan</u>
<u>All Development</u>	<u>General</u>	<u>Historic Resources</u>	<u>Transportation</u>	<u>North Plains</u>
<u>Business and Industry</u>	<u>Geologic Hazards</u>	<u>Visual Resources</u>	<u>Water and Wastewater</u>	<u>Central Plains</u>
<u>Housing</u>	<u>Floodplains</u>	<u>Air, Light, Odor, and Noise</u>	<u>Water Storage</u>	<u>South Plains</u>
<u>Mixed-Use</u>	<u>Wildfire</u>	<u>Open Space</u>	<u>Other Utilities</u>	<u>North Mountains</u>
<u>Community Uses</u>	<u>Radiation</u>	<u>Recreation and Trails</u>	<u>Services</u>	<u>Central Mountains</u>
<u>Livestock</u>	<u>Landfills</u>	<u>Recreation and Tourism</u>	<u>Special Districts</u>	<u>Evergreen</u>
<u>Renewable & Alternative Energy</u>	<u>Mines</u>			<u>Indian Hills</u>
<u>Extractive Resources</u>	<u>Wildlife & Vegetation</u>			<u>Conifer/285</u>
<u>Solid Wastes and Hazardous Materials</u>				
<u>Activity Centers</u>				
<u>Site Design</u>				

Key Issues:

- No further issues.

Land Use Recommendation

- The property is located in Area 10 of the North Plains Area. This area recommends a density of 2.5 dwelling units per acre.
- The applicant has revised their zoning proposal to be a Planned Development. This Planned Development will restrict the number of homes to 10 which will be a density of 2.38 dwelling units per acre.

Land Use

- The Housing section discusses a variety of housing options and also discusses using transitional lot sizes and incorporating setbacks and buffers, with density being able to increase as the quality of site design increases. (CMP p. 24)
 - The applicant has increased the site design and modified the lot layout to address possible issues with compatibility.

PLANNING ENGINEERING MEMORANDUM

TO: Kayla Bryson, Case Manager
FROM: Nathan Seymour, Planning Engineering
DATE: December 7, 2021
RE: 21-133812RZ; Rezoning from A-1 to R-1A at 14320 W. 50th Avenue

I have reviewed the application documents and provided the comments below. These comments are based upon the requirements of the Jefferson County Zoning Resolution (ZR), the Transportation Design and Construction Manual (Transportation Manual), the Land Development Regulation (LDR), and the Storm Drainage Design and Technical Criteria (Drainage Criteria).

TRANSPORTATION ANALYSIS

1. **Transportation Analysis:** The proposed Rezoning is anticipated to generate a maximum of 113 daily trips, 9 am peak and 12 PM peak trips based on a total of 12 dwelling units. Planning Engineering has no outstanding concerns or comments based on the intended use and trip generation.

PHASE I DRAINAGE REPORT

1. Phase I Drainage Report and Plan: This property is traversed by a major drainageway. The Drainage Report describes conceptual feasibility and design characteristics of the proposed development. Please note that all final design will be required to be reviewed/approved at the time of Preliminary and Final Plat. It is difficult to determine the conceptual feasibility until final design plans and a Phase III drainage report are provided, therefore this conceptual plan is subject to change. At this time, I have one minor comment which is shown on the attached redmark print. Please review and update as needed.

FUTURE REQUIREMENTS

1. Plat: The applicant needs to be aware that prior to building permit and/or lot sale a Plat is required in accordance with the Section 6 of the Land Development Regulation.
 - Access locations, parking, sidewalks, and other specific improvements will be evaluated at time of Preliminary and Final Plat.
 - Phase III Drainage Report
2. Land Disturbance Permit: A Land Disturbance Permit will be required for the proposed construction of each individual lot. See Section 16 of the Zoning Resolution to determine whether a Grading Permit or Notice of Intent is applicable.

If you wish to set up a meeting to discuss the above comments, or if you have any questions regarding these comments, please contact me at nseymour@jeffco.us or 303-271-8751.

Sincerely,

Nathan Seymour,
Civil Planning Engineer

ADDRESSING

MEMO

To: Sara Kohles
FROM: Christine Derby
SUBJECT: 21-133812RZ 14320 West 50th Avenue
DATE: October 20, 2022

Addressing offers the following comments on this proposal:

1. The purpose of this Rezoning is to Rezone from Agricultural-Two (A-2) to Planned Development (PD) to allow for a maximum of 10 single family units.
2. Access is off West 50th Avenue.
3. There is a valid existing address, 14320 West 50th Avenue, in the addressing database. This address will not change with this Rezoning but may change with future development.

Please let me know if you have any questions.

--{EXTERNAL}-- RE: [EXTERNAL EMAIL] 21-133812RZ ELECTRONIC REFERRAL FOR REZONING

Justin Gutierrez <JGutierrez@Summitutilitiesinc.com>

Tue 10/18/2022 8:12 AM

To: Sara Kohles <skohles@co.jefferson.co.us>

CAUTION: This email originated from outside Jefferson County Government. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Sara,

Colorado Natural Gas does not own any facilities or appurtenances in this location and has no objection to the Rezoning of 14320 W 50th Ave.

Thanks,

-
Justin Gutierrez
Engineer II
Summit Utilities, Inc.
jgutierrez@SummitUtilitiesInc.com
Office: (720) 981-2123 [x1187]

From: P&Z Admin <PZAdmin@co.jefferson.co.us>

Sent: Monday, October 17, 2022 10:25 AM

Subject: [EXTERNAL EMAIL] 21-133812RZ ELECTRONIC REFERRAL FOR REZONING

ELECTRONIC REFERRAL

JEFFERSON COUNTY, COLORADO

Documents related to a Rezoning rehearing have been submitted to Jefferson County Planning and Zoning. This case is beginning the referral part of the rehearing process, and your agency's comments are requested. Please review the specific electronic documents related to the referral found [here](#). Comments should be submitted [via e-mail](#) to the case manager by the due date below.

Case Number: 21-133812RZ

Case Name: 14320 W 50th Ave

General Location: West 50th Avenue, west of Eldridge Street

Case Type: Rezoning

Purpose: To Rezone from Agricultural-Two (A-2) to Planned Development (PD) to allow for the future subdivision of the property into 10 lots for single-family detached units.

Case Manager: Sara Kohles, 303-271-8734, skohles@jeffco.us

Comments Due: **October 28, 2022**

Additional information related to this case can be viewed [here](#). Some of the links on this page that may be helpful are the links to the case file ([public documents](#)), to the Jeffco mapping system ([jMap](#)) and to the case tracking system ([general application details](#)).

In your comments, please indicate whether an additional referral is needed.

NOTIFICATION SUMMARY

+

PUBLIC / HOA COMMENTS

Case Number 21-133812RZ

As a requirement of the Jefferson County Zoning Resolution, the following Level 1 notification was provided for this proposal.

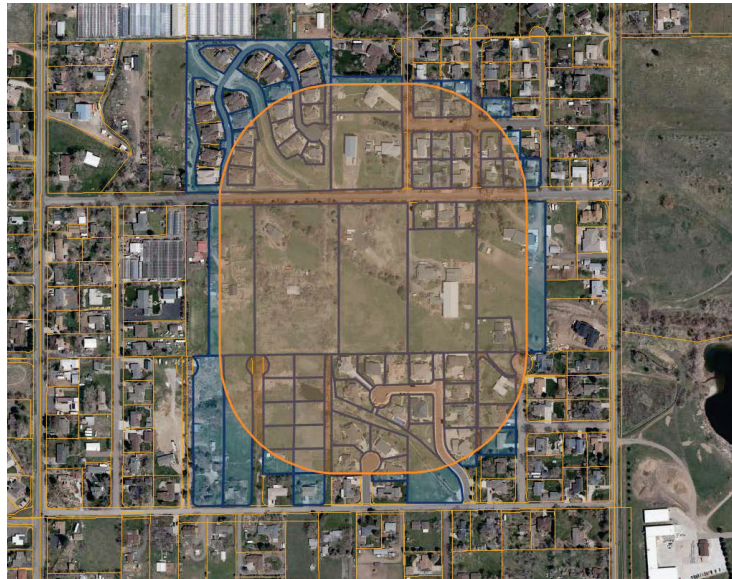
1. Notification of this proposed development was mailed to property owners within a 500 ft ☒ radius of the site and Registered Associations located within a one mile ☒ radius of the site.

These radii are shown on the maps below. The initial notification was mailed at the time of the first referral. Additional notification was mailed 14 days prior to the Planning Commission Hearing identifying the scheduled hearings dates for both the Planning Commission and the Board of County Commissioners.

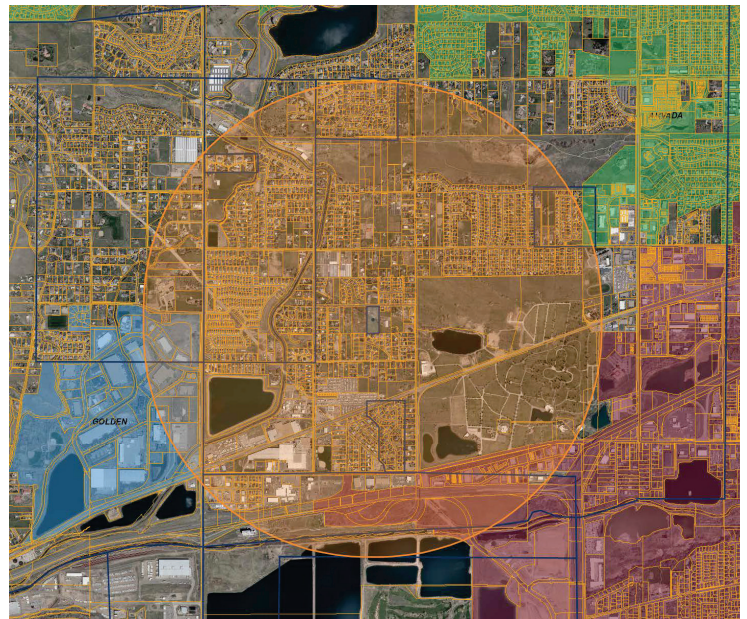
2. Sign(s), identifying the dates of the hearings before both the Planning Commission and the Board of County Commissioners, were provided to the applicant for posting on the site. The sign(s) were provided to the applicant with instructions that the site be posted 14 days prior to the Planning Commission Hearing.
3. Notification of the hearings before the Planning Commission and the Board of County Commissioners was published in the West Jeffco Hub.

Lists of the specific property owners and registered associations that received notification are attached to this summary.

Property Owners



Registered Associations



HOA Report

Jefferson County Colorado Planning and Zonning

Home Owners Associations within 1 miles of 39-183-07-056

Subject Properties

AIN/Parcel ID: **39-183-07-056**, PIN/Schedule: **300197189**

Owner: **REDWOOD LLC**

Property Address

VACANT LAND , , CO

Mailing Address

5040 ACOMA ST , DENVER, CO 80216

11 HOA within 1 miles of subject properties

HOA Name: **APPLEWOOD POA**, Area: **Central Plains**, Amanda RSN: **757291**

Contact: **BRIAN HANSEN**, Phone Numbers: , **7204704304**, Website:

Board Members: **Brian Hansen**, , **Will Musser**, **Luann Swim**,

Mailing Address:

2750 ELDRIDGE ST, GOLDEN CO 80401

HOA Name: **Brookfield Acres Homeowners Association**, Area: , Amanda RSN: **1002514**

Contact: **c/o Paul Pronsati**, Phone Numbers: **7203082604**, **3038864165**, Website:

Board Members: **David Call**, **LeAnne Stauffer**, **Paul Pronsati**, **David Call**, **LeAnne Stauffer**

Mailing Address:

15309 W 55th Ave, GOLDEN, CO 80403

HOA Name: **CANDLELIGHT VALLEY HOA**, Area: **N PLAINS**, Amanda RSN: **757473**

Contact: **C/O LAKEWOOD REALTY CO**, Phone Numbers: **3032334646**, , Website: **www.candlelightvalley.org**

Board Members: **John Stebbins**, **Sharla Martinez**, **Brian Fitzler**, ,

Mailing Address:

9250 W 5TH AVE, LAKEWOOD CO 80226

HOA Name: **EAGLE POINTE HOA**, Area: **N PLAINS**, Amanda RSN: **757426**

Contact: **C/O MEREDITH THAYER**, Phone Numbers: **3039336279**, , Website: **www.eaglepointhoa.org**

Board Members: **Richard Peterson**, **George Smith**, **Steven Parker**, **Jack Kingery**, **David Peak**

Mailing Address:

P O BOX 270487, LITTLETON CO 80127

HOA Name: **FAIRMOUNT IMPROVEMENT ASSN**, Area: **N PLAINS**, Amanda RSN: **757323**

Contact: **FLORA A ANDRUS**, Phone Numbers: **3032788660**, **3033849415**, Website: **www.fairmontimprovementassociation.org**

Board Members: **Flora A. Andrus**, **Lavonne Wise**, **Mike Hanson**, **Debra Berg**, **Bruce Blakeslee**, **Kay Rowland**, **Beverly Wood**, **John Jurbale**

Mailing Address:

4790 EASLEY RD, GOLDEN CO 80403

HOA Name: **JEFFERSON COUNTY HORSE COUNCIL**, Area: **ALL AREAS**, Amanda RSN: **757337**

Contact: , Phone Numbers: **3038174818**, , Website: **jeffcohorse.com**

Board Members: **Don McDougal**, **Barb Suggs**, **Andrea Raschke**, **Andrea Raschke**, **Terry Liekhus**

Mailing Address:

,

HOA Name: **MARRIOTT ORCHARD HOA**, Area: **N PLAINS**, Amanda RSN: **757478**

Contact: **CODY CHRISTMAN**, Phone Numbers: **7203831968**, **3032790991**, Website:

Board Members: **Cody Christman**, **Bob Huebel** **303-279-0991**, , **Debbie Herblan**,

Mailing Address:

15264 W 51ST PLACE, GOLDEN CO 80403

HOA Name: **PLAN JEFFCO**, Area: , Amanda RSN: **984263**
Contact: **C/O MICHELLE POOLET**, Phone Numbers: **3035261348, 7208394336**, Website: **www.planjeffco.org**
Board Members: **John Litz, Peter Morales, Michelle Poolet, Peter Morales, John Litz, Bette Seeland**
Mailing Address:
24396 CODY PARK ROAD, GOLDEN, CO 80401

HOA Name: **ROLLING HILLS EAST HOA**, Area: **N PLAINS**, Amanda RSN: **757470**
Contact: **C/O JAMES A SCOTT**, Phone Numbers: **3039813010, 3032151030**, Website:
Board Members: **Evan Noyes, , James A Scott, James A Scott,**
Mailing Address:
2941 KENDRICK ST, GOLDEN CO 80401

HOA Name: **SAVE THE MESAS INC**, Area: **N PLAINS**, Amanda RSN: **757475**
Contact: **c/o Edee Gail**, Phone Numbers: **3032794549, 3032794549**, Website:
Board Members: **Don Parker, Edee Gail, Don Parker, Anne Hedberg, Mary Parker, Marjie Harbrect**
Mailing Address:
305 LOOKOUT VIEW DR, GOLDEN CO 80401

HOA Name: **THE ORCHARD HOA**, Area: **N PLAINS**, Amanda RSN: **757441**
Contact: , Phone Numbers: **3033253020, 3038152502**, Website: **www.orchardhoa.org**
Board Members: **Justice Keller, Leslie Rutherford, William Brown, William Brown, Tim Raub**
Mailing Address:
14170 W 44TH PL, GOLDEN CO 80403

REDWOOD LLC
5040 ACOMA ST
DENVER, CO 80216

NOLTING HOLLY L A
14185 W 50TH PL
GOLDEN, CO 80403

BORDEN AMBER L
14205 W 50TH PL
GOLDEN, CO 80403

SCHMUCKER ERIC B
14295 W 50TH PL
GOLDEN, CO 80403

HALLIGAN ROBERT WAYNE Jr
5025 FIG ST
GOLDEN, CO 80403

BLACK GREGORY JAMES
14280 W 50TH PL
GOLDEN, CO 80403

WEIMAN KEVIN
5020 FLORA ST
GOLDEN, CO 80403

CATHCART DAVID SCOTT
14195 W 50TH AVE
GOLDEN, CO 80403

HENRY MATTHEW ALLEN
14185 W 50TH AVE
GOLDEN, CO 80403

BUZZ TRUST
14175 W 50TH AVE
GOLDEN, CO 80403

CHEVAIRE JOHN W
5030 FIG ST
GOLDEN, CO 80403

MAXHEIMER HELGA
14150 W 50TH PL
GOLDEN, CO 80403

JOHNSTON RICKY LEE
17159 W 57TH PLAC
GOLDEN, CO 80403

CORBIN CHARLES
4230 EASLEY RD
GOLDEN, CO 80403

RAJCHEL SYDNEY
12803 W 84TH PL
ARVADA, CO 80005

MARRANZINO MICHAEL A
5061 FLORA ST
GOLDEN, CO 80403

TERMENTOZZI TAMMY L
14275 W 50TH AVE
GOLDEN, CO 80403

ERIN K WADE LIVING TRUST
5055 GLADIOLA WAY
GOLDEN, CO 80403

CLIDENCE JEFF
5065 GLADIOLA WAY
GOLDEN, CO 80403

HAASE SUSAN
5094 GLADIOLA WAY
GOLDEN, CO 80403

SORENSEN DANIEL R
5084 GLADIOLA WAY
GOLDEN, CO 80403

REES MEGAN D
5074 GLADIOLA WAY
GOLDEN, CO 80403

CLENDINNING BRENT R
5064 GLADIOLA WAY
GOLDEN, CO 80403

MARINO VALMARIE
5054 GLADIOLA WAY
GOLDEN, CO 80403

MARY ANN MARK FAMILY TRUST
5018 GLADIOLA WAY
GOLDEN, CO 80403

PHILLIPSON BARBARA J
5014 GLADIOLA WAY
GOLDEN, CO 80403

BASHFORD GORDON V
5008 GLADIOLA WAY
GOLDEN, CO 80403

CHRISTIE SMITH BIBEAU TRUST
5004 GLADIOLA WAY
GOLDEN, CO 80403

COTTAGES ON FAIRMOUNT LANE HOA
283 COLUMBINE ST 166
DENVER, CO 80206

DUNN JERRY L
14550 W 50TH AVE
GOLDEN, CO 80403

KUETTEL TED
4820 HOLMAN ST
GOLDEN, CO 80403

TRUDI KUETTEL LIVING TRUST
14515 W 48TH AVE
GOLDEN, CO 80403

BOYLE CHARLINE D
14475 W 48TH AVE
GOLDEN, CO 80403

BOYLE CHARLINE D
14475 W 48TH AVE
GOLDEN, CO 80403

BOYLE CHARLINE D
14475 W 48TH AVE
GOLDEN, CO 80403

BOYLE CHARLINE D
14475 W 48TH AVE
GOLDEN, CO 80403

BOYLE CHARLINE D
14475 W 48TH AVE
GOLDEN, CO 80403

MILLER FAMILY TRUST
14425 W 48TH AVE
GOLDEN, CO 80403

MILLER FAMILY TRUST
14425 W 48TH AVE
GOLDEN, CO 80403

MILLER FAMILY TRUST
14425 W 48TH AVE
GOLDEN, CO 80403

MILLER FAMILY TRUST
14425 W 48TH AVE
GOLDEN, CO 80403

MILLER FAMILY TRUST
14425 W 48TH AVE
GOLDEN, CO 80403

MILLER FAMILY TRUST
14425 W 48TH AVE
GOLDEN, CO 80403

HILL PETER C
14450 W 50TH AVE
GOLDEN, CO 80401

MICHAL DONALD H
4853 FLORA CT
GOLDEN, CO 80403

PETTY JEFFREY L
4883 FLORA CT
GOLDEN, CO 80403

MILLSAPPS SCOTT
4882 FLORA CT
GOLDEN, CO 80403

COX PAUL B
4852 FLORA CT
GOLDEN, CO 80403

SCHARF KYLE
4835 ELLIS ST
GOLDEN, CO 80403

STROUP CLARA M
4845 ELLIS ST
GOLDEN, CO 80403

BERKEY REX EUGENE
4875 ELLIS ST
GOLDEN, CO 80403

BURR CYDNEY DANIELLE
4905 ELLIS ST
GOLDEN, CO 80403

CHARLES & PEGGY MILLIGAN 2014 REVOCABLE
14300 W 50TH AVE
GOLDEN, CO 80403

KENNEDY JOHN T
14290 W 50TH AVE
GOLDEN, CO 80403

MOSLEY JERRY L
14256 W 50TH AVE
GOLDEN, CO 80403

LITTLE JAMES NATHAN
9167 WINTERCOVE
COMMERCE TOWNSHIP, MI 48382

FARQUHAR DAWN R
14050 W 50TH AVE
ARVADA, CO 80004

LOUIS VIGIL SUBDIVISION FILING NO 2 HOME0
4860 FLORA ST
GOLDEN, CO 80403

LOUIS VIGIL SUBDIVISION FILING NO 2 HOME0
4860 FLORA ST
GOLDEN, CO 80403

PETERS JASON
14332 W 48TH PL
GOLDEN, CO 80403

ROBINSON MATTHEW PHILLIP
14362 W 48TH PLAC
GOLDEN, CO 80403

HAMM DAVID TODD
14382 W 48TH PLAC
GOLDEN, CO 80403

REIMANIS FAMILY TRUST
14383 W 48TH PL
GOLDEN, CO 80403

HENDERSON GARY L
14373 W 48TH PL
GOLDEN, CO 80403

ELLEN ROLLINS REVOCABLE TRUST
14363 W 48TH PL
GOLDEN, CO 80403

KELLER JAMES LAWSON
14333 W 48TH PLAC
GOLDEN, CO 80403

JEFFERSON COUNTY
100 JEFFERSON COUNTY PKWY
GOLDEN, CO 80419

WATERS GREGORY
4820 FLORA ST
GOLDEN, CO 80403

SHARP JOHN R
4840 FLORA ST
GOLDEN, CO 80403

KRUMHOLZ RICHARD A
4860 FLORA ST
GOLDEN, CO 80403

SHELTON ROSS KENDRICK
4880 FLORA ST
GOLDEN, CO 80403

CURRENT ZONING

Section 33 - Agricultural District

(orig. 3-26-13)

A. Intent and Purpose

1. The Agricultural Zone Districts are intended to provide for limited farming, ranching and agriculturally related uses while protecting the surrounding land from any harmful effects. (orig.3-26-13)
2. Contained in this section are the allowed land uses, building and lot standards (including minimum setbacks) and other general requirements for each specific agricultural zone district. (orig.3-26-13)
3. The Agricultural Zone Districts are divided as follows: (orig.3-26-13)
 - a. Agricultural-One (A-1)
 - b. Agricultural-Two (A-2)
 - c. Agricultural-Thirty-Five (A-35)
4. A revision in March, 1972, increased the minimum land area for the Agricultural-One district to 5 acres. (orig.3-26-13)
5. A revision in March, 1972, increased the minimum land area for the Agricultural-Two district to 10 acres. (orig.3-26-13)

B. Permitted Uses (orig. 3-26-13; am. 7-17-18)

Uses	A-1	A-2	A-35
Single Family Dwelling, Barn, Stable, Silo, Corral, Pens, and Runs.	X	X	X
General Farming, including grains, fruit, vegetables, grasses, hay, livestock raising, and the keeping and boarding of horses. See general requirements below.	X	X	X
Poultry hatcheries and farms, fish hatcheries and dairy farms.	X	X	X
Greenhouse and nursery, including both wholesale and retail, provided products sold are raised on the premises.	X	X	X
Forestry farming, including the raising of trees for any purpose.	X	X	X
Fur farm and raising of rabbits, chinchillas and other similar animals.	X	X	X
Public Park, Class I public recreation facilities, Class II public recreation facilities are permitted only if the site is in compliance with the current minimum lot size requirement.	X	X	X
Veterinary hospital	X	X	X
Cemetery, mausoleum, mortuary and related uses.	X	X	X
Beekeeping operations	X	X	X
Oil and gas drilling and production subject to the Drilling and Production of Oil and Gas Section of this Zoning Resolution, except where located within a subdivision platted and recorded in the records of the Clerk and Recorder.	X	X	X
Telecommunications Land Uses shall comply with the provisions of the Telecommunications Uses Section of this Zoning Resolution.	X	X	X
Energy Conversion Systems (ECS) land uses shall comply with the provisions of the Alternative Energy Resources Section of the Zoning Resolution.	X	X	X
Water supply reservoir and irrigation canal	X	X	X

C. Accessory Uses (orig. 3-26-13; am. 7-17-18)

Uses	A-1	A-2	A-35
Accessory structures including private garage, and storage sheds	X	X	X
Roadside stand for operation during not more than 6 months in each year for the sale of farm products raised or produced on the premises, provided such stands are located no less than 30 feet distance from any street, highway, or right-of-way line.	X	X	X
Private building and kennels for housing dogs, cats or similar domestic pets. On legal non-conforming lots or parcels smaller than the minimum lot size, the maximum total number of dogs, cats and similar domesticated pets which may be kept shall be 3. Litters of puppies or kittens may be kept until weaned.	X	X	X
Temporary storage of defensible space equipment and debris associated fuel break and forest management thinning in accordance with defensible space, fuel break and forest management programs as specified in this Zoning Resolution and Land Development Regulation.	X	X	X
Home Occupations provided the requirements and conditions of the Board of Adjustment or the Home Occupations Section of this Zoning Resolution are met.	X	X	X
Accessory uses per the Accessory Use Section of the Zoning Resolution.	X	X	X

D. Special Uses (orig. 3-26-13; am. 7-17-18)

Uses	A-1	A-2	A-35
Sewage treatment plant	X	X	X
Religious Assemblies and related uses, rectory, parish house and schools.	X	X	X
Radio, television and microwave transmission and relay towers and equipment; meteorological data collection towers and equipment; low power, micro-cell and repeater telecommunications facilities, including antenna and towers.	X	X	X
Cable television reception station	X	X	X
A group living facility, other than homes for social rehabilitation, or a home where up to 6 unrelated individuals are living together, that is occupied by more than one registered sex offender.	X	X	X
Group, foster or communal home, residential treatment center, community residential home, home for social rehabilitation, assisted living residence, personal care boarding home, specialized group facility, receiving home for more than 4 foster home residents, residential child care facility or shelter from domestic violence, licensed or certified by state if applicable, in which 7 or more residents who are not legally related live and cook together as a single housekeeper unit not located within 750 ft of another similar type home or shelter.	X	X	X
State licensed daycare center or preschool or nursery.	X	X	X
Arborist or tree service	X	X	X
Natural resource transportation and conveyance systems	X	X	X
Public Kennel or cattery	X	X	X
Public riding academy or stable	X	X	X
Camps, campgrounds, picnic grounds, and lodges or other similar facilities. Specific conditions and limitations for use, including maximum periods of visitor occupancy and types or maximum numbers of occupied vehicles or sites, will be established as terms of the Special Use approval.	X	X	X
Oil and gas drilling and production, where located within a subdivision platted and recorded in the records of the Clerk and Recorder. Such operations shall conform to the standards contained in the Drilling and Production of Oil and Gas Section of the Zoning Resolution, except as modified in the resolution approving the Special Use.	X	X	X
Class I, II, III Commercial Recreational Facilities. Class II public recreational facilities on sites which do not meet the current minimum lot size requirement. Class III public recreational facilities.	X	X	X

Uses	A-1	A-2	A-35
Limited sawmill operation use in support of defensible space, associated, fuel break, forest insect and disease control, and forest management programs as required under the Zoning Resolution and Land Development Regulations.	X	X	X
Trap, skeet or rifle range		X	X
Recycling transfer station, Type I or Type II: the facility shall only accept trees and slash generated from local efforts associated with regulatory/ voluntary defensible space, fuel break and forest management plans, and Pine Beetle control programs.		X	X
Dangerous and wild animal ranching, training, sales and exhibition provided that the property is 10 acres or greater and such use is in compliance with the General Provisions and Regulations Section of this Zoning Resolution.		X	X

E. Lot and Building Standards (orig. 3-26-13; am. 7-17-18)

Districts	Front Setback		
	Primary Structure/All Garages		All Other Accessory Structures
A-1, A-2, A-35	50 ft.		Livestock – 75 ft. Pens/Runs/Structures ¹ – 100 ft. All Other Accessory Building – 50 ft.
	Side Setback		
	Primary Structure/All Garages		All Other Accessory Structures
	Side	Side to Street	
A-1, A-2, A-35	30 ft.	50 ft.	Livestock – 75 ft. Pens/Runs/Structures ¹ – 100 ft. All Other Accessory Building – 50 ft.
	Rear Setback		
	Primary Structure/All Garages		All Other Accessory Structures
A-1, A-2, A-35	50 ft.		50 ft.

¹ Applied to all pens, runs, and structures utilized for fur farms, poultry farms, kennels and catteries.

Districts	Building Height	Lot Size (see a & b below)
A-1	35 ft.	5 Acre (217,800 s.f.)
A-2	35 ft.	10 Acre (435,600 s.f.)
A-35	35 ft.	35 Acre (1,524,600 s.f.)

1. Lot Standards

- The minimum lot area for any use permitted in this district shall be the lot size stated above unless the lot falls within the provisions set forth in the Non-Conforming Lot Size provision below. (orig.3-26-13; am. 7-17-18)
- The minimum lot area for a lot developed through the rural cluster process shall be as set forth in the Land Development Regulation. (orig.3-26-13)

F. Fences

- Maximum Fence Height: 7 feet. (orig.3-26-13)
- Fences over 42 inches in height are allowed within the front setback. (orig. 7-17-18)

3. Electric fences are permitted provided the electrical fence device is in compliance with Colorado State Department of Agriculture specifications. No electric fence is allowed as boundary or perimeter fence on lot lines abutting residential zone districts. (orig.3-26-13)
4. On adjacent lots where allowed fence heights differ, the lower height restriction shall govern. (orig.3-26-13)

G. General Requirements

1. Corner lots must comply with the vision clearance triangle requirements as specified in the Definitions Section of this Zoning Resolution. (orig.3-26-13)
2. No structure may be erected placed upon or extend over any easement unless approved in writing by the agency or agencies having jurisdiction over such easement. (orig.3-26-13)

H. Animals

1. Manure shall not be allowed to accumulate so as to cause a hazard to the health, safety or welfare of humans and/or animals. The outside storage of manure in piles shall not be permitted within 100 feet of the front lot line and 50 feet of the side and rear lot lines. (orig.3-26-13)
2. Stallions shall be kept in a pen, corral or run area enclosed by a 6 foot chain link fence, or material equal or greater in strength, except when it is necessary to remove them for training, breeding or other similar purposes. (orig.3-26-13)
3. On legal non-conforming lots or parcels smaller than the minimum lot size, the following is the density per acre limitation for horses, mules, donkeys, sheep, cattle, goats, swine, buffalo, and other large domesticated animals: (orig.3-26-13; am. 7-17-18)
 - a. The minimum square footage of open lot area, available to animals, shall be 9,000 square feet for the first animal and 6,000 square feet for each additional animal. The total number of such animals that may be kept shall not exceed 4 per 1 acre. (orig.3-26-13; am. 7-17-18)
 - b. Offspring of animals on the property may be kept until weaned. (orig.3-26-13)

I. Non-conforming Lot Size

1. Planning and Zoning shall only permit the use of any unplatted Agricultural-One, Agricultural-Two, or Agricultural-Thirty-Five zoned tract or parcel that is less than 5 acres, 10 acres, or 35 acres respectively, provided that all of the following provisions are met. (orig. 9-6-77; am. 11-6-79; am. 6-16-80; am. 7-2-97; am. 12-17-02; am. 3-3-15; reloc. & am. 7-17-18)
 - a. The parcel, tract or lot existed in its current configuration prior to March 6, 1972. (orig. 9-6-77; am. 6-16-80; reloc. & am. 7-17-18)
 - b. The property is 1 acre in size or greater. (orig. 6-16-80; reloc. 7-17-18)
 - c. Use of the property shall conform with current use regulations in effect for the respective Agricultural-One, Agricultural-Two, and Agricultural-Thirty-Five Zone Districts. (orig. 9-6-77; am. 7-2-97; reloc. & am. 7-17-18)
 - d. Any new construction or structural alteration shall conform with current setback and height regulations in effect for the respective Agricultural-One, Agricultural-Two, and Agricultural-Thirty-Five Zone Districts. (orig. 9-6-77; am. 7-2-97; reloc. 7-17-18)
 - e. Requirements of Public Health for water and sanitation shall be complied with prior to the Building Permit being issued. (orig. 9-6-77; am. 12-17-02; am. 4-20-10; reloc. 7-17-18)

2. Planning and Zoning shall only permit the use of any Agricultural-One, Agricultural-Two, or Agricultural-Thirty-Five zoned lot which was platted without County approval provided that the provisions of paragraphs I.1.a through I.1.e above, are complied with. (orig. 6-16-80; am. 7-2-97; am. 12-17-02; am. 3-26-13; am. 3-3-15; reloc. & am. 7-17-18)
3. Planning and Zoning shall only permit the use of any Agricultural-One, Agricultural-Two, or Agricultural-Thirty-Five zoned lot which was platted with County approval prior to time said lot was zoned, provided that the provisions of paragraphs I.1.b. through I.1.e. above, are complied with. (orig. 6-16-80; am. 7-2-97; am. 12-17-02; am 3-26-13; am. 3-3-15; reloc. & am. 7-17-18)
4. Planning and Zoning shall only permit the use of any zoned lot which was platted with County approval subsequent to the date it was zoned provided that the provisions of paragraphs I.1.c. through I.1.e. above, are complied with. (orig. 6-16-80; am. 7-2-97; am. 12-17-02; am 3-26-13; am. 3-3-15; reloc. & am. 7-17-18)

ADDITIONAL CASE DOCUMENTS

Commissioner Kraft-Tharp moved that the following Resolution be adopted:

BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF THE COUNTY OF JEFFERSON

STATE OF COLORADO

RESOLUTION NO. CC22-207

RE: Development and Transportation - Planning and Zoning - Petition for Rehearing of Rezoning Case #21-133812RZ, 14320 W 50th Avenue

WHEREAS, on February 22, 2022, the Board denied Rezoning Case No. 21-133812RZ (14320 W 50th Avenue Official Development Plan); and

WHEREAS, the denied application sought to rezone the subject property from Agricultural-Two (A-2) to Planned Development (PD) to allow a maximum of 12 lots for single-family detached dwelling units at a density of 2.86 dwelling units/acre, where 2.5 dwelling units/acre is recommended by the Comprehensive Master Plan (CMP);

WHEREAS, pursuant to Section 6.C.15 of the Zoning Resolution, upon denial of a Rezoning application, the applicant may petition the Board within 1 year of the Board's decision, requesting a rehearing of its application if there is a substantial change. The Board of County Commissioners, at its sole discretion, may grant a petition for rehearing where it determines that a substantial change is being proposed that could significantly affect one or more of the reasons for denial of the original case; and

WHEREAS, On April 21, 2022, the Applicant petitioned the Board for a rehearing of its application to rezone the subject property from A-2 to PD to allow a maximum of 10 lots for single-family detached dwelling units at a density of 2.5 dwelling units/acre, in accordance with the density recommendation in the CMP; and

WHEREAS, the Applicant proposes a change to the application that could significantly affect one or more of the reasons for denial of the original case. NOW, THEREFORE, BE IT RESOLVED that the Board GRANTS the Applicant's petition for rehearing re Case No. 21-133812RZ. August 9, 2022

BE IT FURTHER RESOLVED that the Board directs Planning and Zoning staff to determine any referrals that will be needed to allow the appropriate review of the proposed changes, to set the dates and time for the hearings on the amended application before the Planning Commission and Board of County Commissioners, and to provide public notice of the hearings as set forth in the Zoning Resolution for Rezoning cases.

Commissioner Dahlkemper seconded the adoption of the foregoing Resolution. The roll having been called, the vote was as follows:

Commissioner Tracy Kraft-Tharp	Aye
Commissioner Lesley Dahlkemper	Aye
Commissioner Andy Kerr, Chairman	Aye

The Resolution was adopted by unanimous vote of the Board of County Commissioners of the County of Jefferson, State of Colorado.

Dated: August 9, 2022

Michael J. Chadwick, AICP

303-807-1197

mike@chadwickplanning.com

Chadwick Land Use Entitlements Co.

8220 Holland Court

Arvada, CO 80005

April 21, 2022

To: Russell Clark
Planning Manager

RE: 21-133812RZ, 14320 W. 50th Ave.

Dear Russell,

On behalf of my client, Redwood LLC, we would like to formally request a rehearing of this case that was denied by the Board of County Commissioners on February 22, 2022, based on a substantial change to the request. As you will remember, our request was to allow 12 DU's on 4.19 acres following the R1-A zone district criteria. The density for this request was 2.86 DU's/ acre where the Comprehensive Master Plan recommended 2.5 DU's. The case was heard by the Planning Commission on January 26, 2002, where we received recommendation for approval to the BCC.

The Planning Staff report detailed that we met all the criteria for the rezoning even though we were requesting a 0.36 increase in density in that request, and recommended approval of the request. However, during the BCC hearing there were concerns brought up concerning the density, drainage on the site and more particularly flooding of adjacent properties, wildlife concerns, and compatibility with the surrounding community.

After the denial in the BCC hearing, we have regrouped and have reduced the number of DU's to 10 on this 4.19-acre parcel which will result in a density of 2.386 DU's/ acre, well within the CMP's recommendations, and have made further adjustments to the site plan and have considered the other concerns which lead to the denial of the request.

One of the largest issues raised by adjacent neighbors was the amount of surface and groundwater present, and issues that this has caused on neighboring properties. Redwood LLC has been working with the Olivet Cemetery staff to repair a 15" irrigation pipe that conveys flows from further to the west, through the subject property, and into the ponds on the cemetery grounds. The repair of this pipe has caused a drastic increase in volume in water reaching the cemetery ponds and has resulted in the southernmost area of this parcel and surrounding properties to dry out.

Additionally, we have reviewed the issue of the wildlife corridors and site layout to provide a product that is more compatible with the surrounding properties. The site is bisected by an irrigation ditch that runs west to east across the property. As part of the planning for onsite detention and wildlife use of the irrigation ditch area, we are proposing a 30-foot-wide easement along the irrigation ditch that will tie into areas on the north, south, and east sides of the project to provide for drainage facilities, and wildlife corridors.

The proposed site layout has been altered with the reduction of the 2 DU's. This will alleviate concerns from the adjacent property owner directly south of the property as they were concerned that headlights from vehicles traveling south on the proposed street would shine directly into their home. The adjusted layout will propose a home at the direct southern end of this road which will buffer the lights from shining directly into this home.

In terms of increased compatibility, the proposed lots north of the irrigation ditch will be closer to the R1-A zone district of 9,000 square feet to match those properties on the northeast corner of the subject parcel, and the lots south of the irrigation ditch will be larger to match the lot sizes more closely in the Louis Vigil subdivision adjacent to the southern border of the property. Lastly, the area along the east side of the property that is set aside for drainage facilities will also create a buffer to the agriculturally zoned property to the east.

We have thoughtfully listened to the concerns that were raised in hearing, and I believe we have successfully amended our request to provide a substantial change from what was originally proposed. Therefore, we humbly request that Staff recommend to the BCC to approve a rehearing for the rezoning proposed on this property.

Sincerely,

A handwritten signature in black ink that reads "Michael J. Chadwick". The signature is written in a cursive, flowing style.

Michael J. Chadwick, AICP

President

Chadwick Land Use Entitlements Co.

Commissioner Dahlkemper moved that the following Resolution be adopted:

BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF THE COUNTY OF JEFFERSON

STATE OF COLORADO

RESOLUTION NO. CC22-041

Case Number:	21-133812RZ
Owner/Applicant:	Redwood, LLC, a Colorado limited liability company
Location:	14320 W 50th Avenue Section 18, Township 3 South, Range 69 West
From:	Agricultural-Two (A-2)
To:	Planned Development (PD)
Purpose:	To Rezone from Agricultural-Two (A-2) to Planned Development (PD) to allow for the future subdivision of the property into 12 lots for single-family detached units
Today's Action:	Deny
Approximate Area:	4.19 Acres

WHEREAS, Redwood, LLC, a Colorado limited liability company filed an application with the Planning and Zoning Division of Jefferson County to Rezone from Agricultural-Two (A-2) to Planned Development (PD) to allow for the future subdivision of the subject property into 12 lots for single-family detached units; and

WHEREAS, a public hearing was held by the Jefferson County Planning Commission on January 26, 2022, at which time the Planning Commission by formal resolution recommended approval; and

WHEREAS, after notice as provided by law, a public hearing was held by this Board on February 22, 2022; and

WHEREAS, based on the study of the Comprehensive Master Plan and the Zoning Resolution, recommendations of the Jefferson County Planning Commission, recommendations of the Jefferson County Planning and Zoning Division, comments of public officials and agencies, and testimony and written comments from all interested parties, this Board finds as follows:

1. That proper posting, publication and public notice were provided as required by law for the hearings before the Planning Commission and the Board of County Commissioners of Jefferson County and the Planning and Zoning case file is hereby incorporated into the record.
2. That the hearings before the Planning Commission and the Board of County Commissioners were extensive and complete, that all pertinent facts, matters and issues were submitted and that all interested parties were heard at those hearings.
3. The proposed single-family detached residential land use is not compatible with the existing and allowable agricultural land uses in the surrounding area.
4. The proposal is not in general conformance with the Comprehensive Master Plan (Plan). The proposal provides for residential land uses, as recommended in the Plan, but at higher density than recommended. The applicant has not satisfactorily addressed the three criteria for proposals out of conformance with the Plan because the impacts associated with the proposed land use have not been addressed and the proposed development is not consistent with the community character.
5. The applicant has not mitigated the negative impacts of the proposed land use upon the surrounding area. The ODP does not set forth adequate measures to minimize the impact of the increased density on the surrounding area, including impacts to wildlife, and agricultural uses.
6. The proposed land use will result in impacts to the health, safety, and welfare of the residents and landowners in the surrounding area.
7. The proposed land use is not consistent with the purpose statement in the Zoning Resolution and state law.

8. That each of the factors set forth above is adequate independently to support this resolution.
9. The subject property is served by the Fairmount Fire Protection District and the North Table Mountain Water and Sanitation District. Law enforcement services are provided by the Jefferson County Sheriff's Office. Existing infrastructure and services are available to serve the proposed land use.
10. No known commercial mineral deposits exist on the subject property.

NOW, THEREFORE, BE IT RESOLVED that Rezoning Case No. 21-133812RZ to rezone from Agricultural-Two (A-2) to Planned Development (PD) the following described unincorporated area of Jefferson County, attached hereto as Exhibit A and incorporated herein, be and hereby is DENIED.

Commissioner Kerr seconded the adoption of the foregoing Resolution. The roll having been called, the vote was as follows:

Commissioner Lesley Dahlkemper	Aye
Commissioner Tracy Kraft-Tharp	Nay
Commissioner Andrew Kerr, Chairman	Aye

The Resolution was adopted by majority vote of the Board of County Commissioners of the County of Jefferson, State of Colorado.

I, Julia Sorensen, Deputy Clerk to the Board of County Commissioners do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Board of County Commissioners at a regular hearing held in Jefferson County, Colorado on February 22, 2022.





Deputy Clerk to the Board

EXHIBIT A

Case No. 21-133812RZ

Legal Description

Street Location of Property 14320 West 50th Avenue

Is there an existing structure at this address?

Yes X No

Type the legal description and address below.

**Lot or Plot 20,
Wheat Ridge Gardens,
County of Jefferson,
State of Colorado**

Containing 4.19 Acres, more or less

Section 18 Township 3 S. Range 69 W.
Calculated Acreage 4.19 Acres Checked by: Ben Hasten
Address Assigned (or verified) 14320 West 50th Avenue



June 24, 2021

FFPD-FP-012-21

David Theisen,
dtheisen22@hotmail.com
303-921-8285

**Re: Will Serve
14320 W 50th Ave
Golden, CO 80403**

To whom it may concern:

The property identified above is protected by the Fairmount Fire Protection District (FFPD). Fire Protection Services will be provided if minimum requirements of the International Fire Code, 2018 edition, including adopted amendments, are met.

Permits from the Fairmount Fire Protection District are required for private roads and driveway(s), core and shell, tenant improvements, all installation and maintenance of automatic fire detection and fire suppression systems, solar photovoltaic systems, radio amplification, underground fire line and the storage of hazardous materials.

FFPD reserves the right to provide additional comments/requirements if any needed plans are submitted and reviewed per applicable codes and amendments.

If you need additional information or have questions or concerns, please contact myself at the Fairmount Fire and Life Safety Division via the contact numbers found in this letter.

Respectfully yours,

Brycen Hammer, Fire Inspector
Fairmount Fire Protection District
bhammer@fairmountfire.org
cc: file





CERTIFICATION OF WATER AND SEWER AVAILABILITY

July 14, 2021

Jefferson County Planning Department
Foothills Office Park
100 Jefferson County Parkway, Suite 3550
Golden, CO 80419-3550

RE: 14350 W 50th Avenue, Jefferson County

Jefferson County:

Pursuant to paragraph 5.4 of the Rules and Regulations, North Table Mountain Water and Sanitation District has reviewed the above referenced rezoning application and finds that the property which is the subject of said application is within the boundaries of the District, water and sewer service is available, and the referenced property is therefore eligible for such service, subject to the following:

1. Water service is available within the District and the developer must provide all facilities required to serve the development. No specific quantity or pressure is guaranteed.
2. No water or sewer service will be considered until the developer submits detailed plans for water and sewer construction to serve the development and such plans shall be approved by the District Engineer.
3. Sewer service is available within the District to serve the development. No specific capacity or location guaranteed.
4. No specific fire flow is guaranteed.
5. Agreement on the part of the applicant to comply with all rules, regulations and engineering requirements of the District, in effect at the time the District approves the tap application. In the interest of water conservation, District may enact rules and regulations governing the installation and use of landscaping on the property described.

6. Payment of all fees and charges levied, assessed, or collected by the District, in effect at the time the District approves the tap application.
7. Expires 2 (two) years from the date the Certificate is issued.

As of the date of this letter, there are no limitations on issuance of water or sewer taps, however, by reasons of drought conditions, District does not and can not guarantee issuance of water taps which may be applied for in the future.

This letter has been reviewed with the Board of Directors and represents the District's position in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bart Sperry', with a long, sweeping horizontal line extending to the right.

Bart Sperry, P.E.
District Manager/Engineer

LANTZ ASSOCIATES, LLC
13335 W 72nd Cir
Arvada, Co 80005
303-887-3714
303-423-4949 fax
FredLantz@comcast.net

September 14, 2021

Mike Disberger
Redwood LLC
5040 Acoma St
Denver, CO 80216

RE: 14320 W 50th Ave

Dear Mike,

This is a Trip Generation report for your proposed residential development at 14320 W 50th Ave in Jefferson County, CO. This is between Eldridge St and Indiana St on the south side of 50th Ave. The site is shown below in Figure 1.



Figure 1 – Site Location

The proposed development consists of a maximum of 12 single-family homes. To estimate the number of trips that the proposed development will generate, the ITE *Trip Generation Manual*, 10th Edition will be used. The following tables show the Trip Generation Rates and the Number of Trips that will be generated.

Trip Generation Rates									
ITE Code	Land Use	Unit	Daily	AM Peak Hour			PM Peak Hour		
				Enter	Exit	Total	Enter	Exit	Total
210	Single-Family Detached	DU	9.44	0.185	0.555	0.74	0.62	0.37	0.99

Generated Trips									
ITE Code	Land Use	Size	Daily	AM Peak Hour			PM Peak Hour		
				Enter	Exit	Total	Enter	Exit	Total
210	Single Family Detached	12 DU's	113	2	7	9	8	4	12

As the above table indicates, the development is expected to generate 113 daily trips, 9 AM peak hour trips and 12 PM peak hour trips. The existing roadway system can easily accommodate this small number of additional trips.

The development will be served by a cul-de-sac that intersects with 50th Ave. The cul-de-sac and the lot layout have not been finalized at this time. 50th Ave is classified as a Collector St on the Jeffco Major Thoroughfare Plan. The 50th Ave street section has been established at the development and no road widening is expected.

Due to the low volumes projected (less than 1000 ADT and peak hour less than 100 vph), the development only needs to provide this Trip Generation Report as required by the County's standards.

Sincerely yours,



Fred Lantz, PE





Planning & Property Department
809 Quail Street, Building 4
Lakewood, Colorado 80215
(303) 982-2584

November 2, 2021

Kayla Bryson, Case Manager
Jefferson County Planning and Zoning Department
100 Jefferson County Pkwy, Ste. 3550
Golden, Colorado 80419

RE: 14320 W 50th Ave

Dear Kayla,

Thank you for information regarding the referenced case currently under review. Jeffco Public Schools has attached comments regarding this referral.

Should you need additional information, please contact me.

Sincerely,

Jeffco Public Schools

Matt Hanks
GIS Manager

R:\FAC\CMFPD\GIS\Subdivisions\2021 Referrals\Jefferson County\14320W50thAve\20211102_14320W50thAve.docx

PLANNING COMMENTS

Date: November 2, 2021

Subdivision Name: 14320 W 50th Ave
Location: 14320 W 50th Ave
Status: Rezoning
Planner: Kayla Bryson
Jeffco Schools Contact: Matt Hanks, 303-982-2354

	ELEMENTARY	MIDDLE	HIGH	TOTAL
Dwelling Units	Yield	Yield	Yield	Yield
12 SFD	0.43	0.26	0.26	0.95
	Students	Students	Students	Students
Total from this proposal	5	3	3	11

The effect on JEFFCO Schools is unknown at this time. As the development progresses and more facts are known, the district will be able to anticipate the effect on classroom and school facilities that would be generated from this proposal.

The current school assignments for students generated from this development are:

Fairmount Elementary School (K-5) – 15975 W 50th Ave, Golden, CO 80401

Drake Middle School (6-8) – 12550 W 52nd Ave, Arvada, CO 80002

Arvada West High School (9-12) – 11595 Allendale Dr, Arvada, CO 80004

Note: School assignments are for the current school year and may be subject to change.

School	*2020-21 Student Membership	*2021-22 Projected Membership	*2022-23 Projected Membership	Adjusted 2022-23 Projected Membership to include Development	** Applied Capacity	Applied Capacity less 2022-23 Adjusted Projection
Fairmount	586	593	605	610	660	50
Drake	927	931	895	898	1,242	344
Arvada West	1,825	1,824	1,849	1,852	1,882	30

Sources: *Membership Projections Report (March 2021), **Summary of Findings (March 2021)

Effective the date of this report, Applied Capacity for Fairmount Elementary, Drake Middle, & Arvada West High is sufficient to house students from this development. This development will be further evaluated as a part of the Jeffco School's overall review of the north area development picture.

At this time, Jeffco Schools requests fees-in-lieu from the developer. Such fees would be held in escrow accounts for future application by the District in accordance with our procedures and Jefferson County Regulations.

cc: R:\FAC\CMFPD\GIS\Subdivisions\2021 Referrals\Jefferson County\14320W50thAve\20211102_14320W50thAve_Cmts.docx

**WEST 50TH DEVELOPMENTS
PHASE I DRAINAGE REPORT**

NOVEMBER 2021

**For:
REDWOOD, LLC**

WEST 50TH DEVELOPMENTS

PHASE I DRAINAGE REPORT

Page i of ii

ENGINEER'S STATEMENT:

I hereby certify that this report and plan for the Phase I drainage design of the development, West 50th Developments, was prepared by me (or under my direction supervision) in accordance with the provisions of the Jefferson County Storm Drainage Design and Technical Criteria and applicable parts of Mile High Flood District's formally Urban Drainage Storm Drainage Criteria Manual for the owners thereof.



David P. Theisen, P.E.

Date

State of Colorado No. 41115

For and on behalf of Theisen Engineering, LLC.

OWNER'S STATEMENT:

The Owner (Mike Disberger) hereby certifies that the drainage facilities for West 50th Developments will be constructed according to the design presented in this report. I understand that Jefferson County does not and will not assume liability for drainage facilities designed or reviewed by my engineer. I also understand that Jefferson County relies on the representations of others to establish that drainage facilities are designed and built in compliance with applicable guidelines, standards, or specifications. Review by Jefferson County can therefore in no way limit or diminish any liability which I or any other party may have with respect to the design or construction of such facilities.

Owner: REDWOOD, LLC

By: _____
Mike Disberger, as Member/Manager

Date: _____

WEST 50TH DEVELOPMENTS

PHASE I DRAINAGE REPORT

Page ii of ii

TABLE OF CONTENTS

SCOPE	1
A. INTRODUCTION.....	1
1. Location	1
2. Proposed Development	1
B. HISTORIC DRAINAGE	1
1. Description of Property	1
C. DESIGN CRITERIA	2
1. Regulations.....	2
2. Hydrologic Criteria	2
3. Hydraulic Criteria	3
D. DRAINAGE PLAN	3
1. General Concept.....	3
2. Specific Details	4
E. PERMANENT DETENTION/STORMWATER QUALITY FEATURES	4
1. Water Quality / Detention Ponds.....	4
2. Operation and Maintenance of Water Quality / Detention Pond Facilities	4
3. Vegetative Strips and Swales	5
F. CONCLUSIONS.....	5
1. Compliance with Standards	5
2. Summary of Concept.....	5
3. List of References	6

APPENDICES

- A. Maps and Exhibits
- B. Site Drainage Computations
- C. Pond Computations
- D. Copies of Graphs, Tables, and Nomographs Used

WEST 50TH DEVELOPMENTS

PHASE I DRAINAGE REPORT

Page 1 of 6

SCOPE

This report discusses the historic and proposed design for the West 50th Developments drainage improvements. The intent of this report is to present the design details for the drainage facilities within the project site. This report includes hydrologic and hydraulic calculations, tables and graphs and exhibits showing drainage basins, routing, and proposed storm improvements.

A. INTRODUCTION

1. Location

- a. The proposed West 50th Development Project located at 14350 West 50th Avenue.
- b. The project is located south of existing W. 50th Avenue between Eldridge Street on the east and Indiana Street on the west.
- c. The project is located in unincorporated Jefferson County in the State of Colorado.
- d. The project is legally described as: Lot 20, Wheat Ridge Gardens situated in the SW ¼ of Section 18, Township 3 South, Range 69 West, 6th Principal Meridian.
- e. More specifically the project, is bounded to the north by existing West 50th avenue and existing single-family residence subdivision, to the west by an existing single-family residence on an agricultural zoned parcel, to the south by existing single-family residence subdivision, and to the east by an existing single-family residence on an agricultural zoned parcel and a single-family residence subdivision.
- f. See the Vicinity Map located in Appendix A.

2. Proposed Development

- a. The property is currently zoned a-1 but is in the process to be rezoned to R-1A zone district as part of this development project.

B. HISTORIC DRAINAGE

1. Description of Property

- a. The site is approximately 4.19 acres in size
- b. The property is currently developed as agricultural land with small barn, equipment storage, hay field, and pastureland.
- c. The property is divided by an existing irrigation channel that flows west to east, creating two distinct drainage basins one north of the existing irrigation channel and one south of the existing irrigation channel.
- d. The property also has an irrigation pipeline along its southern property line. The irrigation pipe is perforated tile pipe that collects and drains groundwater from the property.
- e. The drainage area north of the irrigation channel will be called Basin A for the purpose of this report. Basin A is generally flat varying from 0 – 2 percent with the runoff generally flowing by overland sheet flow from west to east. The neighboring property to the west contributes runoff by sheet flow onto the site and neighboring property to the north contributes runoff onto the site through an existing 18" culvert crossing West 50th Avenue. Drainage historically leaves Basin A along the west property line through an existing 12" HDPE storm pipe and an existing concrete tile pipe.
- f. The drainage area south of the irrigation channel will be called Basin B for the purpose of this report. Basin B is generally flat varying from 0 – 2 percent with the runoff generally flowing by overland sheet flow from northwest to southeast. The neighboring property to

WEST 50TH DEVELOPMENTS

PHASE I DRAINAGE REPORT

Page 2 of 6

the west contributes runoff by sheet flow onto the site. Drainage historically leaves Basin B at the southwest corner of the property through an existing 12" PVC storm pipe and small amounts of runoff are intercepted as ground water flow by the existing irrigation's perforated tile pipe in that area.

- g. National Resources Conservation Service (NRCS) Site Soil Mapping Units list the site as being 100 percent Loveland variant gravelly sandy loam, and 100 percent of the site is identified as being Hydrologic Soil Group B.
- h. The project development is entirely within Zone X as shown on Flood Insurance Rate Map panel 08059C0212F, effective date February 5, 2014.
- i. The proposed use for this site is 12 single-family residential units.
- j. See Appendix A for Soil and FEMA maps.

C. DESIGN CRITERIA

1. Regulations

- a. In accordance with the previously approved Fairmont Master Drainage Plan requirements, during the platting phase of this development an easement or parcel of land approximately 38' wide along the northern property line and along the eastern property line from the northeastern corner of the property to a distance of approximately 100 feet southerly to the point of historic drainage discharge of this drainage area will be set aside or dedicated to the future addition of master planned drainage facilities. During the plat approval phase of this development, it will be determined if interim or permanent master planned drainage improvements will be included with this projects construction plans.
- b. This Phase I Drainage Report was prepared in accordance with *Jefferson County Colorado Storm Drainage Design & Technical Criteria* as well as the Mile High Flood District's (MHFD) *Storm Drainage Criteria Manual*.
- c. The project development will include two water quality / detention ponds, one for Basin A north of the irrigation channel and a second water quality / detention pond for Basin B on the south side of the irrigation channel
- d. Basin A's water quality / detention pond will be sized for the proposed development and will discharge through existing historical drainage facilities at pre-development runoff rates. Offsite runoff onto the property will be treated as pass through drainage and will not be detained but released at historical rates.
- e. Basin B's water quality / detention pond will be sized for the proposed development and will discharge through existing historical drainage facilities at pre-development runoff rates. Offsite runoff onto the property will be treated as pass through drainage and will not be detained but released at historical rates.
- f. In several areas around the perimeter of the site water quality drainage swales have been incorporated. These vegetative swales are typically flatter than a normal drainage swale with slopes between 2.00% to 0.50%. These flatter slopes assist in slowing the runoff conveyance and allowing more filtration time and increased water quality.

2. Hydrologic Criteria

- a. Peak storm runoff was determined using the Rational Formula: $Q=CIA$
- b. Runoff coefficients, C, were derived from Tables RO-3 and RO-5 of the USDCM.
- c. The site is within Jefferson County Rainfall Zone I. Rainfall intensities were taken from Figure 502A *Jefferson County Colorado Storm Drainage Design & Technical Criteria*.

WEST 50TH DEVELOPMENTS

PHASE I DRAINAGE REPORT

Page 3 of 6

- d. The 5-year storm was analyzed as the minor event, with a 1-hour point rainfall value of 1.40 in.
 - e. The 100-year storm was analyzed as the major event, with a 1-hour point rainfall value of 2.65 in.
 - f. The water quality and detention volumes were calculated using MHFD's standard spreadsheet for the design of detention / water quality ponds.
 - g. The emergency overflow structures have been confirmed to have capacity to pass a flowrate equivalent to the 100-year developed runoff rate for the project site.
3. Hydraulic Criteria
- a. MHFD / UDFCD UD-Inlet excel spreadsheet was used to determine street capacities. Allowable flow depths within the streets are as follows:
 - o Maximum street ponding will not exceed 5-inches for either the minor or major storm event.
 - b. Storm sewers will be designed to convey the minor storm events without surcharging the sewer system.
 - c. Hydraulic Grade Lines for major event flows will not pond more than 5-inches above the pavement surfaces.

D. DRAINAGE PLAN

1. General Concept

- a. The project development will include two water quality / detention ponds, one for Basin A north of the irrigation channel and a second water quality / detention pond for Basin B on the south side of the irrigation channel
- b. The developed area north of the irrigation channel (Basin A) will be directed to the maximum extent feasible to the proposed northern water quality / detention pond located along the project's eastern property line matching historic drainage flows. Runoff from the proposed development will be detained to pre-development rates and released at existing drainage pipe locations. Offsite runoff onto the property will enter the projects drainage system but will be treated as pass through drainage and will not be detained but released at historical rates.
- c. The developed area south of the irrigation channel (Basin B) will be directed to the maximum extent feasible to the proposed southern water quality / detention pond located in the southeastern corner of the property matching historic drainage flows. Runoff from the proposed development will be detained to pre-development rates and released at existing drainage pipe locations. Offsite runoff onto the property will enter the projects drainage system but will be treated as pass through drainage and will not be detained but released at historical rates.
- d. The water quality / detention ponds will be sized to provide water quality and detention volumes in accordance with MHFD the water quality / detention pond standards and volumes calculated by standard MHFD's pond sizing spreadsheets.
- e. In several areas around the perimeter of the site water quality swales have been incorporated. These vegetative swales are typically flatter than a normal drainage swale with slopes between 2.00% to 0.50%. These flatter slopes assist in slowing the runoff conveyance and allowing more filtration time. This results in larger time of concentration, reduced peak runoff flows and overall better water quality.

WEST 50TH DEVELOPMENTS

PHASE I DRAINAGE REPORT

Page 4 of 6

- f. The runoff from the project site will be directed to the water quality / detention ponds by overland sheet flows and vegetative drainage swales.
- g. During emergency events (events exceeding the 100-year storm event) the water quality / detention ponds will overflow at historic runoff locations. The emergency overflow location will be designed to convey the 100-year developed flow rate.

2. Specific Details

- a. See Appendix A for Developed Drainage Conditions Map.
- b. Basin A consists of the area north of the irrigation channel and this basin will contain single family development areas and the designated drainage areas. Runoff from developed areas will be directed by over lot sheet flow and the drainage swales to the North water quality / detention pond.
- c. Basin B consists of the area south of the irrigation channel and this basin will contain single family development areas and the designated drainage areas. Runoff from developed areas will be directed by over lot sheet flow and the drainage swales to the South water quality / detention pond.

E. PERMANENT DETENTION/STORMWATER QUALITY FEATURES

1. Water Quality / Detention Ponds

- a. The North Water Quality / Detention Pond is located on the downhill side of the basin along the eastern and northern boundaries of the property. The North Water Quality / detention pond is sized for the entire Basin A (1.77 acres at an imperviousness of 33.10%).
- b. The South Water Quality / Detention Pond is located on the downhill side of the basin along the eastern and southern boundaries of the property. The North Water Quality / detention pond is sized for the entire Basin B (2.18 acres at an imperviousness of 37.70%).
- c. Both Ponds will have control structures designed in accordance with MHFD criteria. The Ponds will have stage release for water quality and 100-year releases at normal historical flowrates.
- d. During emergency events when the 100-yr storm event is exceeded, stormwater runoff will overflow the Water Quality / Detention Ponds at each Pond's pre-developed historic location. Both Ponds will have designed emergency overflow spillways with the capacity to convey the 100-year developed flows.

2. Operation and Maintenance of Water Quality / Detention Pond Facilities

- a. All operations and maintenance of privately-owned shared facilities will be the responsibility of the development's Homeowners Association
- b. The Homeowners Association will provide periodic, annual and long-term maintenance, as well any required repairs to all privately-owned shared facilities including the Water Quality / Detention Ponds and internal private storm water collection system.
- c. Periodic maintenance to be provided as required but at a minimum of twice a year.
 - Mow and maintain vegetative bottom of pond
 - Remove trash and debris from inlet grates and pond
- d. Annual maintenance to be provided a minimum of once a year.

WEST 50TH DEVELOPMENTS

PHASE I DRAINAGE REPORT

Page 5 of 6

- Document annual inspections in writing. Note conditions of all stormwater, water quality, and other drainage facilities.
 - If applicable remove storm inlet grates and inspect bottom of inlet and storm pipe for sediment buildup. Pressure jet storm sewer system if significant sediment buildup is present.
 - Inspect pond sump for sediment buildup. Remove sediment from pond sump when sediment buildup reaches a level within 2-inches of the invert for the storm sewer outfall pipe. Provide maintenance and repairs to vegetative pond bottom after the removal of accumulated sediment.
- e. Long term maintenance
- The Water Quality / Detention Ponds should not require long term maintenance with proper periodic and annual maintenance.
3. Vegetative Strips and Swales
- a. Where feasible vegetative strips are planned between structures rooftops and roadway drainage collection areas. This helps reduce directly connected impervious areas, thus reducing overall impervious areas and by routing runoff from impervious surfaces over grassy areas to slow down runoff and promote filtration.
 - b. Along the back of the proposed lots, water quality swales have been incorporated into the design. These vegetative / grass lined swales provide reduced runoff by replacing impervious concrete pans with pervious swales. This approach also directs imperious surface runoff to vegetative surfaces that slow the runoff, provide increased water quality through better filtration, and reduce total runoff and improve water quality.
 - c. Vegetative areas are also low maintenance while only requiring occasional mowing.
 - d. See Appendix A Drainage Map for locations of permanent stormwater quality controls and a table quantifying the areas being treated by permanent controls. Also included in Appendix B are the Mile-High Flood District Spreadsheet output for stormwater quality including BMP Selection, Runoff Reduction, Grass Buffers and Grass Swales.

F. CONCLUSIONS

1. Compliance with Standards
- a. This report is in general accordance with *Jefferson County Colorado Storm Drainage Design & Technical Criteria*.
 - b. This report is in general accordance, where applicable and not superseded by other criteria, to the MHFD.
 - c. This report is in general accordance with FEMA, there is no proposed development within the known existing floodplain within the site boundary.
2. Summary of Concept
- a. Runoff from developed areas of the site will be routed to the Water Quality / Detention ponds.
 - b. Water Quality / Detention Ponds are sized in accordance with MHFD Design spreadsheets for extended detention basin standards.
 - c. The proposed development will have no adverse impacts on the surrounding properties or the downstream drainage facilities.

WEST 50TH DEVELOPMENTS

PHASE I DRAINAGE REPORT

Page 6 of 6

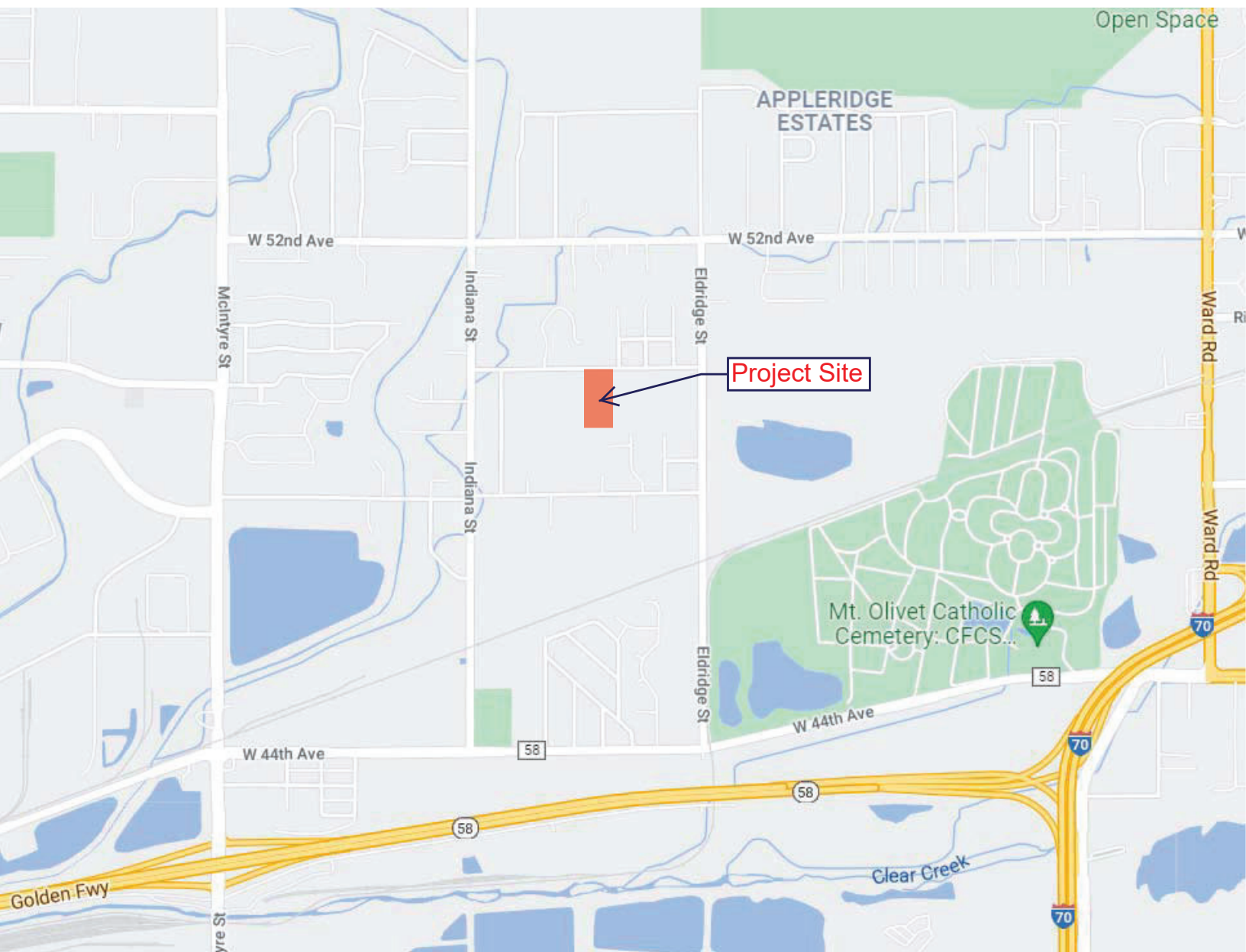
3. List of References

- a. *Jefferson County Colorado Storm Drainage Design & Technical Criteria*, Jefferson County Colorado, Planning & Zoning Division, Revised June 1, 2019.
- b. *MHFD / Urban Storm Drainage Criteria Manual, Volumes 1, 2 & 3*, Urban Drainage Flood Control District.

APPENDIX A.

MAPS AND EXHIBITS

Vicinity Map
Soils Information
FEMA Map
Proposed Drainage Map



VICINITY MAP



United States
Department of
Agriculture

NRCS

Natural
Resources
Conservation
Service

A product of the National
Cooperative Soil Survey,
a joint effort of the United
States Department of
Agriculture and other
Federal agencies, State
agencies including the
Agricultural Experiment
Stations, and local
participants

Custom Soil Resource Report for Golden Area, Colorado, Parts of Denver, Douglas, Jefferson, and Park Counties

14350 W. 50th Ave



Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

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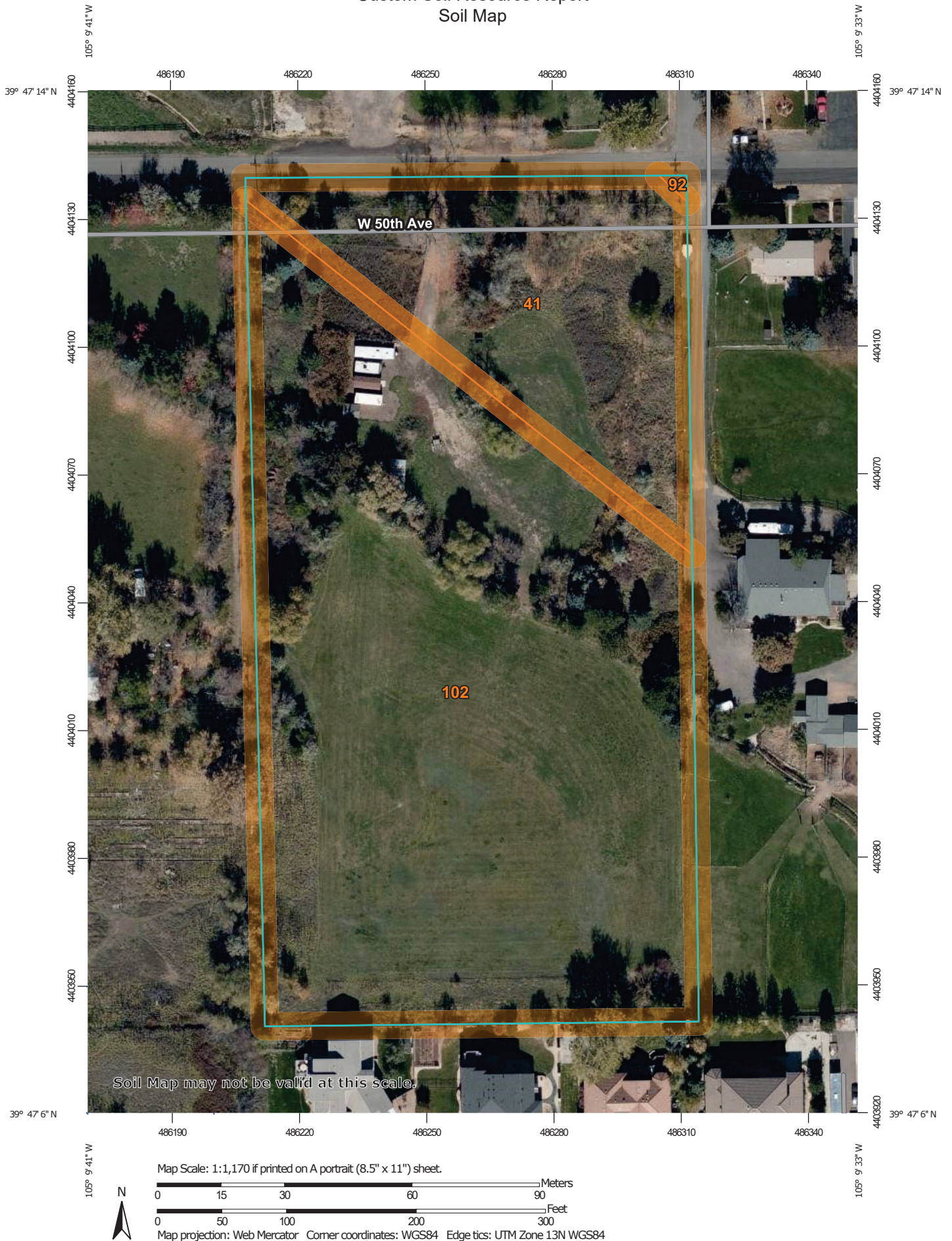
Contents

Preface	2
Soil Map	5
Soil Map.....	6
Legend.....	7
Map Unit Legend.....	9
Map Unit Descriptions.....	9
Golden Area, Colorado, Parts of Denver, Douglas, Jefferson, and Park Counties.....	11
41—Englewood clay loam, 0 to 2 percent slopes.....	11
92—Manzanola clay loam, 5 to 9 percent slopes.....	12
102—Nunn clay loam, 0 to 2 percent slopes.....	14

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report Soil Map



MAP LEGEND

Area of Interest (AOI)

Area of Interest (AOI)

Soils

Soil Map Unit Polygons

Soil Map Unit Lines

Soil Map Unit Points

Special Point Features

Blowout

Borrow Pit

Clay Spot

Closed Depression

Gravel Pit

Gravelly Spot

Landfill

Lava Flow

Marsh or swamp

Mine or Quarry

Miscellaneous Water

Perennial Water

Rock Outcrop

Saline Spot

Sandy Spot

Severely Eroded Spot

Sinkhole

Slide or Slip

Sodic Spot

Water Features

Streams and Canals

Transportation

Rails

Interstate Highways

US Routes

Major Roads

Local Roads

Background

Aerial Photography

Spoil Area

Stony Spot

Very Stony Spot

Wet Spot

Other

Special Line Features

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Golden Area, Colorado, Parts of Denver, Douglas, Jefferson, and Park Counties
Survey Area Data: Version 15, Jun 5, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Sep 25, 2018—Apr 9, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background

MAP LEGEND

MAP INFORMATION

imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
41	Englewood clay loam, 0 to 2 percent slopes	1.2	23.8%
92	Manzanola clay loam, 5 to 9 percent slopes	0.0	0.1%
102	Nunn clay loam, 0 to 2 percent slopes	3.9	76.1%
Totals for Area of Interest		5.1	100.0%

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or

landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Golden Area, Colorado, Parts of Denver, Douglas, Jefferson, and Park Counties

41—Englewood clay loam, 0 to 2 percent slopes

Map Unit Setting

National map unit symbol: jpnx

Elevation: 5,200 to 6,500 feet

Mean annual precipitation: 13 to 17 inches

Frost-free period: 126 to 142 days

Farmland classification: Prime farmland if irrigated

Map Unit Composition

Englewood and similar soils: 85 percent

Minor components: 15 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Englewood

Setting

Landform: Drainageways, alluvial fans

Down-slope shape: Linear

Across-slope shape: Concave, linear

Parent material: Calcareous, clayey alluvium

Typical profile

H1 - 0 to 9 inches: clay loam

H2 - 9 to 39 inches: clay, clay loam

H2 - 9 to 39 inches: clay loam, clay

H3 - 39 to 60 inches:

H3 - 39 to 60 inches:

Properties and qualities

Slope: 0 to 2 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Well drained

Runoff class: High

Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.06 to 0.20 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum content: 15 percent

Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)

Available water capacity: Very high (about 17.4 inches)

Interpretive groups

Land capability classification (irrigated): 2e

Land capability classification (nonirrigated): 3e

Hydrologic Soil Group: C

Ecological site: R049XY208CO - Clayey Foothill DRAFT (1-2018) MLRA 49

Other vegetative classification: CLAYEY FOOTHILL (048AY208CO)

Hydric soil rating: No

Minor Components

Haverson, rarely flooded

Percent of map unit: 3 percent
Landform: Drainageways, flood plains
Down-slope shape: Linear
Across-slope shape: Concave, linear
Ecological site: R049XY036CO - Overflow
Hydric soil rating: No

Nunn

Percent of map unit: 3 percent
Landform: Fans
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: R049XY208CO - Clayey Foothill DRAFT (1-2018) MLRA 49
Hydric soil rating: No

Urban land

Percent of map unit: 3 percent
Hydric soil rating: No

Denver

Percent of map unit: 3 percent
Landform: Alluvial fans
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: R049XY208CO - Clayey Foothill DRAFT (1-2018) MLRA 49
Hydric soil rating: No

Englewood, wet, rarely flooded

Percent of map unit: 3 percent
Landform: Drainageways, flood plains
Down-slope shape: Linear
Across-slope shape: Concave, linear
Ecological site: R048AY265CO - Salt Meadow
Hydric soil rating: No

92—Manzanola clay loam, 5 to 9 percent slopes

Map Unit Setting

National map unit symbol: jpqq
Elevation: 5,200 to 6,500 feet
Mean annual precipitation: 13 to 17 inches
Frost-free period: 126 to 142 days
Farmland classification: Not prime farmland

Map Unit Composition

Manzanola and similar soils: 85 percent
Minor components: 15 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Manzanola

Setting

Landform: Ridges, hillslopes
Landform position (two-dimensional): Summit, backslope
Landform position (three-dimensional): Crest, side slope
Down-slope shape: Convex, linear
Across-slope shape: Convex, linear
Parent material: Calcareous, clayey alluvium

Typical profile

H1 - 0 to 5 inches: clay loam
H2 - 5 to 29 inches: clay loam, clay
H2 - 5 to 29 inches: clay loam, loam
H3 - 29 to 60 inches:
H3 - 29 to 60 inches:

Properties and qualities

Slope: 5 to 9 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Runoff class: Very high
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.06 to 0.20 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 15 percent
Gypsum, maximum content: 2 percent
Maximum salinity: Nonsaline to slightly saline (0.0 to 4.0 mmhos/cm)
Sodium adsorption ratio, maximum: 2.0
Available water capacity: Very high (about 18.4 inches)

Interpretive groups

Land capability classification (irrigated): 4e
Land capability classification (nonirrigated): 4e
Hydrologic Soil Group: C
Ecological site: R049XY208CO - Clayey Foothill DRAFT (1-2018) MLRA 49
Other vegetative classification: CLAYEY FOOTHILL (048AY208CO)
Hydric soil rating: No

Minor Components

Denver

Percent of map unit: 3 percent
Landform: Hillslopes, alluvial fans, terraces
Landform position (two-dimensional): Backslope, footslope
Landform position (three-dimensional): Side slope, tread
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: R049XY208CO - Clayey Foothill DRAFT (1-2018) MLRA 49
Hydric soil rating: No

Englewood

Percent of map unit: 3 percent

Landform: Drainageways
Down-slope shape: Linear
Across-slope shape: Concave
Ecological site: R049XY208CO - Clayey Foothill DRAFT (1-2018) MLRA 49
Hydric soil rating: No

Nunn

Percent of map unit: 3 percent
Landform: Hillslopes
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Side slope
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: R049XY208CO - Clayey Foothill DRAFT (1-2018) MLRA 49
Hydric soil rating: No

Ulm

Percent of map unit: 3 percent
Landform: Hillslopes
Landform position (two-dimensional): Summit, backslope
Landform position (three-dimensional): Interfluvium, side slope
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: R049XY208CO - Clayey Foothill DRAFT (1-2018) MLRA 49
Hydric soil rating: No

Renohill

Percent of map unit: 2 percent
Landform: Ridges
Landform position (two-dimensional): Shoulder, backslope
Landform position (three-dimensional): Side slope, crest
Down-slope shape: Convex
Across-slope shape: Convex, linear
Ecological site: R049XY208CO - Clayey Foothill DRAFT (1-2018) MLRA 49
Hydric soil rating: No

Urban land

Percent of map unit: 1 percent
Hydric soil rating: No

102—Nunn clay loam, 0 to 2 percent slopes

Map Unit Setting

National map unit symbol: 2tlps
Elevation: 5,300 to 5,800 feet
Mean annual precipitation: 15 to 19 inches
Mean annual air temperature: 48 to 52 degrees F
Frost-free period: 100 to 130 days
Farmland classification: Prime farmland if irrigated

Map Unit Composition

Nunn and similar soils: 85 percent

Minor components: 15 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Nunn

Setting

Landform: Terraces, alluvial fans

Landform position (three-dimensional): Tread

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Alluvium

Typical profile

A - 0 to 6 inches: clay loam

Bt - 6 to 18 inches: clay

Btk - 18 to 30 inches: clay

Bk - 30 to 47 inches: clay loam

BCK - 47 to 80 inches: clay loam

Properties and qualities

Slope: 0 to 2 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Well drained

Runoff class: Medium

Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.06 to 0.20 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum content: 7 percent

Maximum salinity: Nonsaline to very slightly saline (0.1 to 2.0 mmhos/cm)

Sodium adsorption ratio, maximum: 0.5

Available water capacity: High (about 9.6 inches)

Interpretive groups

Land capability classification (irrigated): 3e

Land capability classification (nonirrigated): 3e

Hydrologic Soil Group: C

Ecological site: R049XY208CO - Clayey Foothill DRAFT (1-2018) MLRA 49

Hydric soil rating: No

Minor Components

Englewood

Percent of map unit: 9 percent

Landform: Alluvial fans, terraces

Landform position (three-dimensional): Tread

Down-slope shape: Linear

Across-slope shape: Linear

Ecological site: R049XY208CO - Clayey Foothill DRAFT (1-2018) MLRA 49

Hydric soil rating: No

Standley

Percent of map unit: 6 percent

Custom Soil Resource Report

Landform: Terraces, alluvial fans

Landform position (three-dimensional): Tread

Down-slope shape: Linear

Across-slope shape: Linear

Ecological site: R049XY208CO - Clayey Foothill DRAFT (1-2018) MLRA 49

Hydric soil rating: No



105°9'56"W 39°47'24"N

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

Without Base Flood Elevation (BFE)
Zone A, V, A99

With BFE or Depth
Zone AE, AO, AH, VE, AR

Regulatory Floodway

SPECIAL FLOOD HAZARD AREAS

0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile
Zone X

Future Conditions 1% Annual Chance Flood Hazard
Zone X

Area with Reduced Flood Risk due to Levee. See Notes.
Zone X

Area with Flood Risk due to Levee
Zone D

OTHER AREAS OF FLOOD HAZARD

NO SCREEN

Area of Minimal Flood Hazard
Zone X

Effective LOMR

Area of Undetermined Flood Hazard
Zone D

OTHER AREAS

Channel, Culvert, or Storm Sewer

Levee, Dike, or Floodwall

GENERAL STRUCTURES

Cross Sections with 1% Annual Chance Water Surface Elevation

Coastal Transect

Base Flood Elevation Line (BFE)

Limit of Study

Jurisdiction Boundary

Coastal Transect Baseline

Profile Baseline

Hydrographic Feature

OTHER FEATURES

Digital Data Available

No Digital Data Available

Unmapped

MAP PANELS

N

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

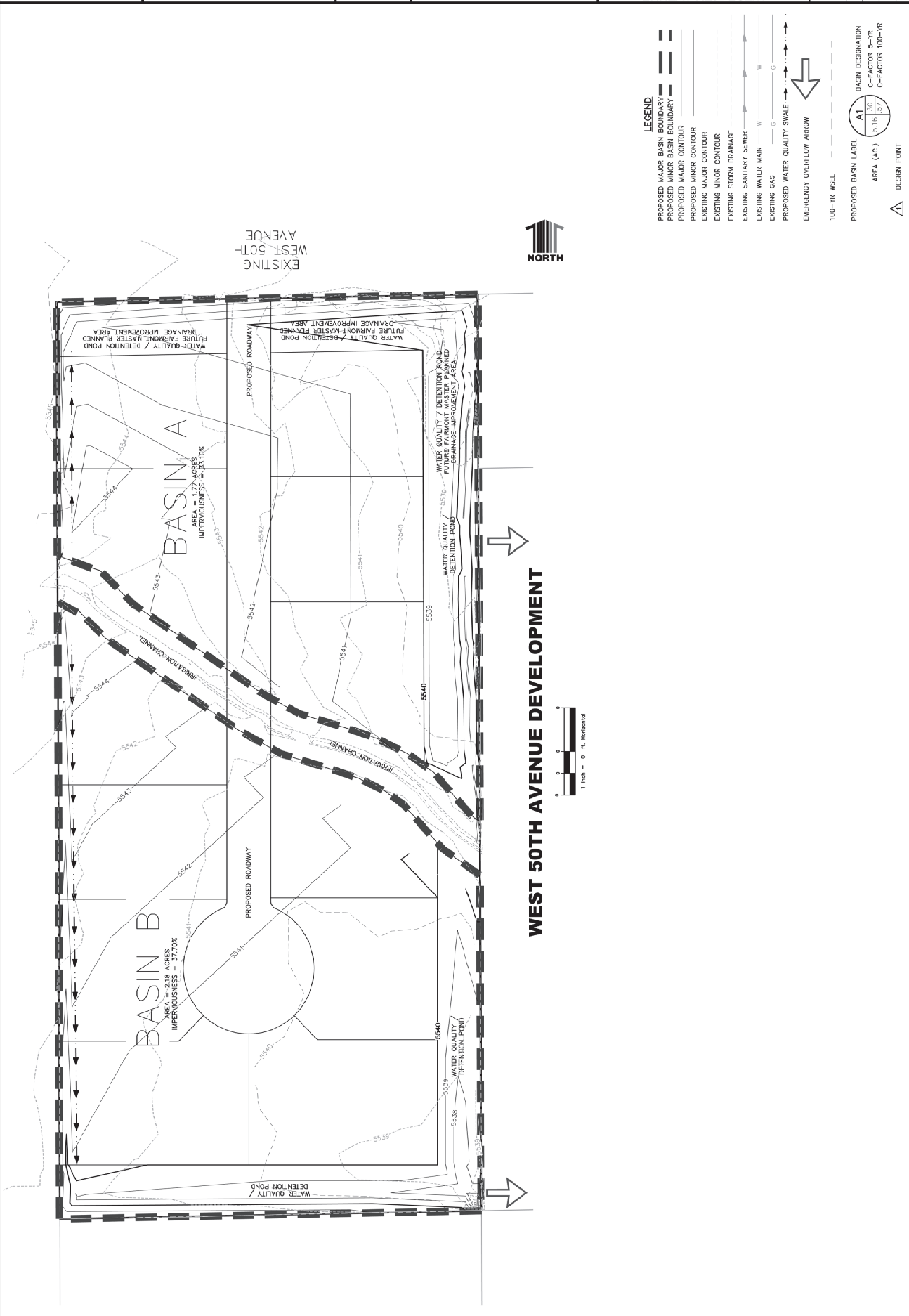
The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **3/10/2021 at 2:06 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



105°9'19"W 39°46'57"N

0 250 500 1,000 1,500 2,000 Feet 1:6,000



APPENDIX B.

SITE DRAINAGE COMPUTATIONS

MHFD BMP Spreadsheet (4 sheets)
Impervious Summary

Design Procedure Form: BMP Selection Tool

UD-BMP (Version 3.07, March 2018)

Sheet 1 of 1

Designer: David Theisen
 Company: Theisen Engineering
 Date: September 16, 2021
 Project: W 50th Development
 Location: W 50th Development

1. To identify potential BMPs, what best describes the type of site?	<div>Choose One</div> <div> <input checked="" type="radio"/> Conventional Site <input type="radio"/> Highly Urbanized Site <input type="radio"/> Linear Construction in Urbanized Area </div>	SKIP # 2
2. Does the typical section include a parking lane, shoulder, median, or otherwise allow for surface BMPs?	<div>Choose One</div> <div> <input type="radio"/> YES <input type="radio"/> NO </div>	
3. Is the site comprised of Hydrologic Soil Group A or B soils?	<div>Choose One</div> <div> <input type="radio"/> YES <input checked="" type="radio"/> NO </div>	
4. Is the tributary impervious area ¹ greater than 1 acre?	<div>Choose One</div> <div> <input type="radio"/> YES <input checked="" type="radio"/> NO </div>	SKIP #6-10
5. Is the depth of bedrock greater than 5 feet?	<div>Choose One</div> <div> <input checked="" type="radio"/> YES <input type="radio"/> NO </div>	
6. Is the tributary impervious area ¹ greater than 5 acres?	<div>Choose One</div> <div> <input type="radio"/> YES <input type="radio"/> NO </div>	
7. Is a water source available for use? (baseflow or groundwater)	<div>Choose One</div> <div> <input type="radio"/> YES <input type="radio"/> NO </div>	
8. Is the BMP in a developing watershed?	<div>Choose One</div> <div> <input type="radio"/> YES <input type="radio"/> NO </div>	
9. Are BMPs allowed in the right-of-way?	<div>Choose One</div> <div> <input type="radio"/> YES <input type="radio"/> NO </div>	
10. Does the community have an established Fee in Lieu Program in place?	<div>Choose One</div> <div> <input type="radio"/> YES <input type="radio"/> NO </div>	
11. Step 1 of Four Step Process: MDCIA / Volume Reduction (Not WQCV) BMPs	<div>Grass Buffer</div> <div>Grass Swale</div> <div>Permeable Pavement- No or Partial Infiltration (5)</div> <div>Green Roof (3)</div>	
12. Step 2 of Four Step Process: WQCV BMPs	<div>Permeable Pavement- No or Partial Infiltration (5)</div> <div>Bioretention- No or Partial Infiltration (5)</div> <div>Sand Filter Extended Detention Basin- No or Partial Infiltration (5)</div> <div>Green Roof (3)</div> <div>Regional Water Quality Treatment (4)</div>	
Notes: 1. 'Tributary impervious area' refers to the impervious area draining to the BMP, not the total area of the project site. 2. For a successful wetland channel or basin, a water source (groundwater or baseflow) will be required. 3. In the Front Range of Colorado, irrigation, at least periodically in dry times, will be required to sustain a green roof. 4. If a regional facility will be used to provide the WQCV, some degree of onsite treatment/MDCIA will still likely be required. 5. No Infiltration= underdrain and liner, Partial Infiltration= underdrain and no liner, Full Infiltration= no underdrain and no liner. 6. Consider this BMP for a portion of your site. It's best suited for impervious tributary areas of approximately one acre or less.		

Design Procedure Form: Runoff Reduction

UD-BMP (Version 3.07, March 2018)

Sheet 1 of 1

Designer: David Theisen
Company: Theisen Engineering, LLC
Date: September 16, 2021
Project: W 50th Development
Location: W 50th Development

SITE INFORMATION (User Input in Blue Cells)

WQCV Rainfall Depth 0.60 inches
Depth of Average Runoff Producing Storm, d_6 = 0.43 inches (for Watersheds Outside of the Denver Region, Figure 3-1 in USDCM Vol. 3)

Area Type	UIA:RPA	UIA:RPA	UIA:RPA										
Area ID	Basin A	Basin B1	Basin B2										
Downstream Design Point ID	N Pond	S Pond1	S Pond 2										
Downstream BMP Type	EDB	EDB	EDB										
DCIA (ft ²)	--	--	--										
UIA (ft ²)	25,090	17,740	17,740										
RPA (ft ²)	52,011	47,480	47,480										
SPA (ft ²)	--	--	--										
HSG A (%)	0%	0%	0%										
HSG B (%)	0%	0%	0%										
HSG C/D (%)	100%	100%	100%										
Average Slope of RPA (ft/ft)	0.020	0.020	0.020										
UIA:RPA Interface Width (ft)	70.00	70.00	70.00										

CALCULATED RUNOFF RESULTS

Area ID	Basin A	Basin B1	Basin B2										
UIA:RPA Area (ft ²)	77,101	65,220	65,220										
L / W Ratio	15.73	13.31	13.31										
UIA / Area	0.3254	0.2720	0.2720										
Runoff (in)	0.00	0.00	0.00										
Runoff (ft ³)	0	0	0										
Runoff Reduction (ft ³)	1045	739	739										

CALCULATED WQCV RESULTS

Area ID	Basin A	Basin B1	Basin B2										
WQCV (ft ³)	1045	739	739										
WQCV Reduction (ft ³)	1045	739	739										
WQCV Reduction (%)	100%	100%	100%										
Untreated WQCV (ft ³)	0	0	0										

CALCULATED DESIGN POINT RESULTS (sums results from all columns with the same Downstream Design Point ID)

Downstream Design Point ID	N Pond	S Pond1	S Pond 2										
DCIA (ft ²)	0	0	0										
UIA (ft ²)	25,090	17,740	17,740										
RPA (ft ²)	52,011	47,480	47,480										
SPA (ft ²)	0	0	0										
Total Area (ft ²)	77,101	65,220	65,220										
Total Impervious Area (ft ²)	25,090	17,740	17,740										
WQCV (ft ³)	1,045	739	739										
WQCV Reduction (ft ³)	1,045	739	739										
WQCV Reduction (%)	100%	100%	100%										
Untreated WQCV (ft ³)	0	0	0										

CALCULATED SITE RESULTS (sums results from all columns in worksheet)

Total Area (ft ²)	207,541
Total Impervious Area (ft ²)	60,570
WQCV (ft ³)	2,524
WQCV Reduction (ft ³)	2,524
WQCV Reduction (%)	100%
Untreated WQCV (ft ³)	0

Design Procedure Form: Grass Buffer (GB)

UD-BMP (Version 3.07, March 2018)

Sheet 1 of 1

Designer: David Theisen
Company: Theisen Engineering
Date: September 16, 2021
Project: W 50th Development
Location: W 50th Development

1. Design Discharge A) 2-Year Peak Flow Rate of the Area Draining to the Grass Buffer	$Q_2 = $ <input style="width: 50px; text-align: center;" type="text" value="0.3"/> cfs
2. Minimum Width of Grass Buffer	$W_G = $ <input style="width: 50px; text-align: center;" type="text" value="6"/> ft
3. Length of Grass Buffer (14' or greater recommended)	$L_G = $ <input style="width: 50px; text-align: center;" type="text" value="15"/> ft
4. Buffer Slope (in the direction of flow, not to exceed 0.1 ft / ft)	$S_G = $ <input style="width: 50px; text-align: center;" type="text" value="0.020"/> ft / ft
5. Flow Characteristics (sheet or concentrated) A) Does runoff flow into the grass buffer across the entire width of the buffer? B) Watershed Flow Length C) Interface Slope (normal to flow) D) Type of Flow Sheet Flow: $F_L * S_i \leq 1$ Concentrated Flow: $F_L * S_i > 1$	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> Choose One <input checked="" type="radio"/> Yes <input type="radio"/> No </div> $F_L = $ <input style="width: 50px; text-align: center;" type="text" value="5"/> ft $S_i = $ <input style="width: 50px; text-align: center;" type="text" value="0.020"/> ft / ft <div style="border-bottom: 1px solid black; width: 100%; text-align: center; margin-top: 5px;">SHEET FLOW</div>
6. Flow Distribution for Concentrated Flows	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> Choose One <input checked="" type="radio"/> None (sheet flow) <input type="radio"/> Slotted Curbing <input type="radio"/> Level Spreader <input type="radio"/> Other (Explain): </div> <div style="border-bottom: 1px solid black; width: 100%; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; width: 100%;"></div>
7 Soil Preparation (Describe soil amendment)	<div style="border-bottom: 1px solid black; width: 100%; text-align: center; margin-bottom: 5px;">Type A Soil - Vegetative cover</div> <div style="border-bottom: 1px solid black; width: 100%;"></div>
8 Vegetation (Check the type used or describe "Other")	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> Choose One <input checked="" type="radio"/> Existing Xeric Turf Grass <input type="radio"/> Irrigated Turf Grass <input type="radio"/> Other (Explain): </div> <div style="border-bottom: 1px solid black; width: 100%; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; width: 100%;"></div>
9. Irrigation (*Select None if existing buffer area has 80% vegetation AND will not be disturbed during construction.)	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> Choose One <input checked="" type="radio"/> Temporary <input type="radio"/> Permanent <input type="radio"/> None* </div>
10. Outflow Collection (Check the type used or describe "Other")	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> Choose One <input checked="" type="radio"/> Grass Swale <input type="radio"/> Street Gutter <input type="radio"/> Storm Sewer Inlet <input type="radio"/> Other (Explain): </div> <div style="border-bottom: 1px solid black; width: 100%; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; width: 100%;"></div>
Notes:	

Design Procedure Form: Grass Swale (GS)

UD-BMP (Version 3.07, March 2018)

Sheet 1 of 1

Designer: David Theisen

Company: Theisen Engineering

Date: September 16, 2021

Project: W 50th Development

Location: W 50th Development

1. Design Discharge for 2-Year Return Period	$Q_2 =$ <input type="text" value="0.30"/> cfs
2. Hydraulic Residence Time A) : Length of Grass Swale B) Calculated Residence Time (based on design velocity below)	$L_S =$ <input type="text" value="410.0"/> ft $T_{HR} =$ <input type="text" value="11.0"/> minutes
3. Longitudinal Slope (vertical distance per unit horizontal) A) Available Slope (based on site constraints) B) Design Slope	$S_{avail} =$ <input type="text" value="0.020"/> ft / ft $S_D =$ <input type="text" value="0.020"/> ft / ft
4. Swale Geometry A) Channel Side Slopes ($Z = 4$ min., horiz. distance per unit vertical) B) Bottom Width of Swale (enter 0 for triangular section)	$Z =$ <input type="text" value="10.00"/> ft / ft $W_B =$ <input type="text" value="0.00"/> ft
5. Vegetation A) Type of Planting (seed vs. sod, affects vegetal retardance factor)	Choose One <input checked="" type="radio"/> Grass From Seed <input type="radio"/> Grass From Sod
6. Design Velocity (1 ft / s maximum)	$V_2 =$ <input type="text" value="0.62"/> ft / s
7. Design Flow Depth (1 foot maximum) A) Flow Area B) Top Width of Swale C) Froude Number (0.50 maximum) D) Hydraulic Radius E) Velocity-Hydraulic Radius Product for Vegetal Retardance F) Manning's n (based on SCS vegetal retardance curve E for seeded grass) G) Cumulative Height of Grade Control Structures Required	$D_2 =$ <input type="text" value="0.22"/> ft $A_2 =$ <input type="text" value="0.5"/> sq ft $W_T =$ <input type="text" value="4.4"/> ft $F =$ <input type="text" value="0.33"/> $R_H =$ <input type="text" value="0.11"/> $VR =$ <input type="text" value="0.07"/> $n =$ <input type="text" value="0.080"/> $H_D =$ <input type="text" value="0.00"/> ft
8. Underdrain (Is an underdrain necessary?)	Choose One <input type="radio"/> YES <input checked="" type="radio"/> NO
9. Soil Preparation (Describe soil amendment)	Soil Type A - Vegetative cover
10. Irrigation	Choose One <input checked="" type="radio"/> Temporary <input type="radio"/> Permanent

Notes:

**West 50th Avenue
Impervious Summary**

Basin A

	Area (Acres)	Imperviousness	Total Impervious Area (Acres)
Single Family < 0.25 acre	1.28	45%	0.576
Lawns/Undeveloped/Ponds	0.49	2%	0.010

APPENDIX C.

POND COMPUTATIONS

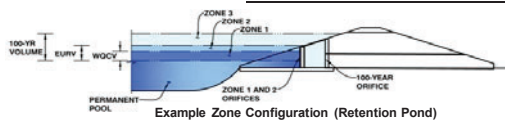
North Detention Basin Computations (1 sheets)

South Detention Basin Computations (1 sheets)

MHFD-Detention, Version 4.04 (February 2021)

Project: West 50th Avenue

Basin ID: Basin A



Example Zone Configuration (Retention Pond)

Selected BMP Type =	EDB	
Watershed Area =	1.77	acres
Watershed Length =	330	ft
Watershed Length to Centroid =	150	ft
Watershed Slope =	0.020	ft/ft
Watershed Imperviousness =	33.10%	percent
Percentage Hydrologic Soil Group A =	0.0%	percent
Percentage Hydrologic Soil Group B =	0.0%	percent
Percentage Hydrologic Soil Groups C/D =	100.0%	percent
Target WQCV Drain Time =	40.0	hours
Location for 1-hr Rainfall Depths = Golden - School of Mines		

After providing required inputs above including 1-hour rainfall depths, click 'Run CUHP' to generate runoff hydrographs using the embedded Colorado Urban Hydrograph Procedure.

Water Quality Capture Volume (WQCV) =	0.024	acre-feet
Excess Urban Runoff Volume (EUV) =	0.054	acre-feet
2-yr Runoff Volume ($P1 = 0.75$ in.) =	0.028	acre-feet
5-yr Runoff Volume ($P1 = 1.03$ in.) =	0.047	acre-feet
10-yr Runoff Volume ($P1 = 1.26$ in.) =	0.072	acre-feet
25-yr Runoff Volume ($P1 = 1.61$ in.) =	0.128	acre-feet
50-yr Runoff Volume ($P1 = 1.89$ in.) =	0.167	acre-feet
100-yr Runoff Volume ($P1 = 2.19$ in.) =	0.216	acre-feet
500-yr Runoff Volume ($P1 = 2.93$ in.) =	0.325	acre-feet
Approximate 2-yr Detention Volume =	0.029	acre-feet
Approximate 5-yr Detention Volume =	0.052	acre-feet
Approximate 10-yr Detention Volume =	0.063	acre-feet
Approximate 25-yr Detention Volume =	0.078	acre-feet
Approximate 50-yr Detention Volume =	0.085	acre-feet
Approximate 100-yr Detention Volume =	0.106	acre-feet

Select Zone 1 Storage Volume (Required) =		acre-feet
Select Zone 2 Storage Volume (Optional) =		acre-feet
Select Zone 3 Storage Volume (Optional) =		acre-feet
Total Detention Basin Volume =		acre-feet
Initial Surge Volume (ISV) =	3	ft ³
Initial Surge Depth (ISD) =		ft
Total Available Detention Depth (H_{total}) =		ft
Depth of Trickle Channel (H_T) =		ft
Slope of Trickle Channel (S_T) =		ft/ft
Slopes of Main Basin Sides (S_{main}) =		H:V
Basin Length-to-Width Ratio ($R_{L/W}$) =		

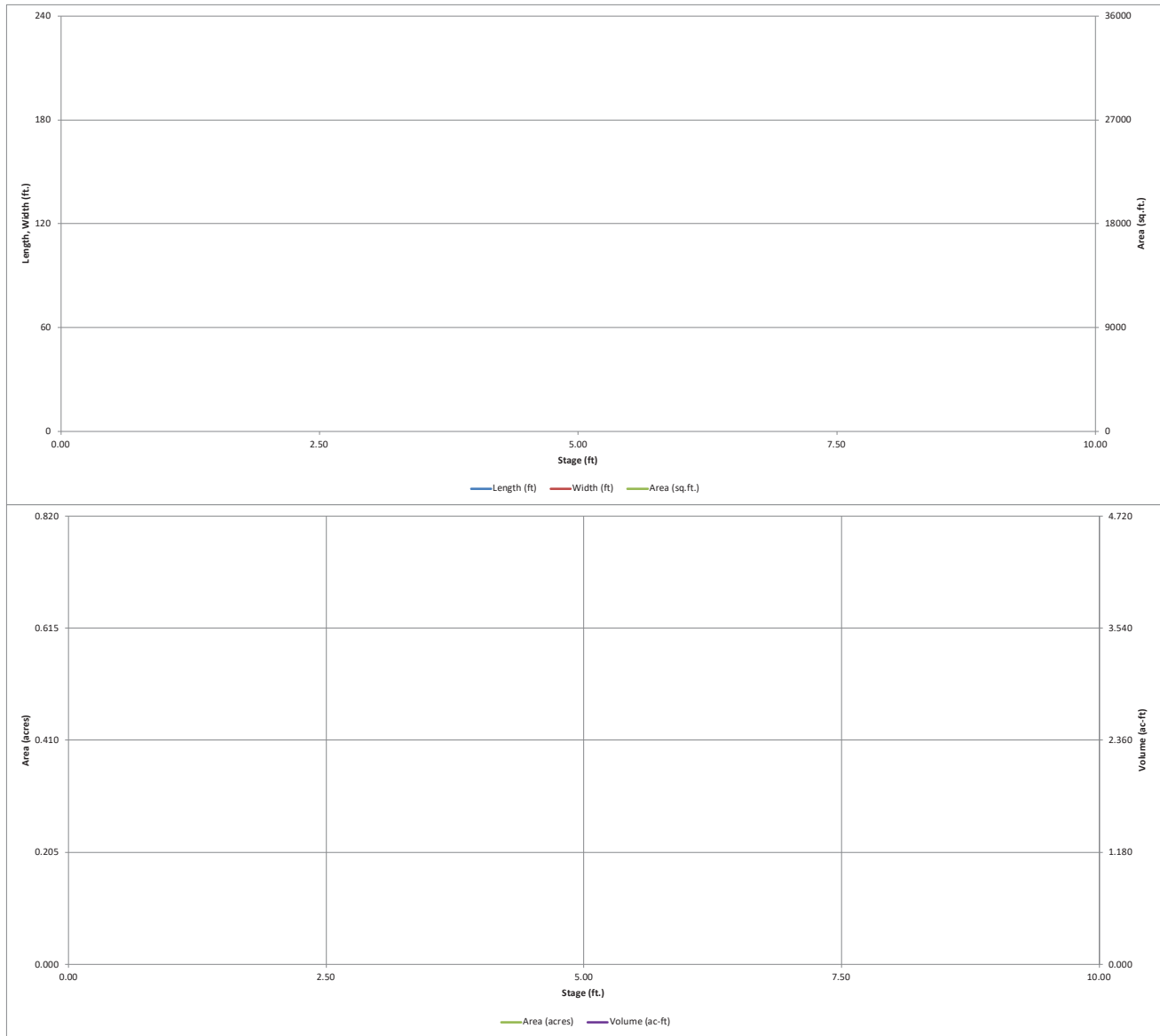
Initial Surcharge Area (A_{SDV}) =		ft ²
Surcharge Volume Length (L_{SDV}) =		ft
Surcharge Volume Width (W_{SDV}) =		ft
Depth of Basin Floor (H_{FLOOR}) =		ft
Length of Basin Floor (L_{FLOOR}) =		ft
Width of Basin Floor (W_{FLOOR}) =		ft
Area of Basin Floor (A_{FLOOR}) =		ft ²
Volume of Basin Floor (V_{FLOOR}) =		ft ³
Depth of Main Basin (H_{MAIN}) =		ft
Length of Main Basin (L_{MAIN}) =		ft
Width of Main Basin (W_{MAIN}) =		ft
Area of Main Basin (A_{MAIN}) =		ft ²
Volume of Main Basin (V_{MAIN}) =		ft ³
Calculated Total Basin Volume (V_{TBD}) =		acre-feet

Depth Increment =		ft
-------------------	--	----

[illegible]

DETENTION BASIN STAGE-STORAGE TABLE BUILDER

MHFD-Detention, Version 4.04 (February 2021)



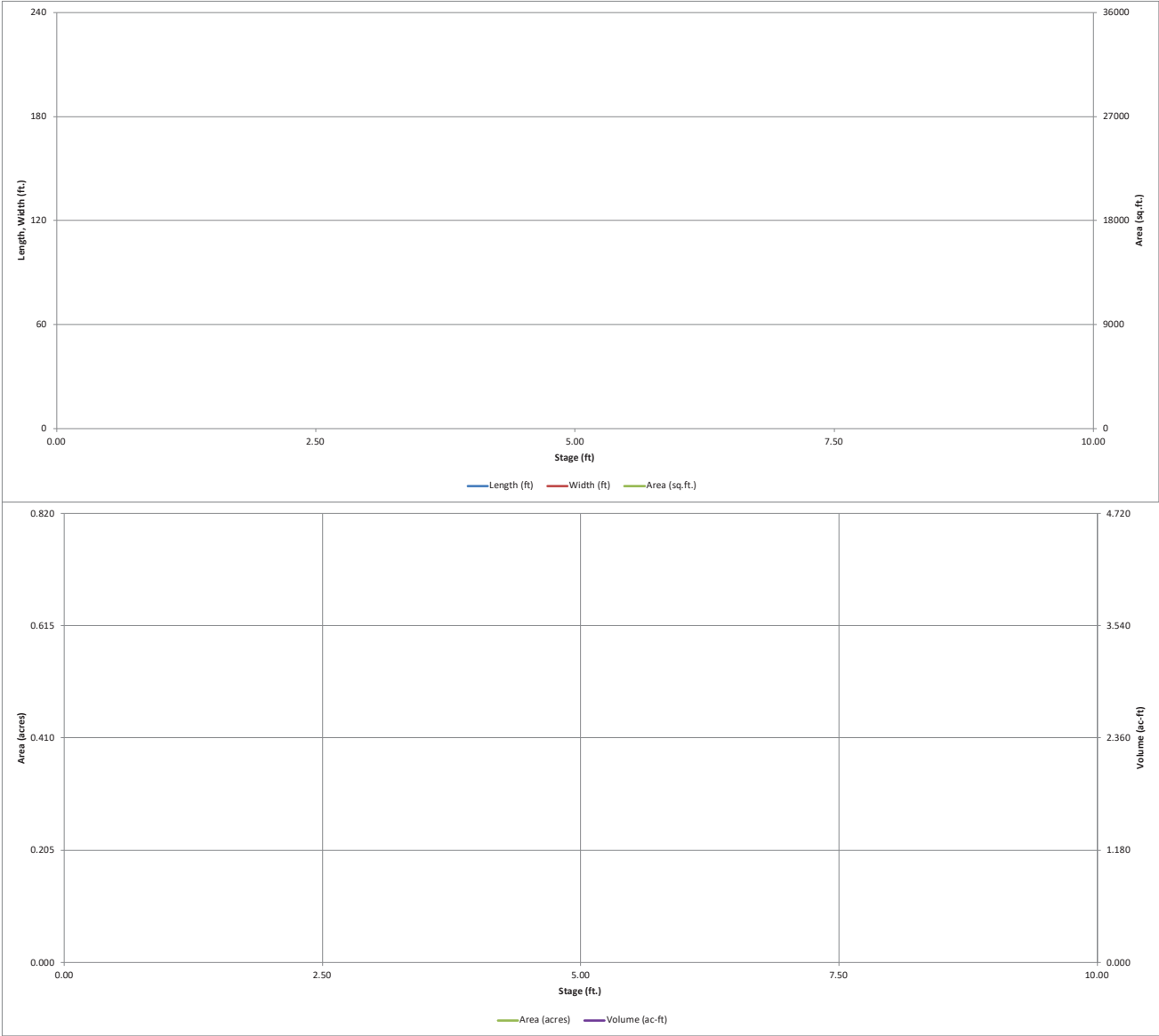
MHFD-Detention, Version 4.04 (February 2021)

Basin ID: Basin B South

[illegible]

Initial Surcharge Area (A_{SIV}) =		ft ²
Surcharge Volume Length (L_{SV}) =		ft
Surcharge Volume Width (W_{SV}) =		ft
Depth of Basin Floor (H_{FLOOR}) =		ft
Length of Basin Floor (L_{FLOOR}) =		ft
Width of Basin Floor (W_{FLOOR}) =		ft
Area of Basin Floor (A_{FLOOR}) =		ft ²
Volume of Basin Floor (V_{FLOOR}) =		ft ³
Depth of Main Basin (H_{MAIN}) =		ft
Length of Main Basin (L_{MAIN}) =		ft
Width of Main Basin (W_{MAIN}) =		ft
Area of Main Basin (A_{MAIN}) =		ft ²
Volume of Main Basin (V_{MAIN}) =		ft ³
Calculated Total Basin Volume (V_{TOTAL}) =		acre-feet

[illegible]



APPENDIX D.

COPIES OF GRAPHS, TABLES, AND NOMOGRAPHS USED

Jefferson County Drainage Standards (2 Sheets)
MHFD / UDFCD Standards (2 Sheets)

Time-Intensity Frequency Curves

Figure 502A
Zone I

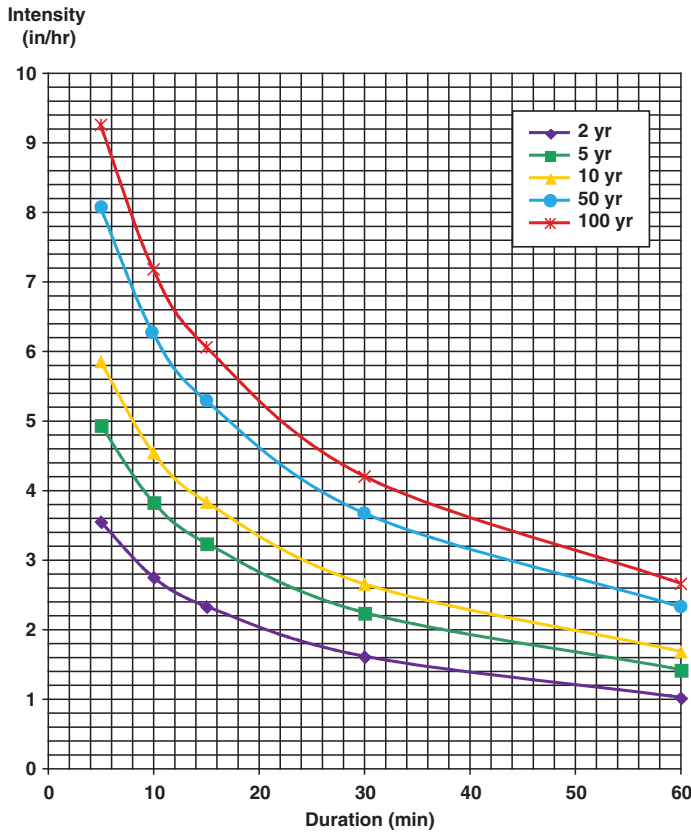


Figure 502B
Zone IIA

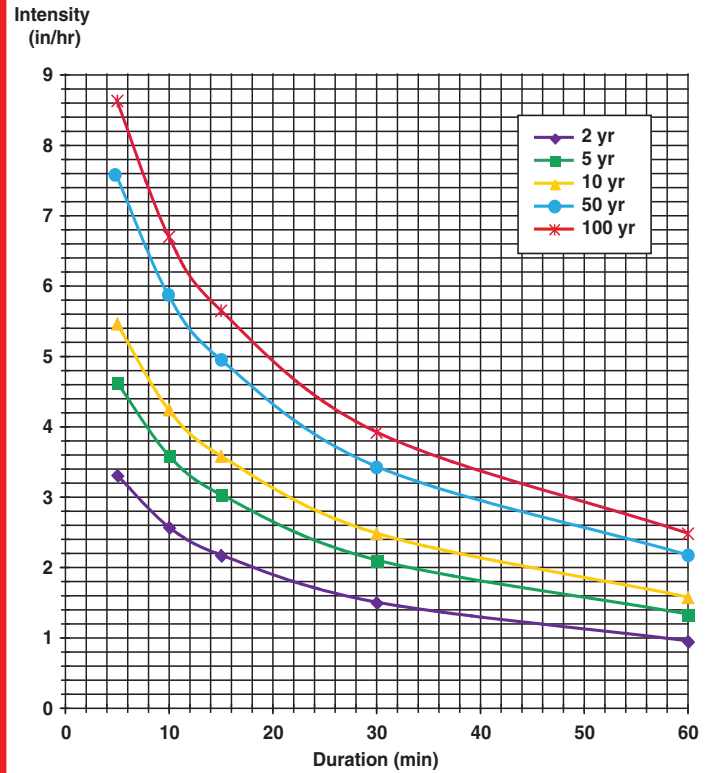


Figure 502C
Zone IIB

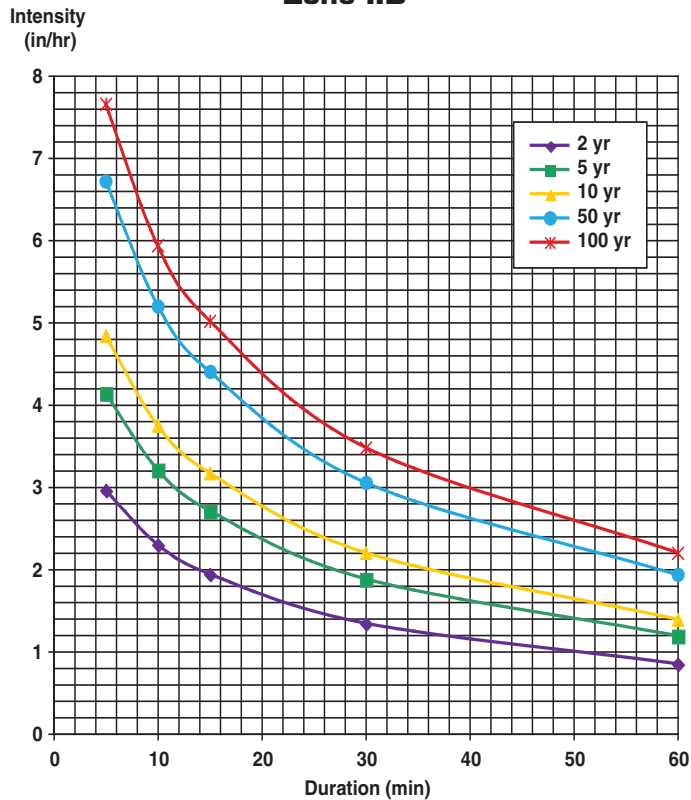
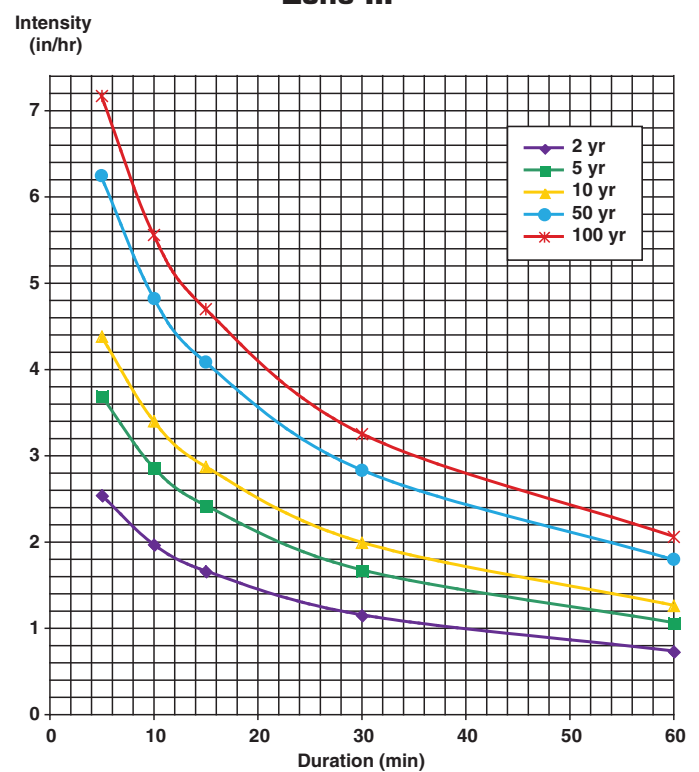


Figure 502D
Zone III



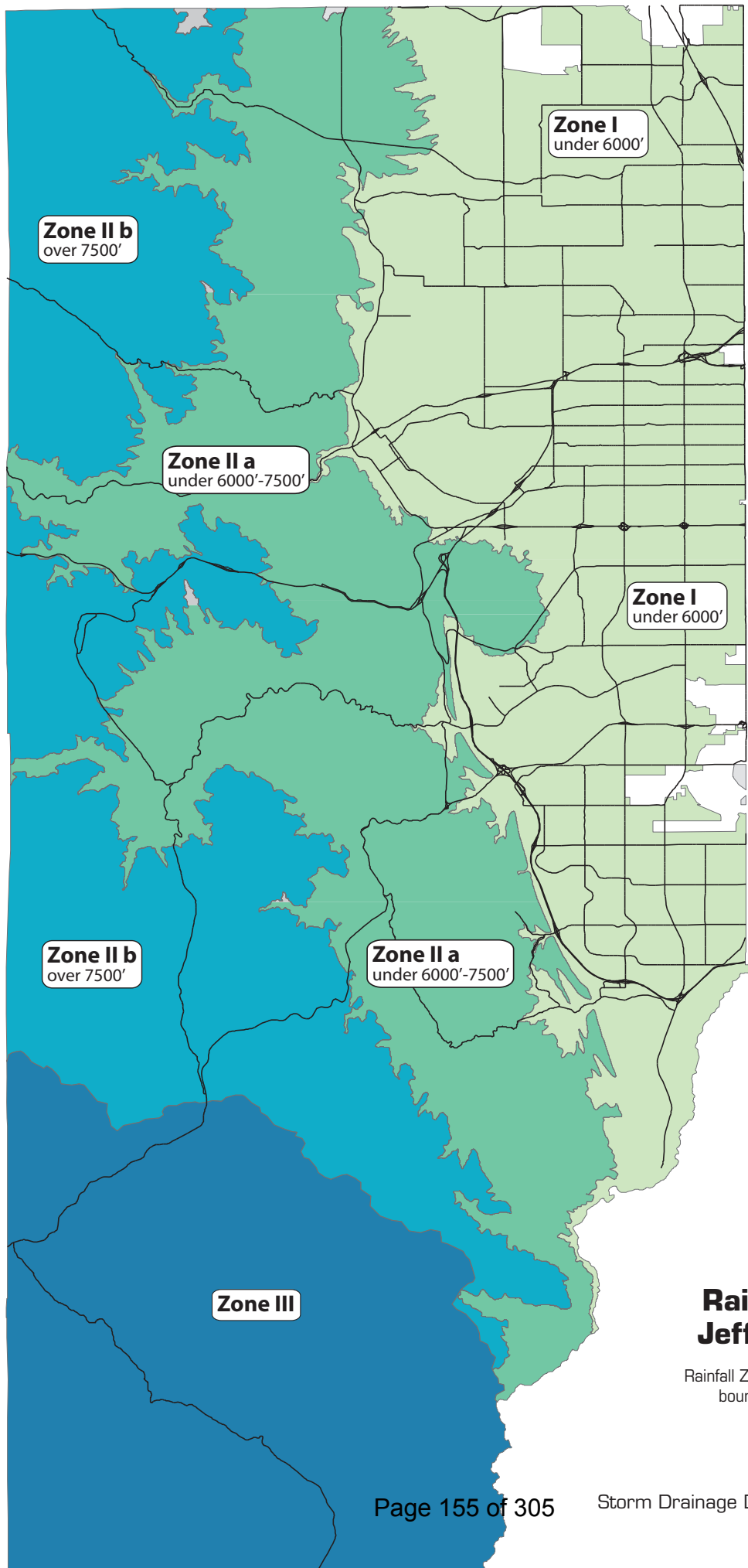


Figure 501
**Rainfall Zones in
Jefferson County**

Rainfall Zone III extends to the southern
boundary of Jefferson County.

Table 6-3. Recommended percentage imperviousness values

Land Use or Surface Characteristics	Percentage Imperviousness (%)
Business:	
Downtown Areas	95
Suburban Areas	75
Residential:	
Single-family	
2.5 acres or larger	12
0.75 – 2.5 acres	20
0.25 – 0.75 acres	30
0.25 acres or less	45
Apartments	75
Industrial:	
Light areas	80
Heavy areas	90
Parks, cemeteries	10
Playgrounds	25
Schools	55
Railroad yard areas	50
Undeveloped Areas:	
Historic flow analysis	2
Greenbelts, agricultural	2
Off-site flow analysis (when land use not defined)	45
Streets:	
Paved	100
Gravel (packed)	40
Drive and walks	90
Roofs	90
Lawns, sandy soil	2
Lawns, clayey soil	2

Table RO-5— Runoff Coefficients, *C*

Percentage Imperviousness	Type C and D NRCS Hydrologic Soil Groups					
	2-yr	5-yr	10-yr	25-yr	50-yr	100-yr
0%	0.04	0.15	0.25	0.37	0.44	0.50
5%	0.08	0.18	0.28	0.39	0.46	0.52
10%	0.11	0.21	0.30	0.41	0.47	0.53
15%	0.14	0.24	0.32	0.43	0.49	0.54
20%	0.17	0.26	0.34	0.44	0.50	0.55
25%	0.20	0.28	0.36	0.46	0.51	0.56
30%	0.22	0.30	0.38	0.47	0.52	0.57
35%	0.25	0.33	0.40	0.48	0.53	0.57
40%	0.28	0.35	0.42	0.50	0.54	0.58
45%	0.31	0.37	0.44	0.51	0.55	0.59
50%	0.34	0.40	0.46	0.53	0.57	0.60
55%	0.37	0.43	0.48	0.55	0.58	0.62
60%	0.41	0.46	0.51	0.57	0.60	0.63
65%	0.45	0.49	0.54	0.59	0.62	0.65
70%	0.49	0.53	0.57	0.62	0.65	0.68
75%	0.54	0.58	0.62	0.66	0.68	0.71
80%	0.60	0.63	0.66	0.70	0.72	0.74
85%	0.66	0.68	0.71	0.75	0.77	0.79
90%	0.73	0.75	0.77	0.80	0.82	0.83
95%	0.80	0.82	0.84	0.87	0.88	0.89
100%	0.89	0.90	0.92	0.94	0.95	0.96
TYPE B NRCS HYDROLOGIC SOILS GROUP						
0%	0.02	0.08	0.15	0.25	0.30	0.35
5%	0.04	0.10	0.19	0.28	0.33	0.38
10%	0.06	0.14	0.22	0.31	0.36	0.40
15%	0.08	0.17	0.25	0.33	0.38	0.42
20%	0.12	0.20	0.27	0.35	0.40	0.44
25%	0.15	0.22	0.30	0.37	0.41	0.46
30%	0.18	0.25	0.32	0.39	0.43	0.47
35%	0.20	0.27	0.34	0.41	0.44	0.48
40%	0.23	0.30	0.36	0.42	0.46	0.50
45%	0.26	0.32	0.38	0.44	0.48	0.51
50%	0.29	0.35	0.40	0.46	0.49	0.52
55%	0.33	0.38	0.43	0.48	0.51	0.54
60%	0.37	0.41	0.46	0.51	0.54	0.56
65%	0.41	0.45	0.49	0.54	0.57	0.59
70%	0.45	0.49	0.53	0.58	0.60	0.62
75%	0.51	0.54	0.58	0.62	0.64	0.66
80%	0.57	0.59	0.63	0.66	0.68	0.70
85%	0.63	0.66	0.69	0.72	0.73	0.75
90%	0.71	0.73	0.75	0.78	0.80	0.81
95%	0.79	0.81	0.83	0.85	0.87	0.88
100%	0.89	0.90	0.92	0.94	0.95	0.96

TABLE RO-5 (Continued)—Runoff Coefficients, *C*

Percentage Imperviousness	Type A NRCS Hydrologic Soils Group					
	2-yr	5-yr	10-yr	25-yr	50-yr	100-yr
0%	0.00	0.00	0.05	0.12	0.16	0.20
5%	0.00	0.02	0.10	0.16	0.20	0.24
10%	0.00	0.06	0.14	0.20	0.24	0.28
15%	0.02	0.10	0.17	0.23	0.27	0.30
20%	0.06	0.13	0.20	0.26	0.30	0.33
25%	0.09	0.16	0.23	0.29	0.32	0.35
30%	0.13	0.19	0.25	0.31	0.34	0.37
35%	0.16	0.22	0.28	0.33	0.36	0.39
40%	0.19	0.25	0.30	0.35	0.38	0.41
45%	0.22	0.27	0.33	0.37	0.40	0.43
50%	0.25	0.30	0.35	0.40	0.42	0.45
55%	0.29	0.33	0.38	0.42	0.45	0.47
60%	0.33	0.37	0.41	0.45	0.47	0.50
65%	0.37	0.41	0.45	0.49	0.51	0.53
70%	0.42	0.45	0.49	0.53	0.54	0.56
75%	0.47	0.50	0.54	0.57	0.59	0.61
80%	0.54	0.56	0.60	0.63	0.64	0.66
85%	0.61	0.63	0.66	0.69	0.70	0.72
90%	0.69	0.71	0.73	0.76	0.77	0.79
95%	0.78	0.80	0.82	0.84	0.85	0.86
100%	0.89	0.90	0.92	0.94	0.95	0.96

CASE SUMMARY
Regular Agenda

PC Hearing Date: November 9, 2022

BCC Hearing Date: December 6, 2022

21-109265AM Regulation Amendment

Applicant: Jefferson County

Location: Unincorporated Jefferson County

Purpose: **To amend Section 16 of the Zoning Resolution and Section 17 of the Land Development Regulation**

Case Manager(s): Nathan Seymour and Lindsey Wire

Applicant Team Presenters:

Nathan Seymour, nseymour@jeffco.us, 303-271-8751

Lindsey Wire, lwire@jeffco.us, 303-271-8717

Issues:

- None

Recommendations:

- **Staff:** Recommends APPROVAL
- **Planning Commission:** Recommends APPROVAL

Interested Parties:

- Engineering consultants, local agencies and several citizens.

Level of Community Interest: Low

PC RESOLUTION

It was moved by Commissioner **Duncan** that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION
COUNTY OF JEFFERSON
STATE OF COLORADO

November 9, 2022

RESOLUTION

21-109265AM Regulation Amendment
Applicant: Jefferson County
Location: Unincorporated Jefferson County
Purpose: **To amend Section 16 of the Zoning Resolution and Section 17 of the Land Development Regulation**
Case Managers: Nathan Seymour and Lindsey Wire

The Jefferson County Planning Commission hereby recommends **APPROVAL**, of the above application, on the basis of the following facts:

1. That the factors upon which this decision is based include evidence and testimony and staff findings presented in this case.
2. The Planning Commission finds that:
 - A. The amendments to the Zoning Resolution and the Land Development Regulation will establish clear, concise, and comprehensive documents that meet the needs of our community today.
 - B. The amendments to the Zoning Resolution and the Land Development Regulation will ensure consistency with current County regulations, State statutes, and applicable Federal standards.
 - C. The amendments to the Zoning Resolution and the Land Development Regulation are in the best interest of the health, safety, and general welfare of the residents of Jefferson County.

Commissioner **Spencer** seconded the adoption of the foregoing Resolution, and upon a vote of the Planning Commission as follows:

Commissioner	Rogers	aye
Commissioner	Spencer	aye
Commissioner	Jost	aye
Commissioner	Duncan	aye

Jefferson County Planning Commission Resolution
Case #21-109265
November 9, 2022
2 of 2

Commissioner **Stephens** **aye**

The Resolution was adopted by **unanimous** vote of the Planning Commission of the County of Jefferson, State of Colorado.

I, Kimi Schillinger, Executive Secretary for the Jefferson County Planning Commission, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Jefferson County Planning Commission at a regular hearing held in Jefferson County, Colorado, November 9, 2022.

A handwritten signature in black ink, appearing to read 'K Schillinger', is written over a horizontal line.

Kimi Schillinger
Executive Secretary

STAFF REPORT

Staff Report

PC Hearing Date: November 9th, 2022

BCC Hearing Date: December 6th, 2022

21-109265AM Regulation Amendment

Applicant: Jefferson County

Location: Unincorporated Jefferson County

Purpose: **To amend Section 16 of the Zoning Resolution and Section 17 of the Land Development Regulation**

Case Manager(s): Nathan Seymour and Lindsey Wire

BACKGROUND

Jefferson County Planning & Zoning is processing a Regulation Amendment (21-109265AM) pertaining to the Zoning Resolution (ZR) Section 16 (Land Disturbance) and the Land Development Regulation Section 17 (Land Disturbance). The purpose of this regulation amendment is as follows:

- Removal of all land disturbance standards in Section 17 of the Land Development Regulation. Section 17 would only state that the applicable regulations have been incorporated into Section 16 of the Zoning Resolution.
- General housekeeping including reorganization of sections and minor changes for clarity.
- Removal of the K Factor evaluation when determining what type of Land Disturbance Permit is required.
- Addition of the requirement for a permit when stockpiling material.
- Addition of the process steps and processing timeframes for the Notice of Intent Permit.
- Addition of infiltration testing requirements to be included within the Soil/Geologic Investigation Report.
- Clarification on what would be required when an applicant would like to grade or is proposing activities within 7 feet of the property boundary.

During the referral period, Staff received comments regarding the proposed changes to the regulations. All the comments received during the one referral period have been incorporated into the Comment and Response Log attached to this Staff Report. Additionally, Staff reviewed the proposed regulation with the 14-member Regulation Advisory Panel (RAP) comprised of representatives from the following groups: Homeowner's Associations, Citizens, Land Use/Development Consultants, Business Owners/Real Estate Brokers, Engineers/Planners, Attorneys, Developers, and Special Districts. The RAP held one meeting to discuss the Proposed Amendments and were provided a referral.

During the processing of the case, we received no major concerns from citizens. Staff and the RAP are comfortable moving forward with the proposed regulations amendment changes.

DISCUSSION/PROPOSAL

The proposed revisions to the Zoning Resolution Section 16 are summarized below:

- Removal of Section 17 of the Land Development Regulation. The applicable regulations have been

incorporated into Section 16 of the Zoning Resolution. Section 17 has been modified to provide the appropriate reference language to Section 16 of the Zoning Resolution.

- The Land Disturbance Section 17 of the Land Development Regulation was found by Staff to be duplicative of the same Section 16 of the Zoning Resolution. Consolidating these two regulations supports the future goal of combining the Land Development Regulation and the Zoning Resolution.
- Removal of the K Factor evaluation when determining what type of Land Disturbance Permit is required.
 - The majority of the County has a K factor that is above 0.23. Per the current regulations, these areas require a grading permit when the proposed land disturbance exceeds 0.5 acre. Part of the rationale for removing the K factor is to simplify the regulations so we can provide a straightforward answer to homeowners, builders and engineers when determining if they need a Grading Permit or a Notice of Intent Permit. With this change, we are expecting the number of Grading Permits to increase by approximately 10-12 permits per year.
- Addition of the requirement for a permit when stockpiling material.
 - A permit for the stockpiling of earthen material shall be required when 5,000 or more cubic yards of earthen material is stored on a property and the material is not actively being used on said property. This permit requirement shall allow Staff to better track and regulate stockpiles on property when otherwise no other permitted process is occurring.
- Addition of the process steps and processing timeframes for the Notice of Intent Permit.
 - The addition of these process steps and timeframes will allow Staff to set better expectations for applicants regarding permit approval.
- Addition of infiltration testing requirements to be included within the Soil/Geologic Investigation Report.
 - Infiltration testing is currently required when an applicant is designing a control measure that relies on infiltration. Specific requirements regarding infiltration testing have been added to the regulation in order to better standardize the testing process. At least two tests per control measure are required. The testing shall be at an appropriate elevation and location to adequately evaluate the underlying strata. A Factor of Safety of 2 shall be applied to the final infiltration rate to account for infiltration degradation over time
- Clarification on what would be required when an applicant would like to grade or is proposing activities within 7 feet of the property boundary.
 - The requirements include a letter, prepared by a Colorado registered professional engineer, that identifies any potential issues caused by grading, erosion and sediment control activities relating to existing infrastructure, drainage patterns or visual and safety impacts and provides justification and rationale demonstrating that there will be no adverse impacts to adjacent property owners as a result of the proposed land disturbance.

HEARING PACKET DOCUMENTS

- Red-Marked copy of Section 16 of the Zoning Resolution and Section 17 of the Land Development Regulation. Text additions are in red, deletions are in blue and relocated text is in green.
- A clean copy (changes accepted) of Section 16 of the Zoning Resolution and Section 17 of the Land Development Regulation.
- Comment and Response Log.
- Referral list.

REFERRAL PERIOD/PUBLIC NOTIFICATION AND OUTREACH

Notice of the proposed Amendments to the Zoning Resolution and the Land Development Regulation was provided when the case went out on referral and when the public hearings were scheduled.

There was one referral period for this case. A formal draft of the proposed Amendments was sent to each

applicable referral agency and organization registered with the County. This includes County departments and divisions, external agencies, neighboring local governments, registered HOA and Umbrella Groups, and the Regulation Advisory Panel (RAP) which is a panel of HOA representatives, citizens, land use/development consultants, business owners/real estate brokers, engineers/planners, attorneys, developers, and special districts. Please see the referral list for more information. All comments received have been incorporated into the Comment and Response Log associated with this Staff Report.

Additional citizen outreach was provided in the following ways:

- Direct email notification to all agencies, jurisdictions, community groups and citizens that may have a specific interest in these regulations.
- Email and/or text message to the Notify Me list serve for individuals interested in Regulation Updates.
- Meetings with the Regulation Advisory Panel (RAP).

The majority of the comments were submitted by citizens, community groups, other agencies/jurisdictions and engineering consultants. The following referral agencies had no comments or concerns: Arapahoe County, Jefferson County Building Safety, United Power, City of Littleton, RTD, Town of Mountain View, Xcel Energy, CDOT and Highlands Ranch.

The citizen comments included questions regarding the proposed regulation updates and the processing timeline. A full list of the questions and responses can be found in the comment response log.

Comments from the Evergreen Metropolitan District and the Evergreen Park and Recreation District included questions regarding how the proposed regulation updates would impact existing permits in process. Staff responded that these regulation amendments would not impact any existing permits. Comments from the Evergreen Metropolitan District also included a recommendation that language be added requiring contractors working within easements to contact the easement owner before work begins. This was clarified in the regulation and language was added to the N-1 Form, which is the form submitted by the applicant's engineer certifying that all of the proposed work associated with a Notice of Intent Permit meets the regulatory requirements.

Comments from the Rocky Mount Metropolitan Airport (Airport) were regarding the existing stockpile at the Airport and whether it would be subject to the requirement to obtain a permit. Staff responded that the requirement would apply if the total area of disturbance exceeds 1-acre.

Several engineering consultants provided comments and questions regarding the trigger between a Notice of Intent Permit and a Grading Permit:

- Request for clarification on whether a Grading Permit would be required if the area of land disturbance was less than ½ acre but slopes steeper than 2 Horizontal to 1 Vertical are proposed. Staff responded that yes, a Grading Permit would be required since the steeper slopes would require the submittal of a Geotechnical Report to include a detailed review by Staff.
- Comments regarding the proposed removal of the K-Factor. Certain consultants agreed that Jefferson County is the only County currently using the K-Factor and that removing it from the criteria for a Grading Permit would be a benefit. Certain consultants did not agree with the proposed ½ acre threshold. One recommendation is that the County put more responsibility on the applicant's engineer with stricter requirements only in the MS4 permit area. Staff responded that the removing the K factor will simplify the regulations so that Staff can provide a straight forward answer to homeowners, builders and engineers when determining if they need a Grading Permit or Notice of Intent Permit. Since the majority of the County is within a K-Factor of greater than 0.23, Staff expects an increase of about 10-12 permits per year with this change.

Comments from the Colorado Geologic Survey included a recommendation that the factor of safety should be 1.5 instead of 1.3 if tiered retaining walls support structures. Staff agreed with this comment and modified the regulation accordingly.

Comments from the Jefferson County Economic Development Council (Jeffco EDC) included questions regarding how Jefferson County would define an "Active Use" of a property. Staff responded that an active

use would be construction associated with an active building permit for a primary structure. Jeffco EDC also commented on how infiltration testing could be affected by large amounts of cut/fill. Staff responded that infiltration testing will be completed on the representative material. If material will be imported, the property of the fill material can be specified. For cut, the bore can be deeper to reach the necessary depth.

Written comments received the day of the Planning Commission Hearing from one consultant included a recommendation that a licensed landscape architect be allowed to certify the design of Grading, Erosion and Sediment Control Plans. Staff responded that a similar discussion occurred several years ago as it relates to this topic. At that time, based on staff's research, including of the statutory definitions for the practice of engineering and the practice of landscaping architecture, staff found it prudent to continue to require a licensed professional engineer certify such plans and did not propose such a regulatory change. Staff did let the consultant know that this recommendation will be carried forward for consideration again, with a future regulation update.

Staff has addressed all comments in the Comment and Response Log. Staff considered many but not all of the comments when reviewing the proposed amendments.

PLANNING COMMISSION:

Planning Commission Recommendation (Resolution dated November 9, 2022 attached):

Approval	
Approval with Conditions	<u>X (5-0)</u>
Denial	

The case was scheduled on the regular agenda of the Planning Commission hearing. There was one citizen who provided public testimony. The citizen stated that they were in support of the proposed regulation updates but did have several questions as follows:

- Will the new stockpile regulation apply to mining operations. Staff responded that no, this regulation would only apply to projects that were not associated with another active permit.
- Will the County require infiltration testing on steep slopes? Staff responded that no, this testing is only required for drainage control measures that utilize infiltration.

The Planning Commission had questions about how Staff came up with 5000 cubic yards as the trigger quantity for when a stockpile permit would be required, and what type of material people are typically stockpiling. Staff responded that the 5000 cubic yards came from looking at a ½ acre footprint and calculating the volume of a cone based on a maximum 50-foot height. For reference, 5000 cubic yards is roughly equivalent to 500 dump trucks. In addition, Staff responded that the stockpile permit would be specific to earthen material. After Staff responses, the Planning Commission recommended approval of the proposed regulation amendments.

FINDINGS/RECOMMENDATIONS:

Staff recommends that the Board of County Commissioners find that:

- 1. The amendments to the Zoning Resolution and the Land Development Regulation will establish clear, concise, and comprehensive documents that meet the needs of our community today.**
- 2. The amendments to the Zoning Resolution and the Land Development Regulation will ensure consistency with current County regulations, State statutes, and applicable Federal standards.**
- 3. The amendments to the Zoning Resolution and the Land Development Regulation are in the best interest of the health, safety, and general welfare of the residents of Jefferson County.**

And;

Staff recommends that the Board of County Commissioners APPROVE Case No. 21-109265AM.

And;

Staff further recommends that the Planning and Zoning Division be given the authority to revise the Zoning Resolution and Land Development Regulation for the limited purposes of formatting Section 16 of the Zoning Resolution and Section 17 of the Land Development Regulation and correcting any typographical errors and any other non-substantive changes to Section 16 of the Zoning Resolution and Section 17 of the Land Development Regulation that Staff deems necessary prior to final publication of the Amended Sections of the Zoning Resolution and Land Development Regulation.

COMMENTS PREPARED BY:

Lindsey Wire and Nathan Seymour

Lindsey Wire and Nathan Seymour
November 29, 2022

CASE DATE SUMMARY

Jefferson County Case Management

CASE DATE SUMMARY

Case Number: 21-109265AM Case Type: Regulation Amendment

Initial Application Submitted: June 30, 2022

Case Sent on First Referral: August 31, 2022

Case Scheduled for Hearing(s): October 19, 2022

PROPOSED REGULATIONS RED-MARK

Section 16: Land Disturbance

(orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 10-12-04;
am. 4-20-10; am. 11-20-12; am. 6-1-19)

A. Purpose

The purpose of this section is to:

1. ~~Protect the water quality of~~ Enhance the quality of water in the County's drainageways and surface waters; (orig. 10-12-04; am. xx-xx-xx)
2. Protect life, property and the environment from loss, injury and damage by stormwater runoff, erosion, sediment transport, ponding, flooding, landslides, accelerated soil creep, settlement and subsidence, excessive dust, and other potential hazards caused by grading, construction activities, and denuded soils; (orig. 10-12-04)
3. Allow a temporary land use for land disturbance activities; and (orig. 8-25-86; am. 9-24-91; am. 3-23-99; am. 10-12-04)
4. Establish performance standards to:
 - a. Define grading, drainage, erosion and sediment control, and waste disposal requirements; (orig. 10-12-04)
 - b. Ensure mitigation of adverse impacts; and (orig. 10-12-04)
 - c. Ensure the reclamation of disturbed land. (orig. 10-12-04)

B. General Provisions

1. Performance Standards

All ~~land~~ Land disturbance ~~Disturbance activities~~ Activities must conform to the performance standards as detailed in this section. These standards apply whether or not a ~~Grading Permit or Notice of Intent~~ Land Disturbance Permit is required. (orig. 10-12-04; am. xx-xx-xx)

2. Activities Requiring a ~~Grading Permit or Notice of Intent~~ Land Disturbance Permit (Grading Permit or Notice of Intent):

It shall be unlawful for any person, firm or corporation to do or authorize any land disturbance in the unincorporated area of Jefferson County without first obtaining a ~~Grading Permit from the County or submitting a Notice of Intent to~~ Land Disturbance Permit from the County to authorize temporary land disturbance activities unless specifically exempted by this section. The applicant, the landowner, and the contractor are responsible if a land disturbance activity is ~~undertaken in contravention~~ not in accordance with ~~of~~ the performance standards, or if a land disturbance activity is undertaken beyond the scope of the ~~Grading Permit or Notice of Intent~~ Land Disturbance Permit without County approval. Land disturbance activities must be completed in compliance with the approved plans. (orig. 8-25-86; am. 9-24-91; 8-8-95; am. 3-23-99; am. 12-17-02; am. 10-12-04; am. xx-xx-xx)

- a. Land ~~disturbance~~ Disturbance activities Activities that require a Grading Permit include the following: (orig. 10-12-04; am. xx-xx-xx)

(1) A Grading Permit is required if one of the following apply:

- ~~(a) The disturbed area is greater than or equal to 0.5 acre and the National Resources Conservation Service (NRCS) soil erodibility (K factor) is equal to or greater than 0.23. If the K factor is not mapped, the default K factor will be 0.23. The applicant may provide site specific soil data and evaluated K factor from a qualified professional that will be reviewed by Jefferson County staff. (orig. 6-1-19)~~
- ~~(b) The disturbed area is greater than or equal to 0.5 acres and a perennial or intermittent stream (or similar) as classified by the United States Geological Survey (USGS) National Hydrography Dataset (NHD) is within 100 feet of the disturbed area. (orig. 6-1-19)~~
- ~~(c) The disturbed area is greater than or equal to 0.5 acre and is within 100 feet of the Floodplain Overlay District boundaries. (orig. 6-1-19)~~
- ~~(d) The disturbed area is greater than or equal to 0.5 acre and is within the Geologic Hazard Overlay District. (orig. 6-1-19)~~

(ae) The disturbed area is equal to or greater than 0.51 acres. (orig. 6-1-19; am. xx-xx-xx)

(b) When 5,000 or more cubic yards of earthen material is stored on a property and the material is not actively being used on said property. An active use would be construction associated with an active building permit for a primary structure. (orig. xx-xx-xx)

- b. Land ~~d~~Disturbance activities that require a Notice of Intent to be submitted with, or in advance of, a Building Permit application include the following: (orig. 10-12-04; am. 6-1-19; am. xx-xx-xx)
 - (1) Land disturbance in accordance with lot grading, erosion and sediment control plans approved with plats; (orig. 10-12-04; am. 11-24-15; am. 6-1-19) or
 - (2) Land disturbance associated with new start building permits for primary structures. (orig. 6-1-19)
 - (3) This Notice of Intent process shall only apply to ~~permits~~ Land Disturbance Activities that meet the regulatory requirements, including all performance standards related to grading, drainage and circulation; otherwise, a Grading Permit is required. (orig. 6-1-19; am. xx-xx-xx)

3. Activities exempt from the Requirement for a Grading Permit

Land disturbance activities that are exempt from Grading Permit requirements shall comply with the specific requirements, if any, listed in the applicable exemption provision below. In addition, land disturbance associated with activities listed within this exemption section must still be in compliance with the performance standards set forth in this section, unless specifically stated otherwise. The applicant, landowner and the contractor are responsible if land disturbance activity is ~~undertaken in contravention of not in accordance with~~ these performance standards. The following land disturbance activities are permissible without obtaining a Grading Permit: (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 3-23-99; am. 10-12-04; am. 4-20-10; am. 6-1-19; am. xx-xx-xx)

- a. Projects which involve less than 0.5 acres of disturbed area. Individual lots in subdivision developments under the same ownership, involving less than 0.5 acres of disturbed area, shall not be considered separate projects if they are contiguous or within 0.25 mile of each other. Any series of related projects or connected projects on one site, which together exceed the 0.5 acre limitation shall be considered a single project and shall be required to obtain a Grading Permit. (orig. 9-24-91; am. 12-17-02; am. 10-12-04; am. 7-12-05; am. 11-24-15; am. 6-1-19)
- b. Land disturbance work being done pursuant to and in conformance with an approved grading plan in conjunction with an approved recorded Plat, Site Development Plan, Minor Adjustment or Exemption from Platting. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 4-27-04; am. 10-12-04)
- c. Tillage of agricultural land is exempt from all permit requirements. Agricultural uses of land zoned agricultural, other than tillage, which disturb greater than 0.5 acres is exempt from the filing requirements, provided a conservation plan for the proposed grading activities using the United States Department of Agriculture Soil Conservation Service standards is approved by the Jefferson Conservation District. A copy of the conservation plan shall be submitted to Planning and Zoning prior to the commencement of grading activities. The County ~~shall~~ may enforce the conditions of the conservation plan under the enforcement provisions of this section. (orig. 9-24-91; am. 8-8-95; am. 12-17-02; am. 4-27-04; am. 11-24-15; am. 6-1-19; am. xx-xx-xx)
- d. Trenching incidental to the construction, maintenance and installation of approved underground pipelines, electrical or communication facilities, and drilling or excavation for approved wells ~~or post holes~~ if the total area of land disturbance is less than one acre. Construction activities associated with the installation of the onsite wastewater treatment system (OWTS) shall not be exempt. Construction of access required to complete the trenching or for future maintenance shall not be exempt. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 10-12-04; am. 4-20-10; am. 11-20-12; am. 11-24-15; am. xx-xx-xx)
- e. Land disturbance for utility installation or maintenance within a County owned or County maintained Right-of-Way if the total area of land disturbance is less than one acre. These activities require a County Right-of-Way and Construction Permit. (orig. 8-8-95; am. 10-12-04; am. 11-20-12)
- f. Land disturbance or excavations in accordance with plans incorporated in a mining permit, reclamation plan or sanitary landfill approved by the County. (orig. 8-25-86; am. 9-24-91; am. 12-17-02; am. 10-12-04)

- g. County capital improvement or County maintenance projects within Right-of-Way or County ~~airport runways~~ property if the total area of land disturbance is less than one acre. (orig. 12-17-02; am. 10-12-04; am. 11-20-12; am. xx-xx-xx)
- h. Maintenance and cleaning of existing ditches, lakes, ponds, storm sewer system, and water storage reservoirs with a total area of land disturbance is less than one acre. (orig. 8-25-86; am. 10-12-04; am. 6-1-19)
- i. Land disturbance for culvert installation or maintenance within a County owned, public ROW or County maintained Right-of-Way if the total area of land disturbance is less than one acre and the culvert is intended to convey stormwater only. (orig. 6-1-19)
- j. Maintenance and resurfacing of existing streets/roads, runways, sidewalks/trail systems, parking lots/loading areas, and railroad beds. (orig. 9-24-91; am. 10-12-04)
- k. Performance of emergency work necessary to prevent or mitigate an immediate threat to life or property when an urgent necessity arises. The person performing such emergency work shall notify Planning and Zoning promptly of the problem and work required. If the emergency work would not otherwise be exempt from a Grading Permit, a Grading Permit shall be obtained as soon as possible. (orig. 8-25-86; am. 9-24-91, 8-8-95; am. 4-27-04; am. 10-12-04; am. 5-20-08)
- l. Enlargements to parking areas less than 0.5 acre larger than the original area of existing parking facilities for commercial, industrial and institutional uses. Stormwater detention and water quality must be provided for in accordance with the Storm Drainage Design and Technical Criteria Manual. (orig. 4-27-04; am. 10-12-04; am. 11-24-15; am. 6-1-19)
- m. Land disturbance for natural surface trails that are less than one acre are exempt. Land disturbance over one acre associated with the construction of natural surface trails shall follow the procedure outlined below prior to commencement of any trail construction. The land disturbance associated with the construction of natural surface trails shall conform with the performance standards of this section and the current Jefferson County Natural Surface Trail Guide. (orig. 4-20-10; am. 11-20-12; am. 11-24-15; am. 7-17-18)
 - (1) Plans are submitted showing the location and overall scope of the trail construction project, including a description of the proposed construction phasing. (orig. 4-20-10; am. 7-17-18)
 - (2) A detailed construction schedule is provided for each phase of the construction project. (orig. 4-20-10)
 - (3) The applicant proposes a construction guide that includes typical construction procedures that will be used during the construction of trails, including erosion and sediment control measures. (orig. 4-20-10)
 - (4) Planning and Zoning has reviewed the construction guide and has determined that the construction procedures will be sufficient to assure compliance with the grading performance standards of this section, and state or county erosion and sediment control standards. (orig. 4-20-10)
 - (5) The applicant shall stake the proposed trail alignment and shall coordinate a site visit with County Staff to review the alignment. If Staff identifies areas where trail alignment should be adjusted to assure conformance with the performance standards and the construction guide, then a new plan showing the new alignment shall be submitted. (orig. 4-20-10)
 - (6) The applicant agrees to implement the construction procedures identified within the guide and agrees that the county has the authority to inspect and require field alterations if the typical construction procedures identified in the guide are not being properly implemented. The applicant also agrees that failure to implement the construction standards of the guide or the field alterations directed by Planning and Zoning may result in the issuance of a zoning violation in accordance with this Resolution; and may result in the exemption from the grading permit requirements being revoked for future phases of the trail construction project. (orig. 4-20-10)
 - (7) The applicant submits the standard Grading Permit fee to cover the cost of the review and approval of the construction guide, and the inspection of each phase of the construction process. (orig. 4-20-10)

The procedures outlined in this section shall not apply to trail construction in special flood hazard

areas that have been identified as a part of the Jefferson County Floodplain Overlay District. The appropriate floodplain development permit and grading permit will be required for construction activities occurring within special flood hazard areas. (orig. 4-20-10; am. 6-1-19)

- n. Any work within State or Federal lands including Rights-of-Way and/or permanent easements held by said agencies. This exemption does not relieve these entities from completing a floodplain development permit in accordance with the Floodplain Overlay District Section of this regulation. (orig. 7-17-18)
 - o. Onsite disturbance through the Land Disturbance Permit may not be required for properties that are covered by a separate Municipal Separate Storm Sewer System (MS-4) permit through the State of Colorado, as determined by Planning & Zoning. (reloc. and am. 5-21-19)
4. Exemptions, Waivers, Variances and/or Exclusions
- Any exclusions, exemptions, waivers, and variances included in the regulatory mechanism must comply with the terms and conditions of the MS4 Permit (COR090000). (orig. 6-1-19)
5. Denial of other Permits
- Building Permits or Certificate of Occupancy shall not be issued while an unresolved grading, [drainage](#) or floodplain violation is ongoing on the subject property or within a common plan of development. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 12-17-02; am. 7-17-18; am. 6-1-19; [am. xx-xx-xx](#))
6. Permission of other Agencies or Owners
- The issuance of a Grading Permit or the submission of a Notice of Intent shall not relieve the applicant of the responsibility for securing other permits or approvals required by any other division or agency of Jefferson County or other public agency or for obtaining any easements or authorization [to work within an existing easement or](#) for removing or transporting earth materials on property not owned by the applicant. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 12-17-02; am. 4-27-04; am. 10-12-04; [am. xx-xx-xx](#))
7. Construction and Permits
- For construction within County Right-of-Way, the Grading Permit or Notice of Intent must be accompanied by an Access Permit [and/or](#) a Right-of-Way Use and Construction Permit in accordance with plans approved by the County. For construction outside of County Right-of-Way, the Grading Permit ~~or Notice of Intent~~ must be accompanied by a ~~Right-of-Way Use and~~ Construction Permit in accordance with the ~~p~~Plans approved by the County. The applicant shall obtain applicable permits from the County prior to commencing field work. All other applicable requirements shall be followed including the Transportation Design and Construction Manual. (orig. 8-8-95; am. 12-17-02; am. 10-12-04; am. 11-24-15; am. 7-17-18; [am. xx-xx-xx](#))
8. Liability
- Neither the issuance of a Grading Permit nor the submission of a Notice of Intent under the provisions of this section nor compliance with the provisions hereof or with any conditions imposed in this section shall relieve the applicant from responsibility for damage to any person or property or impose any liability upon the County for damage to any person or property. (orig. 8-25-86; am. 12-17-02; am. 10-12-04)
9. Restricted Activities
- a. No blasting, processing, crushing, or off-site hauling or other similar treatment of a commercial mineral deposit may occur in the permit area. (orig. 9-24-91; am. 10-12-04)
 - b. Any activity to construct any street/road to be dedicated to the County shall be undertaken pursuant to the Land Development Regulation and the Transportation Design and Construction Manual and in accordance with plans approved by the County. (orig. 9-24-91; am. 8-8-95; am. 3-23-99; am. 12-17-02; am. 10-12-04; am. 11-24-15)
 - c. No Grading Permit shall be issued for any land disturbance activity which exceeds the minimal amount of grading necessary for the uses legally allowed at the time of permit application. Land disturbance activities for uses that require rezoning are unlawful. (orig. 8-8-95; am. 3-23-99; am. 10-12-04)
 - d. When there is a grading plan approved in conjunction with a Plat, Site Development Plan, Minor Adjustment or an Exemption from Platting, it shall be unlawful to grade in a manner that is not consistent with the approved grading plan. (orig. 8-8-95; am. 3-23-99; am. 10-12-04; am. 7-17-18)

- e. Any construction or development activity in a drainage easement or tract must either be in compliance with the original approved drainage report or comply with the Storm Drainage Design and Technical Criteria. (orig. 10-12-04)

10. Grading Concurrent with Platting

- a. When a property is in a platting process, grading activities may commence prior to Plat approval by the Board of County Commissioners provided all of the following conditions are satisfied: (orig. 3-23-99; am. 10-12-04)
 - (1) The zoning is final and recorded. (orig. 3-23-99)
 - (2) The subdivision proposal has received Planning Commission ~~approval or~~ a recommendation of approval by the Planning Commission. (orig. 3-23-99; am. 10-12-04)
 - (3) The grading and sediment and erosion control plans have received staff approval, either through the Final or Preliminary and Final Plat process. The grading plans shall not include permanent facilities such as curb, gutter, sidewalk, asphalt, etc. The installation of drainage facilities is allowed as approved by Planning and Zoning. (orig. 3-23-99; am. 10-12-04; am. 11-24-15)
 - (4) The Final Plat application has been received and accepted as complete by staff or the Planning Commission has recommended approval of the Preliminary and Final Plat. (orig. 3-23-99; am. 10-12-04; am. 11-24-15)
 - (5) Grading within a Floodplain Overlay District may be permitted if a Floodplain Development Permit has been issued. (orig. 3-23-99; am. 12-17-02; am. 10-12-04; am. 11-24-15; am. 7-17-18)
 - (6) No waivers or alternative standards/requirements or variances related to grading requirements are being requested or are necessary in conjunction with the Final or Preliminary and Final Plat application. (orig. 3-23-99; am. 10-12-04; am. 11-24-15)
 - (7) The applicant has submitted a letter to the County indicating a request to commence land disturbance activities prior to Final or Preliminary and Final Plat approval and acknowledging that grading prior to Platting is done at their own risk, that grading changes may be required upon Final or Preliminary and Final Plat approval, and that the County shall not be held responsible for changes emanating from or costs associated with any changes that may be required as a result of Final or Preliminary and Final Plat approval. (orig. 3-23-99; am. 12-17-02; am. 10-12-04; am. 11-24-15)
 - (8) A Performance Guarantee has been accepted by the County in accordance with the Land Development Regulation. (orig. 10-12-04)
- b. When grading activities are authorized prior to Plat approval by the Board of County Commissioners, the grading shall comply with the Land Development Regulation and with any previously approved grading plans. (orig. 3-23-99; am. 12-17-02; am. 10-12-04; am. 11-24-15)
- c. Any land disturbance activity permitted pursuant to this section may be subject to additional requirements or alterations depending on approval conditions imposed by the Board of County Commissioners during the Plat review. (orig. 3-23-99; am. 10-12-04)

11. Grading Concurrent with the Processing of a Site Development Plan or Minor Adjustment

- a. When a property is in a Site Development Plan or Minor Adjustment process, grading activities may commence prior to approval by Planning and Zoning provided all of the following conditions are satisfied: (orig. 11-24-15; am. 7-17-18)
 - (1) The zoning is final and recorded. (orig. 11-24-15)
 - (2) The grading and sediment and erosion control plans have received staff approval. The grading plans shall not include permanent facilities such as curb, gutter, sidewalk, asphalt, etc. The installation of drainage facilities is allowed as approved by Planning and Zoning. (orig. 11-24-15)
 - (3) Grading within a floodplain overlay district may be permitted if a Floodplain Permit has been issued. (orig. 11-24-15; am. 7-17-18)

- (4) No alternate standards/requirements or variances related to grading requirements are being requested or are necessary in conjunction with the Minor Adjustment or Site Development Plan application. (orig. 11-24-15)
 - (5) The applicant has submitted a letter to the County indicating a request to commence land disturbance activities prior to Minor Adjustment or Site Development Plan approval and acknowledging that grading prior to approval is done at their own risk, that grading changes may be required upon Minor Adjustment or Site Development Plan approval, and that the County shall not be held responsible for changes emanating from or costs associated with any changes that may be required as a result of Minor Adjustment or Site Development Plan approval. (orig. 11-24-15)
 - (6) A Performance Guarantee has been accepted by the County in accordance with the Land Development Regulation. (orig. 11-24-15)
- b. When grading activities are authorized prior to Minor Adjustment or Site Development Plan approval by Planning and Zoning, the grading shall comply with the Land Development Regulation and with any previously approved grading plans. (orig. 11-24-15; am. 7-17-18)
 - c. Any land disturbance activity permitted pursuant to this section may be subject to additional requirements or alterations depending on approval conditions imposed by Planning and Zoning during the Minor Adjustment or Site Development Plan review. (orig. 11-24-15; am. 7-17-18)

C. Submittal Requirements

The following submittal documents are required for Land Disturbance Permit Applications. (orig. 8-25-86; am. 7-17-18; am. 6-1-19)

- 1. An application form signed by the fee simple owner of the property or by the lessee, licensee or easement holder if the activity is to be undertaken pursuant to that interest. Grading Permit, Notice of Intent, and Natural Surface Trail application forms are available from Planning and Zoning. (orig. 10-12-04; am. 5-20-08; am. 6-1-19)
- 2. A cover letter describing the proposed activities. Not Required for Notice of Intent Applications. (orig. 10-12-04; am. 5-20-08; am. 6-1-19)
- 3. A nonrefundable application fee in an amount established by the Board of County Commissioners. (orig. 8-25-86; am. 9-24-91; am. 5-3-94)
- 4. A copy of the recorded deed for the parcel, tract or lot. (orig. xx-xx-xx)
- 54. Proof of Access in accordance with the Access Standards in the General Provisions and Regulations Section of this Zoning Resolution. (orig. 6-1-19)
- 65. A grading, erosion and sediment control plan in accordance with the Plans and Specifications of this Section. (orig. 8-25-86; am. 6-1-19)
- 76. A geologic and/or soils investigation report in accordance with the Plans and Specifications of this Section is required if there are any geological hazards including highly erodible soils or commercial mineral deposits within or immediately adjacent to the grading site or when the final cut or fill slopes are proposed to be steeper than 2H:1V or if infiltration is a component of the drainage system. (orig. 8-25-86; am. 9-24-91, 8-8-95; am. 12-17-02; am. 10-12-04; am. 6-1-19; am. xx-xx-xx)
- 87. A drainage report or drainage letter in conformance with the requirements of the Storm Drainage Design and Technical Criteria. (orig. 10-12-04; am. 11-24-15; am. 6-1-19; am. 12-17-19)
- 98. Construction plans, details and supporting calculations for retaining walls, if applicable, in accordance with the Performance Standards of this Section. For Notice of Intent Applications, the applicant will need to apply for a separate miscellaneous permit for retaining walls greater than 36 inches high. (orig. 10-12-04; am. 6-1-19)
- 109. Drainage Easements may be required to be dedicated to the County for all permanent control measures. The applicant shall provide a legal description and exhibit (signed and stamped by a Professional Land Surveyor) when applicable. Not Required for Notice of Intent Applications. (orig. 12-17-19)
- 110. A ~~quantity and cost~~ cost and/or quantity estimate (Exhibit A) in accordance with the Improvement Security requirements of this Section, for all of the work associated with the project. Reference the example Exhibit

[A](#) on the Planning and Zoning website. Not Required for Notice of Intent Applications. (orig. 10-12-04; am. 7-12-05; am. 7-17-18; am. 6-1-19; am.12-17-19; [am. xx-xx-xx](#))

Note: An improvements security may be required in accordance with the Security requirements of this Section. The typical improvement security will be a letter of credit or cash escrow. If required the improvement security will need to be submitted prior to approval of the Land Disturbance application. (orig. 10-12-04; am. 7-17-18; am. 6-1-19; 12-17-19)

- ~~44~~[12](#). A completed N-1 Form stating that the proposed construction and grading are in conformance with the Land Disturbance requirements of this Section and, if applicable, the approved overall grading plan for the subdivision. Only Required for Notice of Intent Applications. (orig. 6-1-19)

Note: A completed N-2 Form is required prior to issuance of a Certificate of Occupancy. (orig. 6-1-19)

D. Procedures

1. Notice of Intent Procedures: A Notice of Intent (NOI) shall be submitted with, or in advance of, a building permit application for a primary structure that depicts the phased grading, erosion and sediment control measures for that lot/parcel. [The NOI shall certify that the Plans are in conformance with the Jefferson County Zoning Resolution \(ZR\), the Land Development Regulation \(LDR\), the Storm Drainage Design and Technical Criteria \(SDDTC\), and The Transportation Design and Construction Manual \(TDCM\). Any requests for relief of these standards shall require the submittal of a Grading Permit.](#) If applicable, the NOI shall state that the project will be in conformance with the approved construction documents with that subdivision. A completed Form Letter N-1 stating that the proposed construction and grading are in conformance with the approved overall grading plan and Land Disturbance Performance Standards shall be submitted to Planning & Zoning prior to issuance of the Building Permit. Form Letter N-1 shall be completed by a Colorado registered professional engineer. (orig. 6-1-19; [am. xx-xx-xx](#))

<u>Process Steps</u>		<u>Processing Time Frames</u>
<u>Process from Plan Submittal to Acceptance of NOI</u>		
<u>Plan Submittal Intake</u>	<u>7 calendar days (Staff confirms the land disturbance permit qualifies as an NOI and required submittal items have been received)</u>	<u>Example timeframe: 19 Days to acceptance of NOI if processing time frames are met. May take longer if issues arise.</u>
<u>Applicant Action is Required</u>	<u>Varies, 5 calendar days used for example timeframe</u>	
<u>Plan Resubmittal and NOI Acceptance</u>	<u>7 calendar days (Staff confirms required submittal items have been received)</u>	
<u>Final Close Out</u>		
<u>Permit Monitoring until submittal of N-2</u>	<u>2 years maximum</u>	

[Plan Submittal Intake](#)

[a. Sufficiency Review:](#)

[The applicant shall electronically submit all the applicable documents identified in the Submittal Requirements of this Section as a complete package, and not in a fragmentary manner for review by the Case Manager. \(orig. xx-xx-xx\)](#)

[The Case Manager shall have 7 calendar days to review the submittal and either accept the application or respond to the applicant explaining any deficiencies in the submittal documents \(including the appropriate application fees\). A submittal that is not complete in terms of the type of documents required will not be accepted. \(orig. xx-xx-xx\)](#)

[Resubmittal Sufficiency Review \(if required\): The Case Manager shall have 7 calendar days to review the resubmittal and either accept the application or respond to the applicant explaining any deficiencies in the submittal documents. \(orig. xx-xx-xx\)](#)

[Plan Resubmittal and NOI Acceptance:](#)

- [b. The final documents shall be comprised of the Submittal Requirements of this Section. \(orig. xx-xx-](#)

xx)

The applicant shall have a maximum of 180 calendar days to respond to the comments from the case manager, or the application will be considered withdrawn. The applicant will then have to file a new application with the required fees and documents. The Director of Planning and Zoning may extend this 180-calendar day maximum response deadline for additional 180 calendar day periods if, in his/her opinion, the delay in response is for good cause. (orig. xx-xx-xx)

- c. The Case Manager shall have 7 calendar days to review the resubmitted documents and shall accept the application if it is complete in form and has all the required information described in the Notice of Intent N-1 Form that provides certification from a Colorado registered professional engineer stating that the submitted plans are in conformance with the Jefferson County Zoning Resolution (ZR), the Land Development Regulation (LDR), the Storm Drainage Design and Technical Criteria (SDDTC), the Transportation Design and Construction Manual (TDCM), and the notes, restrictions and supporting documents of any associated approved Preliminary and Final Plat. The owner, contractor or engineer shall also certify that the specified control measures will be installed prior to land disturbance and that control measures will be adequately maintained throughout the process and shall sign the N-1 Form. (orig. xx-xx-xx)

Permit Monitoring:

- d. Once the work associated with the accepted Notice of Intent is complete, the applicant shall submit a completed N-2 Form which provides certification from a Colorado registered professional engineer stating that all grading work was completed in conformance with the final accepted Grading, Erosion and Sediment Control (GESC) Plan, Drainage Report and N-1 submitted with the project application. If amendments to the accepted plans were made resulting in grading activities that were not completed in conformance with the final accepted plans, then the N-2 Form shall be submitted in conformance with the Amendments procedure of this Section. (orig. xx-xx-xx)

Permit Limitations:

- e. The permit shall be limited to work shown on the approved plans. Such plans shall contain guidelines, conditions, and/or restrictions as are necessary to comply with the performance standards. At any time during the plan review or in the event unforeseen conditions arise during completion of the project, the County may require revision of the plans as necessary to ensure compliance with the performance standards. (orig. xx-xx-xx)

Amendments:

- f. Modifications to the final accepted plans requires submittal of the revised plans and the completed N-2 Form which provides certification from a Colorado registered professional engineer stating that deviations from the accepted plans have occurred and that the revised plans and work has been completed in conformance with the Jefferson County Zoning Resolution (ZR), the Land Development Regulation (LDR), the Storm Drainage Design and Technical Criteria (SDDTC), the Transportation Design and Construction Manual (TDCM), and the notes, restrictions and supporting documents of any associated approved Preliminary and Final Plat. If the appropriate certification cannot be provided and the modifications to the plans do not conform to the Jefferson County Standards and Regulations for land disturbance permits described in this section, revised plans shall be submitted and reviewed by Planning & Zoning through a Grading Permit Application where requests for relief from standards will be evaluated. -(orig. xx-xx-xx)

Validity:

- g. The acceptance of plans and specifications by the County shall not be construed as an approval of any violation of the provisions of this section or of any other applicable laws, rules or regulations and shall not prevent the County from thereafter requiring the correction of errors in said plans and specifications or from preventing work being carried on thereunder in violation of this section or any other applicable law, rule or regulation. The issuance of a Land Disturbance Permit prior to any Plat approval shall in no way bind the Planning Commission or the Board of County Commissioners in the approval or denial of a Plat application, and the applicant's grading activities are at the applicant's risk. (orig. xx-xx-xx)

Time Limits:

- h. The work associated with the permit shall be completed within 2 years of the date of acceptance unless an extension has been granted by Planning and Zoning. A request for an extension shall be

submitted in writing no later than 10 calendar days prior to the expiration of the permit. Planning and Zoning may grant an extension to the permit up to 1 year. Additional extensions may be granted by Planning and Zoning to allow the establishment of permanent erosion and sediment control measures. (orig. xx-xx-xx)

2. Grading Permit Procedures: If the applicant complies with all given time frames, submits a complete Grading Permit application and complies with all requirements of this regulation, the estimated time to reach the Determination Phase of the process is ~~60~~⁶² calendar days from the date of the 1st referral, depending on the amount of disturbance for the proposed grading activity. (orig. 5-20-08; am. 7-17-18; am. 6-1-19; am. xx-xx-xx)

Process Steps	Processing Time Frames	
Steps prior to 1 st Referral		
Sufficiency Review and Referral Distribution or Deficiency Response	75 calendar days	
Resubmittal Sufficiency Review (if necessary)	75 calendar days	
Process from 1 st Referral to Determination		
1 st Referral and Staff Response	19 calendar days (14 day referral, 5 days for Staff response)	Example timeframe: 620 Days to determination if processing time frames are met. May take longer if issues arise.
Applicant's Response to 1 st Referral	Varies, 14 calendar days used for example timeframe	
Sufficiency Review and Referral Distribution	75 calendar days	
2 nd Referral and Staff Response	12 calendar days (7 day referral, 5 days for Staff response)	
Submittal of Final Documents by applicant	Varies - 10 calendar days used for example timeframe	
Determination		
Determination	5 days	

If an applicant is going to request relief from a standard in the Regulations, then a request for relief of the standard may be submitted for consideration. In order to avoid processing delays, it is recommended that a request for relief from a standard be submitted early in the development process. Requests for relief of a standard are subject to different specific processing timeframes, which may add to the length to the processing of the development application. (orig. 5-20-08; am. 7-17-18; am. 6-1-19)

Notification is required at the time of the 1st Referral in accordance with the notification provisions of this section. (orig. 6-1-19)

Proof of Access: The Director of Planning and Zoning may allow the 1st Referral to be sent without meeting the access criteria proof of access requirements, if in his/her opinion the circumstances related to proving access should be finalized during the processing of the application. (orig. 4-20-10; am. 12-21-10; am. 6-1-19)

Steps Prior to 1st Referral

- a. Sufficiency Review and Referral Distribution (1st Referral):

The applicant shall electronically submit all the applicable documents identified in the Submittal Requirements of this Section as a complete package, and not in a fragmentary manner for review by the Case Manager.

The Case Manager shall have ~~75~~ calendar days to review the submittal and either send the application out on referral or respond to the applicant explaining any deficiencies in the submittal documents (including the appropriate referral fees). A submittal that is not complete in terms of the type of documents required will not be sent out on referral. (orig. 7-17-18; am. xx-xx-xx)

Resubmittal Sufficiency Review (if required): The Case Manager shall have ~~75~~ calendar days to review the resubmittal and either send the application out on referral or respond to the applicant explaining any deficiencies in the submittal documents. (orig. 7-17-18; am. xx-xx-xx)

Process from 1st Referral to Determination

b. 1st Referral and Staff Response:

The referral agencies shall have 14 calendar days to respond in writing to the application. An extension of no more than 30 calendar days may be agreed to by the applicant. (orig. 5-20-08; am. 7-17-18; am. 6-1-19)

The Case Manager shall have 5 calendar days, after the end of the referral period, to provide the applicant with a Staff response inclusive of other referral responses. The response from the Case Manager will include an opinion as to whether the case should proceed forward to the Final Documents phase or if revised documents should be submitted for a subsequent referral process. (orig. 5-20-08; am. 7-17-18)

c. Applicant's Response to 1st Referral:

For the application to be processed in accordance with the example timeframe in the table above, the applicant shall have 14 Calendar days to address in writing any issues identified by the Case Manager or any referral agency and resubmit revised documents for the 2nd referral. (orig. 5-20-08; am. 7-17-18)

Regardless of the example timeframe, the applicant shall have a maximum of 180 calendar days to respond to the referral comments or the application will be considered withdrawn. The applicant will then have to file a new application with the required fees and documents. The Director of Planning and Zoning may extend this 180 calendar day maximum response deadline for additional 180 calendar day periods if, in his/her opinion, the delay in response is for good cause. (orig. 5-20-08; am. 12-21-10; am. 7-17-18)

d. Sufficiency Review and Referral Distribution (2nd Referral):

The Case Manager shall have ~~75~~ calendar days to review the submittal and either send the application out on referral or respond to the applicant explaining any deficiencies in the submittal documents. A submittal that is not complete in terms of the type of documents required will not be sent out on referral. All resubmittal documents shall be submitted as a complete package, and not sent in a fragmentary manner. (orig. 7-17-18; ~~am. xx-xx-xx~~)

Resubmittal Sufficiency Review (if required): The Case Manager shall have 5 calendar days to review the resubmittal and either send the application out on referral or respond to the applicant explaining any deficiencies in the submittal documents. (orig. 7-17-18)

e. 2nd Referral and Staff Response:

The referral agencies shall have 7 calendar days to respond in writing to the 2nd referral. An extension of no more than 30 calendar days may be agreed to by the applicant. (orig. 5-20-08; am. 7-17-18)

The Case Manager shall have 5 calendar days after the end of the referral period to provide the applicant with a Staff response inclusive of referral agency responses. The response from the Case Manager will include an opinion as to whether the case should proceed forward to the Final Documents phase or if revised documents should be submitted for a subsequent referral process. (orig. 7-17-18)

f. Applicant's Response to 2nd Referral Comments:

The applicant shall have a maximum of 180 calendar days to respond to the referral comments, or the application will be considered withdrawn. The applicant will then have to file a new application with the required fees and documents. The Director of Planning and Zoning may extend this 180 calendar day maximum response deadline for additional 180 calendar day periods if, in his/her opinion, the delay in response is for good cause. (orig. 5-20-08; am. 12-21-10; am. 7-17-18)

g. Additional Referrals and Responses:

For the 3rd Referral, and for any subsequent referrals thereafter, the processing of the application shall follow the same steps identified above in the Sufficiency Review and Referral Distribution (2nd Referral) process, the 2nd Referral and Staff Response process and the Applicant's Response to 2nd Referral process. (orig. 5-20-08; am. 7-17-18)

~~h~~g. Final Documents:

The final documents shall be comprised of the stamped and signed grading plans and other final documents as identified by the Case Manager. In addition to submitting the final documents electronically, the applicant shall submit hard copies of the plans as specified in the case managers

response to the last referral. (orig. 5-20-08; am. 6-1-19)

The applicant shall have a maximum of 180 calendar days to respond to the comments from the case manager, or the application will be considered withdrawn. The applicant will then have to file a new application with the required fees and documents. The Director of Planning and Zoning may extend this 180-calendar day maximum response deadline for additional 180 calendar day periods if, in his/her opinion, the delay in response is for good cause.

ih. Determination:

The Case Manager shall have 5 calendar days to review the Final Documents and shall approve, conditionally approve or deny the application. An application shall be approved if it is complete in form, has all required information, includes appropriate control measure for all stages of construction, including final stabilization, the control measures meet the requirements of the MS4 Permit and the provisions of this section. Otherwise, it shall be denied. Any approval or denial shall be in writing with the reasons for denial specifically identified. Annotations on the plans shall be considered sufficient detail of the reasons for denial. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 12-17-02; am. 4-27-04; am. 10-12-04; am. 6-1-19).

ii. Request for Reconsideration:

If an application is denied or conditionally approved, the applicant may request in writing, within 21 calendar days after the decision, a reconsideration of the decision by Planning and Zoning. The request for reconsideration shall state specific reasons or changes for the reconsideration. Planning and Zoning shall act upon the request for reconsideration within 10 working days of its receipt. Failure to act shall constitute denial of the request for reconsideration. No appeal to the Board of Adjustment shall be permitted unless a request for reconsideration was previously filed and denied. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 12-17-02; am. 4-27-04; am. 5-20-08)

ki. Appeals:

If Planning and Zoning denies the request for reconsideration, the applicant may submit a written appeal to the Board of Adjustment. The appeal must be received by the secretary of the Board of Adjustment within 30 calendar days of the date of denial. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 12-17-02; am. 4-27-04; am. 10-12-04; am. 12-14-04; am. 5-20-08)

lk. Permit Limitations:

The permit shall be limited to work shown on the approved plans. Such plans shall contain guidelines, conditions, and/or restrictions as are necessary to comply with the performance standards. At any time during the plan review or in the event unforeseen conditions arise during completion of the project, the County may require revision of the plans as necessary to ensure compliance with the performance standards. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 3-23-99; am. 12-17-02; am. 10-12-04; am. 5-20-08)

ml. Amendments:

Modifications to the approved plans are subject to an Administrative Review process. Modifications shall comply with the Plans and Specifications requirements and the performance standards as outlined in this Section, unless relief is granted through the appropriate process. (orig. 8-25-86; am. 3-23-99; am. 10-12-04; am. 7-17-18; am. 6-1-19)

ne. Validity:

The approval of plans and specifications shall not be construed as an approval of any violation of the provisions of this section or of any other applicable laws, rules or regulations and shall not prevent the County from thereafter requiring the correction of errors in said plans and specifications or from preventing work being carried on thereunder in violation of this section or any other applicable law, rule or regulation. The issuance of a Grading Permit prior to any Plat approval shall in no way bind the Planning Commission or the Board of County Commissioners in the approval or denial of a Plat application, and the applicant's grading activities are at the applicant's risk. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 12-17-02; am. 10-12-04)

2. Grading Permit Inspections

- a. Upon approval by Planning and Zoning, the approved plans will be referred to an Engineering Inspector for permit issuance. (orig. 10-12-04; am. 5-20-08; am. 4-20-10; am. 7-17-18)

- b. The County may inspect the site and perform any necessary tests from time to time to ensure compliance with the permit conditions. (orig. 7-17-18).
- c. Final inspections shall confirm that the completed structural and/or non-structural water quality control measure operates in accordance with the approved plans. (orig. 6-1-19)
- d. All applicable development sites must have operational permanent water quality control measures at the completion of the site. In the case where permanent water quality control measures are part of future phasing, the permittee must have a mechanism to ensure that all control measures will be implemented, regardless of completion of future phases or site ownership. In such cases, temporary water quality control measures must be implemented as feasible and maintained until removed or modified. All temporary water quality control measure must meet one of the design standards in the MS4 Permit. For the purpose of this section, completion of a site or phase shall be determined by the issuance of a certificate of occupancy, use of the completed site area according to the site plan, payment marking the completion of a site control measure, the nature of the selected control measure or equivalent determination of completion as appropriate to the nature of the site. (orig. 6-1-19)
- e. Time Limits: The work associated with the permit shall be completed within 2 years of the date of permit issuance, unless an extension has been granted by Transportation and Engineering. A request for an extension shall be submitted in writing no later than 10 calendar days prior to the expiration of the permit. Transportation and Engineering may grant an extension to the permit up to 1 year. Additional extensions may be granted by Transportation and Engineering to allow the establishment of permanent erosion and sediment control measures. (orig. 8-25-86; am. 9-24-91; am. 8-8-94; am. 3-23-99; am. 12-17-02; am. 10-12-04; am. 5-20-08; am. 10-13-09; am. 7-17-18)

E. Plans and Specifications

1. Grading, Erosion and Sediment Control Plan

The proposed grading, erosion and sediment control plan and specifications shall demonstrate compliance with the performance standards and shall be prepared on sheets 24 inches by 36 inches, or as otherwise approved by Planning and Zoning, and stamped and signed by a Colorado registered professional engineer. (orig. 8-25-86; am. 9-24-91; am. 10-12-04; am. 7-17-18; am. 6-1-19)

For graded areas between 0.5 and one acre, the County may waive the requirement for a topographic map and the requirement that the grading plans be prepared, stamped and signed by a Colorado registered professional engineer, where the applicant demonstrates an engineered grading plan and/or topographic map is not necessary to comply with the performance standards set forth herein. (orig. 9-24-91; am. 8-8-95; am. 12-17-02; am. 10-12-04; am. 7-17-18; am. 6-1-19)

The grading, erosion and sediment control plan shall include the following unless waived or exempted by Planning and Zoning herein. (orig. 8-25-86; am. 9-24-91; am. 10-12-04; am. 7-17-18; am. 6-1-19)

- a. A map which shows the items listed below. Acceptable map scales are 1 inch to 10, 20, 30, 40, 50, 60 or 100 feet. (orig. 8-25-86; am. 9-24-91; am. 10-12-04)
 - (1) A vicinity map (not to scale) indicating the location of the site relative to the principal roads, lakes or dams, and watercourses in the area. (orig. 8-25-86; am. 9-24-91)
 - (2) A title block which includes the title of the Grading Plan, purpose and nature of the grading project and, if applicable, states the use of earth material to be removed from the site. The name of the engineer who prepared the plans should also be included in the title block. (orig. 8-25-86; am. 9-24-91)
 - (3) The complete site boundary and locations of any easements and Rights-of-Way traversing and adjacent to the property, appropriately labeled and dimensioned. (orig. 8-25-86)
 - (4) The location of existing roads, buildings, wells, pipelines, watercourses and other structures, facilities and features of the sites, and the location of all improvements on adjacent land within 50 feet of the site's boundary. (orig. 8-25-86)
 - (5) The location and nature of known or suspected highly erodible soils or geologic hazard areas. (orig. 8-25-86; am. 9-24-91)

- (6) A topographic map which shows the affected area. The map shall show affected areas outside the permit boundaries, such as drainages. Contour lines shall be at 5-foot intervals or at an interval of greater detail if necessary to accurately show topographic features and drainage patterns, and the configuration of the ground before and after grading. The existing and final contours shall be shown at 2-foot intervals for subdivisions within the plains area and contours at 5-foot intervals for subdivisions within the mountain areas including the method utilized to obtain all contour intervals. Contours shall be accurate to within one-half (1/2) contour interval and elevations shall be based on United States Geologic Survey (USGS) sea level datum. Except for access permits, USGS quad maps shall not be accepted as evidence for topographic contours. (orig. 8-25-86; am. 9-24-91; am. 3-23-99; am. 10-12-04; reloc. xx-xx-xx)
- (7) The location, extent and finished surface slopes of all final cut and fill lines. (orig. 8-25-86)
- (8) The 100-year flood plain boundaries. (orig. 8-25-86)
- (9) The location of any existing or proposed flood control facilities, wells or Onsite Wastewater Treatment System in the vicinity of the permit area. Temporary access to the well and Onsite Wastewater Treatment System shall be depicted. (orig. 8-25-86; am. 9-24-91; am. 7-17-18; am. 6-1-19)
- (10) The location where any earth materials and topsoil will be stockpiled. Include estimated stockpile volume. If the stockpile will reach into adjacent properties, approval from the property owner shall be required. (orig. 8-25-86; am. 9-24-91; am. 7-17-18)
- (11) The north arrow, the scale, and the date. (orig. 8-25-86)
- (12) The general location and character of vegetative cover on the site and the location of all major rock outcrops. (orig. 8-25-86; am. 9-24-91)
- b. Typical cross sections (not less than two) of all existing and proposed graded areas taken at intervals not exceeding 200 feet and at locations of maximum cuts and fills where such cuts and/or fills exceed 10 feet in height. (orig. 8-25-86; am. 9-24-91)
- c. A table of the volume of cut, volume of fill, volume of material to be exported offsite, ~~K factor of the disturbed area, the steepest proposed slopes,~~ the total area of land disturbance, the existing impervious area, ~~and~~ the proposed impervious area (total impervious area for the site) and the area of land disturbance having treated by a water quality control measure per the SDDTC. This An example of this table is shown below and the table shall be placed on page 1 of the plan set. (orig. 8-25-86; am. 9-24-91; am. 6-1-19; am. xx-xx-xx)

<u>Total Area of Land Disturbance</u>	<u>acres</u>
<u>Volume of Cut</u>	<u>cy</u>
<u>Volume of Fill</u>	<u>cy</u>
<u>Volume of Material to be Exported Offsite</u>	<u>cy</u>
<u>Existing Impervious Area</u>	<u>acres</u>
<u>Proposed Impervious Area</u>	<u>acres</u>
<u>Area of Land Disturbance Treated by a Permanent Water Quality Control Measure</u>	<u>acres</u>
<u>Steepest Proposed Slope</u>	<u>H:V</u>

- d. The projected schedule of operations, including the following dates. The schedule dates must correspond to the permitted construction timeframe following approval: (orig. 8-25-86; am. xx-xx-xx)
- (1) Commencement of work, including days and hours of operation. (orig. 8-25-86; am. 9-24-91)
- (2) Start and finish of rough grading. (orig. 8-25-86)

- (e3) Completion of work in any watercourse. (orig. 8-25-86)
- (e4) Completion of grading, erosion and sediment control measures (Best Management Practices, BMP's). (orig. 8-25-86; am. 10-12-04; am. 6-1-19; am. xx-xx-xx)
- (e5) Maintenance schedule for grading, erosion and sediment control BMP's. (orig. 9-24-91; am. 10-12-04; am. 6-1-19)
- (f6) Completion of any required landscaping. (orig. 8-25-86)

e. The proposed grading, erosion and sediment control plan shall include permanent and, if applicable, temporary erosion and sediment control BMP's. The plans shall identify all structural and non-structural control measures for the applicable construction activities. The plan must contain installation and implementation specifications or a reference to the document with installation and implementation specifications for all structural control measures. A narrative description of non-structural control measures must be included in the plan. Revegetation plans shall include the seed mixture(s) including species and variety, type of seedbed preparation and method of seeding, seeding rates, seeding dates, type and application rates of fertilizer and mulch, and irrigation facilities and methods if applicable. Seed mix shall be based on the Jefferson Conservation District recommendations and/or a Planning and Zoning approved alternative. Seeding alone is not erosion control until vegetation is established. Seeding shall be combined with applicable erosion control structural BMP's until vegetation is established. (orig. 9-24-91; am. 10-12-04; am. 7-12-05; am. 7-17-18; am. 6-1-19)

- f. At a minimum, initial and final construction phases are required for all grading, erosion and sediment control plans. (orig. 7-17-18)
- g. Clearly and legibly show BMPs on the plan and include standard notes and associated details for the BMPs shown on said plan. (orig. 7-17-18; am. 6-1-19)
- h. If a Grading Permit Application requires an Improvement Security, a detailed improvements list is required. If the Grading Permit Application does not require an Improvement Security, the quantity of each erosion and sediment control BMP shall be provided ~~listed on the plans~~. (orig. 6-1-19; am. 12-17-19; am. xx-xx-xx)

2. Soil/Geologic Investigation Report

If a soils and/or geologic investigation report is required by the County, it shall be prepared and signed by a qualified professional geologist or Colorado registered professional engineer. The report shall contain all the following as they may be applicable to the subject site: (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 12-17-02; am. 10-12-04)

- a. A site map showing the topographic features of the site and locations of all soil borings and test excavations. (orig. 8-25-86)
- b. A classification of the soil types, laboratory test data, and consequent evaluation regarding the distribution and nature of existing soils. (orig. 8-25-86; am. 9-24-91)
- c. A description of the geology of the site and adjacent areas when pertinent to the site. (orig. 8-25-86)
- d. A suitably scaled map and cross sections showing all identified areas of historic or potential instability within and adjacent to the permit area. An evaluation of the stability of natural slopes and any proposed cut and fill slopes. (orig. 8-25-86; am. 9-24-91)
- e. A description of known or inferred groundwater or excessive moisture conditions. (orig. 8-25-86; am. 9-24-91)
- f. A description of the soil and geologic investigative techniques employed. (orig. 8-25-86)
- g. A log for each soil boring and test excavation showing elevation at ground level and the depth of each soil or rock strata. (orig. 8-25-86)
- h. Recommendations for grading procedures and specifications, including methods for excavation and subsequent placement of fill. (orig. 8-25-86)
- i. ~~Recommendations regarding drainage and erosion control (this is optional information in the soil/geologic investigation report).~~ (orig. 8-25-86)

- j. Recommendations for mitigation of geologic hazards and constraints. (orig. 8-25-86; am. xx-xx-xx)
- k. The time of year the field work was done and a list of references and other supportive data. (orig. 8-25-86)
- l. Soil parameters to be used in the design of retaining walls ~~included in the grading and/or sediment control plans~~. (orig. 9-24-91; am. xx-xx-xx)
- m. Infiltration testing shall be completed for each control measure that utilizes infiltration. At least two tests per control measure are required. The testing shall be at an appropriate elevation and location to adequately evaluate the underlying strata. A Factor of Safety of 2 shall be applied to the final infiltration rate to account for infiltration degradation over time. (orig. xx-xx-xx)

3. Materials Handling Plan

The proposed materials handling plan shall include BMP's for controlling waste and spill prevention and containment. (orig. 10-12-04)

F. Performance Standards for All Land Disturbance Activities

1. Control measures must prevent pollution or degradation of state waters. Control measures must also be appropriate for the specific construction activity, the applicable pollutant sources, and phase of construction. Appropriate control measures must be implemented prior to the start of construction activity, must control potential pollutants during each phase of construction, and must be continued through final stabilization. Appropriate structural control measures must be maintained in operational condition. (orig. 6-1-19)
2. Control measures must be selected, designed, installed, implemented, and maintained to provide control of all potential pollutants, such as but not limited to sediment, construction site waste, trash, discarded building materials, concrete truck washout, chemicals, sanitary waste, and contaminated soils in discharges to the MS4 and/or waterways. At a minimum pollutant sources associated with the following activities (if part of the applicable construction activity) must be addressed: (orig. 6-1-19; am. xx-xx-xx)
 - a. Land disturbance and storage of soils. (orig. 6-1-19)
 - b. Vehicle tracking. (orig. 6-1-19)
 - c. Loading and unloading operations. (orig. 6-1-19)
 - d. Outdoor storage of construction site materials, building materials, fertilizers, and chemicals
 - e. Bulk storage of materials. (orig. 6-1-19)
 - f. Vehicle and equipment maintenance and fueling. (orig. 6-1-19)
 - g. Significant dust or particulate generating processes. (orig. 6-1-19)
 - h. Routine maintenance activities involving fertilizers, pesticides, detergents, fuels, solvents, and oils. (orig. 6-1-19)
 - i. Concrete truck/equipment washing, including the concrete truck chute and associated fixtures and equipment. (orig. 6-1-19)
 - j. Dedicated asphalt and concrete batch plants. (orig. 6-1-19)
 - k. Other areas or operations where spills can occur. (orig. 6-1-19)
 - l. Other non-stormwater discharges including construction dewatering not covered under the Construction Dewatering Discharges general permit and wash water that may contribute pollutants to the MS4 and/or waterways. (orig. 6-1-19)
3. No Impedance to Natural Water Flow
 - a. No work shall be done which may obstruct, impede or interfere with the flow of storm water in overland flows, natural drainageways, unimproved channels or watercourses, or improved ditches, channels or canals in such a manner as to cause flooding that adversely impacts adjacent and downstream properties. Any activity taking place in an area zoned Floodplain Overlay District shall meet the requirements of the Floodplain Overlay District section of this Zoning Resolution. (orig. 8-25-86; am. 9-24-91; am. 12-17-02; am. 7-17-18)
 - b. Construction equipment shall be kept out of watercourses except when necessary to perform work

on the approved plans. Where in-channel work is designated on approved plans, precautions shall be taken to stabilize the work area during construction to minimize erosion. The channel, including bed and banks, shall be stabilized immediately after in-channel work is completed. (orig. 9-24-91; am. 6-1-19)

- c. Where a drainageway will be crossed by construction vehicles regularly during construction, a temporary crossing shall be provided. A permit may be required from the U.S. Army Corps of Engineers and the Environmental Protection Agency prior to any disturbance in waters of the United States or federally regulated wetlands. (orig. 9-24-91; am. 12-17-02; am. 10-12-04)

4. Excavation

Excavations shall be constructed and/or protected so that they are stable and do not endanger life or property. (orig. 8-25-86; am. 9-24-91)

5. Excavation Slope

- a. The slope of cut surfaces of permanent excavations shall not be steeper than 2 horizontal to 1 vertical (approximately 25 degrees). Steeper slopes may be permitted for grading permits with the approval of the County, provided it can be adequately demonstrated in a soils/geologic report that such slopes are stable and will not undergo accelerated erosion. The County may require the excavation to be made with a cut face flatter in slope than 2 horizontal to 1 vertical (2H:1V) if soils/geologic information submitted shows that flatter slopes are necessary for stability, adequate revegetation or maintenance. Cut slopes shall be rounded into the existing terrain to produce a contoured transition from cut face to natural ground. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 12-17-02; am. 6-1-19)
- b. The slope of cut surfaces which are 5 feet in height or less and are in competent bedrock may be steeper than 2H:1V, but shall be no steeper than 1 1/2H:1V. Steeper slopes may be permitted for grading permits with the approval of the County, provided it can be adequately demonstrated in a soils/geologic report that such slopes are stable and will not undergo accelerated erosion. (orig. 9-24-91; am. 8-8-95; am. 12-17-02; am. 6-1-19)

6. Fill Placement

Completed fills shall be stable masses of well-integrated material bonded to adjacent materials and to the materials on which they rest. Proper drainage and other appropriate measures shall be taken to ensure continuing integrity of fills. Earth materials shall be used which have no more than minor amounts of organic substances. (orig. 8-25-86)

7. Fill Compaction

The County will require fills to be compacted to a minimum of 90 percent of maximum density as determined by ASTM D1557 unless prior approval by the County has been granted. ASTM D698 may be used for clays with a high plasticity index. The standard for fill compaction shall not apply to fills of less than 50 cubic yards which are placed on natural terrain with a slope flatter than 5H:1V, are less than 5 feet in depth, are not intended to support structures, and do not obstruct a drainage course. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 12-17-02; am. 10-12-04; am. 7-17-18)

8. Ground Preparation for Fill Placement

The ground surface shall be prepared to receive fill by removing vegetation, topsoil, and other unsuitable materials. (orig. 8-25-86)

9. Fill Slopes

The slope of all permanent fills shall not be steeper than 2H:1V. Steeper slopes may be permitted for grading permits with the approval of the County, provided it can be adequately demonstrated in a soils/geologic report that such slopes are stable and will not undergo accelerated erosion. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 12-17-02; am. 6-1-19)

10. Driveways and Private Streets/Roads

- a. All street, road and driveway construction shall meet the Transportation Design and Construction Manual standards. (orig. 12-17-02; am. 10-12-04; am. 11-24-15)
- b. For private streets/roads and driveways including turnarounds the maximum allowable vertical disturbance from the toe of fill to the top of cut measured perpendicular to the existing contours shall be 25 feet in vertical height. Planning and Zoning may approve vertical disturbance heights greater than 25 feet for grading permits where it is determined that slopes shall be sufficiently stabilized and

restored to be congruent with surrounding conditions to the maximum extent practicable and the alignment of the driveway has been placed in the optimal location to allow for minimal disturbance. (am. 7-17-18; am. 6-1-19)

Relief for grading permits will also be considered if the applicant demonstrates that the proposed grading plan results in less overall land disturbance and that the relief is necessary to comply with the Preservation of Existing Terrain and Vegetation and Impact Mitigation Standards below. In determining whether to approve or disapprove the request, all technical evaluations, relevant factors, standards specified in other sections, and whether the applicant has adequately addressed the provisions of this Zoning Resolution shall be considered. (orig. 8-8-95; am. 11-12-02; am. 12-17-02; am. 7-1-03; am. 10-12-04; am. 3-26-13; am. 11-24-15; am. 7-17-18; am. 6-1-19)

- (1) Parking areas adjacent to building structures and drainage facilities not a part of the streets/roads will not be considered as vertical disturbance. (reloc. 7-17-18)
- c. Widths (including shoulders) of driveways and private streets/roads shall conform to the Transportation Design and Construction Manual. (orig. 8-8-95; am. 11-12-02; am. 11-24-15)

11. Protection of Adjacent Structures

Foundations or flatwork which may be affected by any excavation shall be underpinned or otherwise protected against settlement and shall be protected against lateral movement. Fills or other surcharge loads shall not be placed adjacent to any building or structure unless such building or structure is capable of withstanding the additional loads caused by such fill or surcharge. (orig. 8-25-86)

12. Setbacks

- a. Setbacks for all grading, erosion and sediment control activities shall be at least 7 feet from property boundaries and at least 25 feet from off-site occupied structures. Planning and Zoning may waive setback requirements for ~~grading permits~~ land disturbance provided it can be adequately demonstrated that activities occurring within setback limitations will not adversely affect adjacent property or structures. A letter prepared by a Colorado registered professional engineer will be required that addresses the following: (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 3-23-99; am. 4-27-04; am. 5-20-08; am. 6-1-19; am. xx-xx-xx)
 - i. Identify any potential issues caused by grading, erosion and sediment control activities relating to existing infrastructure, drainage patterns or visual and safety impacts. (orig. xx-xx-xx)
 - ii. Provide justification and rationale demonstrating that there will be no adverse impacts to adjacent property owners as a result of the proposed land disturbance. (orig. xx-xx-xx)
- b. Grading for streets/roads and driveways is exempt from setback requirements if it can be adequately demonstrated that grading activities will not adversely affect adjacent properties or structures in terms of, but not limited to, runoff and slope stability. (orig. 9-24-91; am. 7-17-18)

13. Stormwater

Any required drainage and infiltration structures and devices shall be designed and constructed in accordance with standards and criteria established in the Storm Drainage Design and Technical Criteria and as listed below. (orig. 8-25-86; am. 9-24-91; am. 12-17-02; am. 10-12-04; am. 7-17-18; am. 6-1-19)

- a. Drainage Structures and Devices: All drainage facilities shall be designed to carry surface and subsurface water to the nearest adequate street, storm drain, and natural watercourse or other juncture. (orig. 8-25-86)
- b. Water Accumulation: All finished areas shall be graded and drained such that water will not pond or accumulate except where the end use is a pond, reservoir infiltration area or structure or detention basin. Drainage shall be affected in such a manner that it will not cause erosion or endanger the stability of any cut or fill slope or any building or structure. (orig. 8-25-86; am. 9-24-91; am. 10-12-04; am. 7-17-18)
- c. Protection of Adjoining Property: When surface drainage is discharged onto any adjoining property, it shall be discharged in such a manner that it will not cause an increased hazard to the stability of any cut and fill slope or any building or structure. (orig. 8-25-86; am. 9-24-91)
- d. Subsurface Drainage: Cut and fill slopes shall be provided with subsurface drainage as necessary

for stability. (orig. 8-25-86)

14. Erosion and Sediment Control

The following shall apply to the control of erosion and sediment from land disturbance activities: (orig. 8-25-86; am. 10-12-04)

- a. To the maximum extent practicable and in conformance with ~~D.1.a.(4)~~F.1., above, implementation of the erosion and sediment control plan shall precede grading activities. ~~The site may be temporarily stabilized with erosion control practices such as seeding and covering with erosion control blankets.~~ (orig. 9-24-91; am. 10-12-04; am. xx-xx-xx)
- b. Upon completion of land disturbance activities, disturbed areas, except for rock cuts and fills, shall be stabilized by adequate vegetative cover consisting of at least 70% of pre-existing vegetation conditions or other permanent soil erosion control measures which prevent accelerated erosion. (orig. 8-25-86; am. 9-24-91; am. 10-12-04; am. 7-17-18)
 - (1) Cuts and fills accomplished for all roads, driveways and other vehicular access shall be stabilized with adequate vegetative cover or other permanent soil erosion control measures which prevent accelerated erosion, unless the cut is in competent bedrock. (orig. 9-24-91)
 - (2) No project shall cause accelerated or increased off-site erosion. (orig. 9-24-91; am. 10-12-04)
- c. To the maximum extent practicable, sediment caused by accelerated soil erosion shall be removed from runoff water before leaving the site. (orig. 9-24-91; am. 10-12-04)
- d. All land disturbing activities shall be designed, constructed, and phased in such a manner as to minimize the exposure of disturbed areas and to prevent accelerated soil erosion to the maximum extent practicable. (orig. 9-24-91; am. 10-12-04)
- e. Cut and fill slopes shall be stabilized, and surface water damage to cut and fill slopes shall be prevented. (orig. 8-25-86)
- f. Fugitive dust emissions shall be controlled using the best available control technology as defined by the Colorado Department of Public Health and Environment as of the date of permit issuance. (orig. 8-25-86; am. 9-24-91)
- g. All temporary and permanent soil erosion and sediment control practices shall be maintained and repaired as needed to assure continued performance of their intended function in accordance with the details in the approved grading plans. (orig. 9-24-91; am. 10-12-04; am. 7-17-18)
- h. All topsoil, where physically practicable, shall be salvaged and no topsoil shall be removed from the site except as set forth in the approved plans. Topsoil and overburden shall be segregated and stockpiled separately. Topsoil and overburden shall be redistributed within the graded area after rough grading to provide a suitable base for areas which will be seeded and planted. Runoff from the stockpiled area shall be controlled to prevent erosion and resultant sedimentation of receiving water. (orig. 8-25-86; am. 9-24-91)
- i. Runoff shall not be discharged from the site in quantities or at velocities substantially above those which occurred before land disturbance except into drainage facilities whose design has been specifically approved by the County prior to the permit approval. (orig. 8-25-86; am. 3-23-99; am. 12-17-02; am. 10-12-04)
- j. The landowner and/or contractor shall take reasonable precautions to ensure that vehicles do not track or spill earth materials on to streets/roads and shall immediately remove such materials if this occurs. (orig. 8-25-86; am. 12-17-02; am. 10-12-04)
- k. Should an increase in sediment discharge occur or become imminent, the landowner and/or contractor shall immediately take all necessary steps to control such discharge. The landowner and/or contractor shall take prompt action to resolve emergency problems. (orig. 8-25-86; am. 12-17-02; am. 10-12-04)
- l. Permanent or temporary soil stabilization measures shall be applied to disturbed areas within 14 days after final grade is reached on any portion of the site. Soil stockpiles shall be permanently or temporarily stabilized within 14 days if the stockpile is not being actively utilized for construction purposes. Soil stabilization measures shall be applied within 14 days to disturbed areas which may not be at final grade, but will be left dormant for longer than 60 days. (orig. 9-24-91; am. 7-17-18)

15. Geologic, Floodplain, Wildfire, and Dipping Bedrock Hazards

Any activity taking place in an area zoned Geologic Hazard Overlay District or Floodplain Overlay District, or Wildfire Hazard Overlay District, or Dipping Bedrock Overlay District shall meet the requirements of the appropriate sections of this Zoning Resolution. Land disturbance activities shall not create or aggravate unstable slopes, rockfall, landslide, or subsidence hazards or increase the risk of wildfire, flooding, or dipping bedrock hazards. (orig. 8-8-95; am. 3-23-99; am. 10-12-04)

16. Preservation of Existing Terrain and Vegetation and Impact Mitigation

- a. Grading for cut and fill slopes shall not result in a staircase effect, except that retaining walls are permitted per paragraph "e." below. The edges of graded areas shall blend into the surrounding natural terrain/topography and contour of the land. (orig. 8-8-95; am. 11-12-02)
- b. The proposed grading shall occur in such a manner that it avoids, to the extent practicable, all rock outcroppings, existing trees over 6 inches in caliper, vegetation over 8 feet in height, and riparian, wetland and critical wildlife areas. If from the original documentation and/or field investigation it appears that a less impactful alternative exists, the County may require the grading plan to be revised. (orig. 8-8-95; am. 12-17-02)
- c. Excess material shall be graded in a manner which is similar to the natural topography and shall not be cast over the side of cut or fill slopes. (orig. 8-8-95; am. 11-12-02)
- d. Cut slopes that are in rock and are intended to be left exposed shall be graded to obtain a natural looking appearance, to the extent possible, in form to blend with surrounding terrain. (orig. 8-8-95; am. 11-12-02; am. 10-12-04)
- e. Retaining walls shall not exceed a maximum height of twelve (12) feet and shall be faced with stone or constructed with textured earth colored material that is identified in the grading plan. If a series of retaining walls is required, the horizontal distance between walls shall be a minimum of 4 feet. The minimum distance between walls shall be increased to 6 feet if either wall exceeds 8 feet in height. Retaining walls greater than 36 inches in height shall be constructed in accordance with the design prepared by a Colorado registered professional engineer. The design may require consultation with a geotechnical engineer, shall consider such factors as expansive soils, steep slopes and vehicles or structures near the walls, and shall include the following: (orig. 8-8-95; am. 11-12-02; am. 12-17-02; am. 7-1-03; am. 10-12-04; am. 7-17-18)
 - (1) Construction plans indicating how the proposed wall height will vary along its length. (orig. 10-12-04)
 - (2) Details with elevations showing top and bottom of wall for critical points along the wall length. (orig. 10-12-04)
 - (3) Supporting calculations that demonstrate an adequate factor of safety ([minimum 1.5](#)) for bearing capacity, overturning, sliding, and internal stability, including surcharge loads due to sloping backfill, adjacent vehicles and structures. [When global stability analysis is required the minimum factor of safety is 1.3 for both the temporary and permanent conditions.](#) (orig. 10-12-04; [am. xx-xx-xx](#))
- f. The site shall be designed to use existing topography and existing vegetation to screen site disturbance. (orig. 8-8-95; am. 10-12-04)
- g. Revegetation plans shall be similar to existing vegetation and feature the prominent use of plants which are indigenous to the area or as approved by the County. Seeding methods such as hydroseeding, drilling, seeding and raking in, or other seeding method may be required when necessary to quickly and effectively establish a groundcover for areas where other types of seeding may be ineffective. (orig. 8-8-95; am. 11-12-02; am. 10-12-04)
- h. Any permanent erosion control and drainage improvements that are installed, as a result of land disturbance activities shall be designed to complement and blend with the natural topography of the land. (orig. 8-8-95; am. 10-12-04)
- i. Where possible, turnouts shall be provided with the narrowest permissible road to minimize the extent of land disturbance. (orig. 11-12-02; am. 10-12-04)

j. When the grading operations encounter remains of prehistoric people's dwelling sites, remains, or artifacts of historical, paleontological or archaeological significance, the operations shall be temporarily discontinued. The developer shall notify Planning and Zoning, and the developer shall promptly contact the proper authorities to determine the disposition thereof. If required by state or federal authorities, the developer shall preserve the area of historical, paleontological or archaeological significance for a maximum period of 30 days to allow authorities to excavate and recover the items of significance. (reloc. xx-xx-xx)

17. Materials handling BMP's are required. At a minimum, BMP's shall include controlling waste such as discarded building materials, concrete truck washout, chemicals, litter and sanitary waste, as applicable. In addition, spill prevention and containment BMP's for construction materials, waste and fuel shall be provided, as applicable. (orig. 10-12-04)
18. Maximum allowable height of a temporary stockpile is 50 feet measured from existing grade. The setback of the stockpile measured from the abutting property line to the edge of the stockpile is ~~4-6-2~~ multiplied by the height of the stockpile. The edge of the stockpile shall be no closer than the grading setback (7 feet from the abutting property line). The slope shall not exceed 3H:1V unless otherwise approved by Planning _____ and Zoning for grading permits based on existing site conditions and topographic constraints. The _____ temporary stockpile shall remain in place no longer than two years unless otherwise approved by Planning and Zoning for grading permits based on site conditions and construction duration. (orig. 11-24-15; am. 7-17-18; am. 6-1-19; am. xx-xx-xx)

G. Improvement Security

1. As a condition for the issuance of a Grading Permit, the County may require an improvement security in an amount necessary to ensure compliance with the performance standards in the event of default on the part of the applicant or of denial of the case by the Board of County Commissioners. Grading Permits associated with ~~a~~ single family attached, detached or duplex residential structures with an active building permit will not require an improvement security. An improvement security is required ~~Grading Permits that include for~~ improvements in the Right-Of-Way or for improvements which may affect Right-Of-Way. ~~excluding driveway culverts and grading in Right-Of-Way will require an improvement security.~~ (orig. 8-25-85; am. 9-24-91; am. 8-8-95; am. 3-23-99; am. 12-17-02; am. 7-1-03; am. 10-12-04; am. 10-13-09; am. 6-1-19; am. 12-17-19; am. xx-xx-xx)
 - a. Except for rough grading, the amount of the security shall be 100 percent of the cost of all grading erosion and sediment control items plus 100% of the cost of the work required for public streets/roads and for private streets/roads. The amount of security for rough grading shall be 25 percent of the total cost of rough grading for all lands within the mountains and 10 percent for all lands within plains of the County. A contingency amount equivalent to 10 percent of the total cost of all work shall be added to the security amount. (orig. 3-23-99; am. 12-17-02; am. 7-17-18)
 - b. The improvement security shall be in the form of cash escrow or a letter of credit. (am. 3-23-99)
 - c. The improvement security shall remain in effect until final inspections have been made, where required, and all grading work has been accepted by the County. Final acceptance of warranted Public Improvements shall conform to the Jefferson County Land Development Regulation. Upon final acceptance of improvements or warranted Public Improvements, securities will be released. (orig. 8-25-85; am. 9-24-91; am. 8-8-95; am. 12-17-02; am. 5-20-08)
2. Any letter of credit or deposit required pursuant to this section shall be payable to the Board of County Commissioners of Jefferson County and shall be for a minimum of 2 year. (orig. 8-25-86; am. 8-8-95; am. 10-12-04; am. 5-20-08)

H. Permit Completion and Closeout

1. Notice of Intent
 - a. A completed Form Letter N-2 stating that the final construction and grading are in conformance with the approved overall grading plan and Notice of Intent shall be submitted to Planning & Zoning prior to issuance of the Certificate of Occupancy. Form Letter N-2 shall be completed by a Colorado registered professional engineer. (orig. 6-1-19)
2. Grading Permit
 - a. The conditions of approval as specified in the approval letter and/or approved plan set. (orig. 8-25-

86; am. 6-1-19)

- b. Jefferson County staff confirms that the completed control measure operates in accordance with the approved site plan. (orig. 6-1-19)
- c. The Certificate of Occupancy for residential structures will be issued once the Grading Permit certification is accepted and the Grading Permit is closed by Jefferson County staff. (orig. 6-1-19)

I. Release of Security for Grading Permits

1. Upon completion of the following, the improvement and/or maintenance securities will be released, and/or a Certificate of Compliance will be issued. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 12-17-02; am. 7-17-18; am. 6-1-19)
 - a. Applicable provisions of this section. (orig. 8-25-86)
 - b. The conditions of approval of the Grading Permit. (orig. 8-25-86; am. 6-1-19)
 - c. Final stabilization of the site, which can include established vegetation, that will prevent accelerated erosion and other erosion control measures, where required. A uniform vegetative cover with a density of at least 70 percent of pre-disturbance levels shall be considered adequate vegetative cover _____ for erosion control measures. (orig. 8-25-86; am. 9-24-91; am. 12-17-02; am. 7-1-03; am. 10-12-04)
 - d. Receipt of proof of compaction, where the compaction standard applies. Compaction tests shall be taken under the direct supervision of a geotechnical engineer. The geotechnical engineer or his designated representative shall observe grading activities on a full-time basis and shall take sufficient compaction test to enable the engineer to determine that the site is ready for the intended uses and shall so state on the compaction report. Compaction reports shall be signed and sealed and dated by a Colorado registered professional engineer. Compaction reports shall include the moisture density curves, location of test sites, soil types(s), density results, type of test and if a failing test, retesting of the site. The engineer shall provide a complete set of all test and observations and a report stating that the grading activities have been completed in substantial conformance with the approved grading plan, the requirements of this section, and the Land Development Regulation. (orig. 9-24-91; am. 3-23-99; am. 10-12-04)
2. An as-built plan is required by the County for the following:
 - a. Land disturbance activities that occur in a Floodplain Overlay District.
 - b. Large fills (greater than 1000 cubic yards).
 - c. Retaining walls as designated on the approved plans.
 - d. The construction deviates from the approved plans.
 - e. Permanent non-structural and structural water quality control measures including dimensions, volume calculations and overall compliance with approved plans.
 - f. Other activities as required by Performance Guarantee and Warranty Section of the Land Development Regulation. Orig. 9-24-91; am. 8-8-95; am. 12-17-02; am. 10-12-04; am. 7-17-18)
3. Upon completion and acceptance of all items listed on the list of improvements and associated costs, the project performance guarantee may be reduced to the amount shown on the Exhibit A for adequate revegetation and temporary erosion and sediment control. Revegetation means that a density of at least 70 percent of the pre-disturbance levels or equivalent permanent methods have been employed. (orig. 12-17-02; am. 10-12-04)
4. However, upon failure to complete the work, failure to comply with all of the terms of the permit or failure of the erosion and sediment control measures to function properly, the County may perform the required work or cause it to be done and collect from the permittee or surety all costs incurred, including administrative and inspection costs. Any unused portion of a deposit shall be refunded to the permittee after deduction by the County of the cost of the work. (orig. 8-25-86; am. 10-12-04; am. 7-17-18)

J. Enforcement

1. Inspections

The County may inspect the site and perform any necessary tests from time to time to ensure compliance with the permit conditions. (orig. 9-24-91; am. 8-8-95; am. 3-23-99)

2. Suspension and Revocation of Permit

The County may suspend, limit or revoke a permit for violation of any provision of this section, violation of the permit or misrepresentations by permit holder, his agents or his employees or independent contractors under contract with the permittee for a Notice of Intent or Grading Permit for an individual lot or within a common plan of development. The decision of the County to suspend, limit or revoke a permit may be appealed to the Board of Adjustment. No work shall be performed while an appeal is pending except as authorized by the County. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 12-17-02; am. 6-1-19)

3. Enforcement Response

a. The escalation process for enforcement actions includes verbal warnings, written notifications, revocation of permits, denial of plan review, withholding of permits, withholding inspections, stop work orders, issuance of zoning violations (civil process), issuance of illicit discharge violations (~~criminal~~-civil process), fines associated with the illicit discharge violation and/or using the performance guarantee to hire a separate contractor to complete the work. The escalation process does not have to occur in that order. (orig. 6-1-19; [am. xx-xx-xx](#))

b. The escalation process for chronic and recalcitrant violators of control measure requirements includes verbal warnings, written notifications, revocation of permits, denial of plan review, withholding of permits, withholding inspections, stop work orders, issuance of zoning violations (civil process), issuance of illicit discharge violations (~~criminal~~-civil process), fines associated with the illicit discharge violation and/or using the performance guarantee to hire a separate contractor to complete the work. The escalation process does not have to occur in that order. (orig. 6-1-19; [am. xx-xx-xx](#))

3. Court Action

Nothing in this section shall be construed to prevent the Attorney's Office, at their discretion, from filing a court action based upon a violation or potential violation of this section. (orig. 3-23-99)

4. Right of Entry

Whenever necessary to enforce the provisions of this section the County can enter the premises at all reasonable times to perform any duty imposed by this section. If such entry is refused, the County shall have recourse to every remedy provided by law to secure entry. If a Land Disturbance Permit is suspended or revoked, or if a Stop Work Order has been issued, the County shall have the right to enter the site to complete the work allowed under the grading permit. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 3-23-99; am. 12-17-02; am. 10-12-04; am. 7-17-18)

5. Stop Work Orders

When any work is being performed which is not in compliance with an approved permit and/or the provisions of this section or any other applicable law, rule or regulation, the County can order the work stopped by serving written notice on any personnel engaged in performing the work. Such person shall immediately stop such work until authorized by the County to proceed. If there are no persons present on the premises, the notice may be posted in a conspicuous place and the notice shall state the nature of the violation. The notice shall not be removed until the violation has been vacated or authorization to remove the notice has been issued. Failure to comply with any Stop Work Order is a violation of the Zoning Resolution, the Grading Permit and/or the Notice of Intent. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 3-23-99; am. 12-17-02; am. 10-12-04; am. 7-17-18)

6. Violations of Other Regulations

Violations of this section may also cause violations of other State and/or Federal regulations and result in additional fines and penalties. (am. 10-12-04)

Section 17- Land Disturbance

(orig. 7-12-05; [am. xx-xx-xx](#))

A. Planning Standards

~~Grading, Erosion and Sediment Control Plans: Plans shall be submitted as required by the Submittal Requirements Section in accordance with the following standards. (am. 7-12-05)~~

~~1. The existing and final contours shall be shown at 2-foot intervals for subdivisions within the plains area and contours at 5-foot intervals for subdivisions within the mountain areas including the method utilized to obtain all contour intervals. Contours shall be accurate to within 0.5 contour and elevations shall be based on United States Geologic Survey (U.S.G.S.) sea level datum. The U.S.G.S. quad maps shall not be accepted as evidence for topographic contours. (am. 7-12-05)~~

~~12. Grading, erosion and sediment control plans shall be prepared in accordance with and in compliance with the standards in the Land Disturbance Section of the Zoning Resolution. (am. 7-12-05)~~

~~3. Grading, erosion and sediment control plans must include the following: (reloc. 7-12-05)~~

~~a. Plans for all private and public streets/roads in accordance with the Transportation Design and Construction Manual and the Circulation Section. (am. 7-12-05; am. 11-24-15)~~

~~b. Conceptual driveway plans if existing slopes exceed 30%. (reloc. 7-12-05)~~

~~c. Overlot grading plans for all non-residential, multi-family, manufactured home developments, and single family residential developments with lot sizes under ½ acre. Overlot grading plans are not required for single family residential lots over ½ acre in size if the developer is not proposing overlot grading, grading is not required and/or shown on the drainage plan, and the slopes in the buildable areas do not exceed 30%. Overlot grading plans must be consistent with the grading and basin boundaries shown on the drainage plan. (reloc. 7-12-05)~~

~~d. Plans for all drainage improvements including but not limited to detention and water quality facilities, drainage channels, storm sewer and outlet protection. (reloc. 7-12-05)~~

~~e. Grading, erosion and sediment control plans for each lot in residential developments with lot sizes under ½ acre shall be prepared in accordance with and in compliance with the Notice of Intent standards in the Land Disturbance Section of the Zoning Resolution. (reloc. 7-12-05)~~

~~4. Approvals: Planning and Zoning shall approve the plans prior to development approval. The Jefferson Conservation District shall approve the seed mix and mulching rates. (am. 7-12-05; am. 12-21-10)~~

B. Construction Specifications

~~1. Scope: The intent of these specifications is to ensure excavation and grading occur according to the approved plan and to establish minimum materials, methods and standards to be used in the construction of site grading fills for support of residences and other structures, embankments or excavations for streets, roads, drainage channels, structures, or other purposes. The work covered by these specifications includes excavation, embankment, grading, compaction, clearing and grubbing, removal of topsoil, trees, stumps, vegetation, removal and/or resetting of minor obstructions and any other work incidental to the construction of site grading fills. When used in this document, AASHTO shall refer to the American Association of State Highway and Transportation Officials, ASTM shall refer to the American Society for Testing and Materials, and CDOT shall refer to the Colorado Department of Transportation. (reloc. 7-12-05)~~

~~2. Clearing and Grubbing~~

~~a. General: Clearing and grubbing consists of removing and disposing of all vegetation and debris within the limits of projects as indicated on the approved grading plans, except such objects as are designated to remain or are to be removed in accordance with this Regulation. Clearing and grubbing shall also include the preservation of all vegetation and objects designated to remain. (am. 7-12-05)~~

~~b.—Construction: The plans shall establish construction limits and designate all trees (including dripline), shrubs, plants and other objects to remain. All objects designated to remain shall be preserved. (reloc. 7-12-05)~~

~~(1) All surface objects and all trees, stumps, roots, and other vegetation over 6 inches in height, and other protruding objects, not designated to remain, shall be cleared and/or grubbed, including mowing, as required. (reloc. 7-12-05)~~

~~(2) Except in areas to be excavated, stump holes and other holes from which obstructions are removed, shall be backfilled with suitable materials and compacted in accordance with this Section. Materials and debris shall be disposed of in accordance with state and County regulations. Burning is not permitted. Placement of strippings or topsoil in minor amounts in nonstructural areas will be permitted as specified below, but must be identified on the plans. Up to 3 feet of topsoil and strippings may be placed in nonstructural areas where revegetation will occur and these areas are at least 15 feet from any structural pad. (reloc. 7-12-05)~~

~~(3) Strippings consist of any vegetation not consisting of Clearing and Grubbing. If applicable, the plans shall address arrangements for off-site disposal. All such disposal locations shall be permitted in accordance with the Jefferson County Zoning Resolution and the applicable requirements of the Colorado Department of Public Health and Environment. (am. 7-12-05)~~

~~(4) The ground surface shall be prepared to receive fill by removing vegetation, topsoil and other unsuitable materials. (reloc. 7-12-05)~~

~~3.—Topsoil~~

~~a.—General: All topsoil, where physically practicable, shall be salvaged and no topsoil shall be removed from the site except as set forth in the approved grading plans. Except for structural areas, topsoil shall be redistributed over the graded area after grading operations are completed. All work shall be in accordance with this Section and in reasonably close conformity with the lines and thickness shown on the grading plans. (reloc. 7-12-05)~~

~~b.—Materials: Topsoil shall consist of loose friable loam reasonably free of admixtures of subsoil, refuse, stumps, roots, rocks, brush, weeds, or other material which would be detrimental to the proper development of vegetative growth. (reloc. 7-12-05)~~

~~c.—Construction: Materials selected for topsoil and lying within the limits of the project shall be excavated and stockpiled at the project at locations designated on the grading plans. Excavated topsoil shall be placed directly upon constructed cuts and fill slopes without the use of stockpiles whenever possible. The grading work shall be phased in such a way as to allow direct placement of salvaged topsoil if possible. (reloc. 7-12-05)~~

~~(1) Topsoil shall not be placed until the areas to be covered have been properly prepared in accordance with this Section and grading operations in the area have been completed. (reloc. 7-12-05)~~

~~(2) Topsoil shall be placed and spread at locations and to the thickness shown on the plans and shall be keyed to the underlying materials by the use of harrows, rollers, or other equipment suitable for the purpose. (reloc. 7-12-05)~~

~~(3) Water shall be applied to the topsoil at the locations and in the amounts designated. Water shall be applied in a fine spray by nozzles or spray bars in such a manner that it will not wash or erode the topsoil area. (reloc. 7-12-05)~~

~~4.—Watering~~

~~a.—General: Water specifications shall address wetting, water for landscaping and the application of dust palliatives to soils and aggregates in accordance with this Section and in conformance with the plans. (am. 7-12-05)~~

~~b.—Materials: All water used shall be free of any mineral salts or contaminating material which might result in expansion of materials after placement. (reloc. 7-12-05)~~

~~c.—Construction~~

~~(1) Wetting: Sprinkling equipment shall be of a type which ensures uniform and controlled distribution of water without ponding or washing. Water added during finishing operations shall be uniformly applied by spraying across the full width of the course by means of controllable pressures and spray bars of nozzles. (reloc. 7-12-05)~~

~~(2) Dust Palliative: Dust palliatives shall be applied on portions of the project and on haul roads at the locations and in the amounts as may be called for on the plans. Dust pallatives may consist of water or other substances approved by Public Health. Dust palliative shall be of the type and proportions called for on the plans. Water or water mixture shall be spread with acceptable sprinkling equipment. (reloc. 7-12-05; am. 12-21-10)~~

~~(3) Landscaping: Water shall be provided for seeding, mulching, planting, transplanting, sodding, and soil sterilization, and any other landscaping work, when called for on the plans. (reloc. 7-12-05)~~

~~5.—Removal of Structures and Obstructions~~

~~a.—General: This work shall consist of the removal, wholly or in part, and satisfactory disposal of all foundations, fences, signs, structures, sidewalk, curbing, pavements, not designated or permitted to remain. It shall also include the salvaging of the designated materials and backfilling the resulting trenches, holes, and pits. All backfill work shall be done in accordance with the Compaction provisions. (am. 7-12-05)~~

~~—When the plans and specifications do not include specific requirements for removal of structures and obstructions as set forth in this Section, such work shall be performed under the Excavation and Embankment provisions. (am. 7-12-05)~~

~~b.—Construction: All foundations, signs, structures, fences, old pavements, abandoned pipelines and other structures shall be removed from the site and disposed of in accordance with applicable state, federal and County regulations. (reloc. 7-12-05)~~

~~6.—Excavation and Embankment~~

~~a.—General: Excavation and embankment grading consists of excavation, disposal, shaping, or compaction of all material encountered within the limits of the grading plans including excavation for ditches and channels necessary for the construction of the project in accordance with the grading plans and in reasonably close conformity with the lines, grades, and typical cross-sections shown on the plans. (reloc. 7-12-05)~~

~~b.—Excavation: All excavation will be classified as rock excavation, unclassified excavation, sub-excavation or borrow, as hereafter described. (reloc. 7-12-05)~~

~~(1) Rock Excavation: Rock excavation is excavation of igneous, metamorphic and sedimentary rock which cannot be ripped with a D-8 caterpillar or an equivalent using a single shaft hydraulic ripper tooth, or intact stone or boulders which cannot be handled with a Cat 950 loader or equivalent, and all boulders or other detached stones, each having a volume of 0.5 cubic yards or more, as determined by physical or visual measurement. For ditches and channels, rock excavation also includes bedrock or large boulders which cannot be excavated with a Cat 235 hydraulic excavator or equivalent, with a rock bucket. (reloc. 7-12-05)~~

~~(2) Unclassified Excavation: Unclassified excavation is the excavation of all other materials of whatever character required for the approved grading and/or construction plans including surface boulders and excavation for ditches and channels. (reloc. 7-12-05)~~

~~(3) Borrow: Borrow shall consist of material obtained from outside the project limits, required for the construction of embankments or other portions of the grading plans. Borrow material specifications shall be included on the grading plans. All borrow areas must meet the requirements of the Jefferson County Zoning Resolution. (am. 7-12-05)~~

~~(4) Sub-excavation: The removal and replacement of material below foundation or roadway grades to comply with the Zoning Resolution or the Transportation Design and Construction Manual. (reloc. 7-12-05; am. 11-24-15)~~

~~c.—Embankment Material: Embankment material shall consist of approved material acquired from excavations, hauled and placed in embankments in reasonable close conformity with the line, grades, thicknesses and typical cross sections shown on the grading plans. (reloc. 7-12-05)~~

~~The type of relative compaction required shall be as called for on the plans or as required by the Compaction provisions, whichever is more stringent. (am. 7-12-05)~~

~~d.—Construction—General: The excavation and embankments shall be finished to reasonably smooth and uniform surfaces. Grading operations shall be conducted so that material outside of the limits of slopes will not be disturbed, except as shown on the approved grading plans. Prior to beginning grading operations in any areas, all necessary clearing and grubbing and topsoil in that area shall have been performed in accordance with the Clearing and Grubbing and Topsoil provisions. (am. 7-12-05)~~

~~(1) Transportation and Engineering shall be notified at least 3 days before beginning grading. (am. 7-12-05; am. 12-21-10)~~

~~(2) The limits of grading and objects designated to remain shall be staked at least 3 days prior to beginning grading at which time a pre-grading meeting with the site owner, project engineer and contractor may be required by Transportation and Engineering. (am. 7-12-05; am. 12-21-10)~~

~~(3) When the grading operations encounter remains of prehistoric people's dwelling sites, remains, or artifacts of historical, paleontological or archaeological significance, the operations shall be temporarily discontinued. The developer shall notify Planning and Zoning, and the developer shall promptly contact the proper authorities to determine the disposition thereof. If required by state or federal authorities, the developer shall preserve the area of historical, paleontological or archaeological significance for a maximum period of 30 days to allow authorities to excavate and recover the items of significance. (am. 7-12-05)~~

~~(4) At all times, precautions shall be taken for the protection of culverts, erosion control structures, irrigation crossings, mail boxes, driveway approaches, valve boxes, manholes, survey monuments, underground or overhead utility lines and all other public or private installations that may be encountered during construction. Any damage to such structures caused by grading activities shall be repaired, documented and submitted to Transportation and Engineering prior to issuance of any certificate of completion for the site. (am. 7-12-05; am. 12-21-10)~~

~~e.—Excavation~~

~~(1) Rock: Unless otherwise specified, rock shall be excavated to a minimum depth of 6 inches below subgrade within the limits of any roadbed and the excavation backfilled with material designated on the plans and in accordance with the Jefferson County Design Manual. (reloc. 7-12-05)~~

~~(2) Unclassified: Where material encountered within the limits of grading are considered unsuitable for embankment foundations, streets/roads, or structural areas by the soils engineer or by Transportation and Engineering, such material shall be excavated and replaced with suitable material. Some examples of unsuitable material include soils which contain significant amounts of organic material or large diameter rocks, concrete, or asphalt. Excess unsuitable excavated material, including rock and boulders, that cannot be used in embankments may be placed in non-structural areas as approved by the soils engineer and Transportation and Engineering and must be documented with a set of revised plans showing any such locations. (am. 7-12-05; am. 12-21-10)~~

~~—Whenever shown on the plans or considered necessary by Transportation and Engineering, intercepting ditches shall be made above the top of cut slopes and carried to outlets near the ends of the cuts. In order to blend the intersection of cut slopes with the slope of the adjacent natural ground surfaces in a uniform manner, the tops of all cut slopes shall be flattened and rounded. (am. 7-12-05; am. 12-21-10)~~

~~f.—Embankment~~

~~(1) Embankment construction shall consist of construction building sites, street/road embankments and drainage structures including preparation of the areas upon which they are to be placed; the construction of dikes; the placing and compacting of material within project areas; and the placing and compacting of material in holes, pits and other depressions within the project area. (reloc. 7-12-05)~~

~~(2) Free running water shall be drained from the fill material and the fill area before the material is placed. Rocks, broken concrete, or other solid materials more than 6 inches in greatest dimension shall be removed from the site and excluded from any borrow material brought onto the site. However, placing of occasional boulders or rock fragments of sizes larger than the maximum layer thickness may be authorized by the soils engineer and must be approved by Transportation and Engineering. Each oversized boulder or rock fragment shall be separated sufficiently to allow placement, leveling and compaction of spalls or fill material between and around each particle. (am. 7-12-05; am. 12-21-10)~~

~~When an embankment is to be placed and compacted on hillsides, or when a new embankment is to be compacted against existing embankments, or when an embankment is built one half width at a time, the slopes that are steeper than 5:1, when measured longitudinally or at right angles to the slope, shall be continuously benched over those areas where it is required as the work is brought up in layers. Benching shall be well keyed and where practical, a minimum of 8 feet wide or of sufficient width to accommodate the equipment being utilized. Each horizontal cut shall begin at the intersection of the original ground and the vertical sides of the previous cuts. Material thus cut out shall be recompacted along with the new embankment material. (reloc. 7-12-05)~~

~~g. Compaction~~

~~(1) After the foundation for the fill or subexcavated area has been cleared and scarified, it shall be disked or bladed until it is free from large clods, brought to the proper moisture content and compacted to not less than the densities outlined in the Compaction Table. (am. 7-12-05)~~

~~(2) All material shall be compacted to the specified relative compaction. The moisture content of the soil at the time of compaction shall be as specified in the Compaction Table. (am. 7-12-05)~~

~~(3) Should too much water be added to any part of the fill, such that the material is too wet to permit the desired compaction from being obtained, rolling and all work on that section of the fill shall be delayed until the material has been allowed to dry to the required moisture content. Material that is too wet may be reworked in order to hasten drying. (reloc. 7-12-05)~~

~~(4) Selected fill material shall be placed and mixed in evenly spread layers. After each fill layer has been placed, it shall be uniformly compacted to not less than the specified percentage of maximum density. Fill materials shall be placed such that the thickness of loose material does not exceed 10 inches and the compacted lift thickness does not exceed 6 inches. Rocks, broken concrete, or other solid materials more than 6 inches in greatest dimension shall be excluded from fill material. (reloc. 7-12-05)~~

~~(5) Compaction, as specified above, shall be obtained by the use of sheepsfoot rollers, multiple wheel pneumatic-tired rollers, or other equipment approved by the soils engineer. Granular fill shall be compacted using vibratory equipment or other equipment approved by the soils engineer. Compaction of each layer shall be continuous over the entire area. Compaction equipment shall make sufficient passes to attain the required density set forth in the Compaction Table. (am. 7-12-05)~~

COMPACTION TABLE				
Soil Classification (AASHTO M-145 and Unified)	Depth of Fill	AASHTO O-T-99 Minimum Relative Compaction (Percent)	AASHTO T-180 Minimum Relative Compaction (Percent)	Moisture Percent of Optimum

CL, CH, SC, SM	0- 20	95		-1,+3
A-6, A-7, A-2- 6, A-2-7	>20 *	100		-2,+2
A-1 through A- 5	0- 20	95	90	-3,+3
(except A-2-6 and A-2-7) and all others	>20 *	100	95	-3,+3
*Portion of fill which exceeds 20 feet in depth.				

~~(6) Moisture density curves shall be constructed for each predominant soil type encountered. Maximum dry density and optimum moisture for materials found in the field which are of limited extent and amounts, and which are not representative of predominant soil types, may be estimated based upon a one-point curve. (reloc. 7-12-05)~~

~~h. Density Tests: Field density tests shall be made by the soils engineer at locations and depths of their choosing unless otherwise specified by Transportation and Engineering. At least one (1) test shall be taken for each 2,000 cubic yards with a minimum of 4 tests for overlot grading. At least one (1) test per 200 cubic yards is required for structure backfill with a minimum of one (1) test. When performing compaction testing along proposed street/road alignments for subgrade sub-excavation or for completed embankment work, at least one (1) test every 200 feet shall be required for each compacted layer. For utility main pipes, at least one (1) compaction test every 100 feet shall be required for each compacted layer. Lateral pipes shall have the at least one (1) compaction test for each layer for every third lateral. Where sheepsfoot rollers are used, the soil may be disturbed to a depth of several inches. Density tests shall be taken in compacted material below the disturbed surface. When density tests indicate the density or moisture content of any layer of fill or portion thereof is below that required, the particular layer or portion shall be reworked until the required density or moisture content has been achieved. The criteria for acceptance of fill shall be as follows: (am. 7-12-05)~~

~~(1) Moisture: The allowable ranges of placement and moisture content given in the Compaction provisions are based on design considerations. The moisture shall be controlled so that moisture content of the compacted earth fill, as determined by tests performed by the soils engineer, shall be within the limits given. The soils engineer shall notify the developer and document when the placement moisture is less than or exceeds the limits specified above, and the developer shall immediately make adjustments in procedures as necessary to maintain placement moisture content within the specified limit. Materials represented by tests falling outside of the optimum moisture content range by a 1/2 percent or less shall be wetted or dried as required and may be approved by the soils engineer without retesting. The maximum number of failing tests which can be rewetted or dried with retesting shall be limited to 3 percent of the total amount of tests taken. All such tests shall be documented in the grading report. (am. 7-12-05)~~

~~(2) Density: Material represented by samples tested having a dry density more than one (1) percent below the minimum relative compaction given in the Compaction provisions shall be rejected. Such rejected materials shall be reworked until a dry density equal to or greater than the minimum relative compaction is obtained as indicated by retests. Materials represented by tests zero (0) to one (1) percent below the minimum relative compaction shall be rerolled and may be approved by the soils engineer without retesting. The maximum number of failing tests which can be rerolled without retesting shall be limited to 3 percent of the total amount of tests taken. All such tests shall be documented in the grading report. (am. 7-12-05)~~

~~(3) Grading Reports: Compaction tests shall be taken under the direct supervision of a geotechnical engineer. The geotechnical engineer or his designated representative shall observe grading activities on a full time basis and shall take sufficient compaction tests to enable the engineer to determine that the site is ready for the intended uses and shall so state on the compaction report. Compaction reports shall be signed and sealed and dated by a registered professional engineer. Compaction reports shall include the moisture density curves, location of test sites, soil type(s), density results, type of test and if a failing test, retesting of the site. The engineer shall provide a complete set of all tests and observations and a report stating that the grading activities have been completed in substantial conformance with the approved grading plan and the requirements of this Section. A Certificate of Compliance will not be issued until a compaction report is submitted which shows conformance to the applicable grading requirements. (reloc. 7-12-05)~~

~~7. Slope Standards~~

~~a. General: All grading and excavation work shall be in accordance with the approved grading plans, Zoning Resolution and the Jefferson County Transportation Design and Construction Manual. (am. 7-12-05; am. 11-24-15)~~

~~b. Construction~~

~~(1) Cut slopes (i.e., excavated slopes) shall be no steeper than two (2) horizontal to one (1) vertical. (am. 7-12-05)~~

~~(2) Fill slopes shall not exceed two (2) horizontal to one (1) vertical. (am. 7-12-05)~~

~~(3) All permanent cut and fill slopes shall be constructed at slopes which ensure long term slope stability and will not cause accelerated erosion. (reloc. 7-12-05)~~

~~(4) The tops and toes of cut and fill slopes shall be set back from property boundaries as far as necessary for safety of the adjoining properties and to prevent damage resulting from water run-off or erosion of the slope. The tops and toes of cut and fill slopes shall be set back from structures as far as it is necessary for adequacy of foundation support and to prevent damage as a result of water run-off or erosion of the slopes. In general, the height of the cut or fill slope is related to the setback requirements as follows. (reloc. 7-12-05)~~

~~Height of cut or fill slope~~

~~3~~

~~= Setback (minimum setback is 7 feet)~~

~~(5) Terraces at least eight (8) feet in width shall be established at not more than 30-foot vertical intervals to control surface drainage and debris. (am. 7-12-05)~~

~~(6) At least a two (2) percent gradient shall be maintained from building pads to drainage facilities. (am. 7-12-05)~~

~~8. Exemptions~~

~~a. Excavation below finished grade and foundation wall backfill for basements and footings of a building, retaining wall, or other structures authorized by a valid building permit are exempt from these specifications. With the exception of foundation wall backfill, this shall not exempt any fill made with the material from such excavation nor exempt any excavation having an unsupported height greater than five (5) feet after the completion of such structure. (am. 7-12-05)~~

~~b. Cemetery graves. (reloc. 7-12-05)~~

~~c. Refuse disposal sites which are permitted by Public Health and the Colorado Department of Public Health and Environment. (reloc. 7-12-05; am. 12-21-10)~~

~~d. Excavations for wells, tunnels, or utilities. (reloc. 7-12-05)~~

~~e. Mining operations which are permitted by Jefferson County. (reloc. 7-12-05)~~

~~f. Exploratory excavations. (reloc. 7-12-05)~~

~~g. Excavations which are less than two (2) feet in depth, or which do not create a cut slope greater than five (5) feet in heights and steeper than one (1) and 1.5 horizontal to one (1) vertical. (am. 7-12-05)~~

~~h. Fills less than two (2) feet in depth, and placed on natural terrain with a slope flatter than 5 horizontal to one (1) vertical, or less than three (3) feet in depth, not intended to support structures, which do not exceed 200 cubic yards on any one (1) lot and do not obstruct a drainage course. (am. 7-12-05)~~

PROPOSED REGULATIONS CLEAN

Section 16: Land Disturbance

(orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 10-12-04;
am. 4-20-10; am. 11-20-12; am. 6-1-19)

A. Purpose

The purpose of this section is to:

1. Protect the water quality of the County's drainageways and surface waters; (orig. 10-12-04; am. xx-xx-xx)
2. Protect life, property and the environment from loss, injury and damage by stormwater runoff, erosion, sediment transport, ponding, flooding, landslides, accelerated soil creep, settlement and subsidence, excessive dust, and other potential hazards caused by grading, construction activities, and denuded soils; (orig. 10-12-04)
3. Allow a temporary land use for land disturbance activities; and (orig. 8-25-86; am. 9-24-91; am. 3-23-99; am. 10-12-04)
4. Establish performance standards to:
 - a. Define grading, drainage, erosion and sediment control, and waste disposal requirements; (orig. 10-12-04)
 - b. Ensure mitigation of adverse impacts; and (orig. 10-12-04)
 - c. Ensure the reclamation of disturbed land. (orig. 10-12-04)

B. General Provisions

1. Performance Standards

All Land Disturbance Activities must conform to the performance standards as detailed in this section. These standards apply whether or not a Land Disturbance Permit is required. (orig. 10-12-04; am. xx-xx-xx)

2. Activities Requiring a Land Disturbance Permit (Grading Permit or Notice of Intent):

It shall be unlawful for any person, firm or corporation to do or authorize any land disturbance in the unincorporated area of Jefferson County without first obtaining a Land Disturbance Permit from the County to authorize temporary land disturbance activities unless specifically exempted by this section. The applicant, the landowner, and the contractor are responsible if a land disturbance activity is not in accordance with the performance standards, or if a land disturbance activity is undertaken beyond the scope of the Land Disturbance Permit without County approval. Land disturbance activities must be completed in compliance with the approved plans. (orig. 8-25-86; am. 9-24-91; 8-8-95; am. 3-23-99; am. 12-17-02; am. 10-12-04; am. xx-xx-xx)

- a. Land Disturbance Activities that require a Grading Permit include the following: (orig. 10-12-04; am. xx-xx-xx)
 - (1) A Grading Permit is required if one of the following apply:
 - (a) The disturbed area is equal to or greater than 0.5 acres. (orig. 6-1-19; am. xx-xx-xx)
 - (b) When 5,000 or more cubic yards of earthen material is stored on a property and the material is not actively being used on said property. An active use would be construction associated with an active building permit for a primary structure. (orig. xx-xx-xx)
- b. Land disturbance activities that require a Notice of Intent to be submitted with, or in advance of, a Building Permit application include the following: (orig. 10-12-04; am. 6-1-19; am. xx-xx-xx)
 - (1) Land disturbance in accordance with lot grading, erosion and sediment control plans approved with plats; (orig. 10-12-04; am. 11-24-15; am. 6-1-19) or
 - (2) Land disturbance associated with new start building permits for primary structures. (orig. 6-1-19)
 - (3) This Notice of Intent process shall only apply to Land Disturbance Activities that meet the regulatory requirements, including all performance standards related to grading, drainage and circulation; otherwise, a Grading Permit is required. (orig. 6-1-19; am. xx-xx-xx)

3. Activities exempt from the Requirement for a Grading Permit

Land disturbance activities that are exempt from Grading Permit requirements shall comply with the specific requirements, if any, listed in the applicable exemption provision below. In addition, land disturbance associated with activities listed within this exemption section must still be in compliance with the performance standards set forth in this section, unless specifically stated otherwise. The applicant, landowner and the contractor are responsible if land disturbance activity is not in accordance with these performance standards. The following land disturbance activities are permissible without obtaining a Grading Permit: (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 3-23-99; am. 10-12-04; am. 4-20-10; am. 6-1-19; am. xx-xx-xx)

- a. Projects which involve less than 0.5 acres of disturbed area. Individual lots in subdivision developments under the same ownership, involving less than 0.5 acres of disturbed area, shall not be considered separate projects if they are contiguous or within 0.25 mile of each other. Any series of related projects or connected projects on one site, which together exceed the 0.5 acre limitation shall be considered a single project and shall be required to obtain a Grading Permit. (orig. 9-24-91; am. 12-17-02; am. 10-12-04; am. 7-12-05; am. 11-24-15; am. 6-1-19)
- b. Land disturbance work being done pursuant to and in conformance with an approved grading plan in conjunction with an approved recorded Plat, Site Development Plan, Minor Adjustment or Exemption from Platting. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 4-27-04; am. 10-12-04)
- c. Tillage of agricultural land is exempt from all permit requirements. Agricultural uses of land zoned agricultural, other than tillage, which disturb greater than 0.5 acres is exempt from the filing requirements, provided a conservation plan for the proposed grading activities using the United States Department of Agriculture Soil Conservation Service standards is approved by the Jefferson Conservation District. A copy of the conservation plan shall be submitted to Planning and Zoning prior to the commencement of grading activities. The County may enforce the conditions of the conservation plan under the enforcement provisions of this section. (orig. 9-24-91; am. 8-8-95; am. 12-17-02; am. 4-27-04; am. 11-24-15; am. 6-1-19; am. xx-xx-xx)
- d. Trenching incidental to the construction, maintenance and installation of approved underground pipelines, electrical or communication facilities, and drilling or excavation for approved wells if the total area of land disturbance is less than one acre. Construction activities associated with the installation of the onsite wastewater treatment system (OWTS) shall not be exempt. Construction of access required to complete the trenching or for future maintenance shall not be exempt. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 10-12-04; am. 4-20-10; am. 11-20-12; am. 11-24-15; am. xx-xx-xx)
- e. Land disturbance for utility installation or maintenance within a County owned or County maintained Right-of-Way if the total area of land disturbance is less than one acre. These activities require a County Right-of-Way and Construction Permit. (orig. 8-8-95; am. 10-12-04; am. 11-20-12)
- f. Land disturbance or excavations in accordance with plans incorporated in a mining permit, reclamation plan or sanitary landfill approved by the County. (orig. 8-25-86; am. 9-24-91; am. 12-17-02; am. 10-12-04)
- g. County capital improvement or County maintenance projects within Right-of-Way or County property if the total area of land disturbance is less than one acre. (orig. 12-17-02; am. 10-12-04; am. 11-20-12; am. xx-xx-xx)
- h. Maintenance and cleaning of existing ditches, lakes, ponds, storm sewer system, and water storage reservoirs with a total area of land disturbance is less than one acre. (orig. 8-25-86; am. 10-12-04; am. 6-1-19)
- i. Land disturbance for culvert installation or maintenance within a County owned, public ROW or County maintained Right-of-Way if the total area of land disturbance is less than one acre and the culvert is intended to convey stormwater only. (orig. 6-1-19)
- j. Maintenance and resurfacing of existing streets/roads, runways, sidewalks/trail systems, parking lots/loading areas, and railroad beds. (orig. 9-24-91; am. 10-12-04)
- k. Performance of emergency work necessary to prevent or mitigate an immediate threat to life or property when an urgent necessity arises. The person performing such emergency work shall notify Planning and Zoning promptly of the problem and work required. If the emergency work would not otherwise be exempt from a Grading Permit, a Grading Permit shall be obtained as soon as possible.

(orig. 8-25-86; am. 9-24-91, 8-8-95; am. 4-27-04; am. 10-12-04; am. 5-20-08)

- l. Enlargements to parking areas less than 0.5 acre larger than the original area of existing parking facilities for commercial, industrial and institutional uses. Stormwater detention and water quality must be provided for in accordance with the Storm Drainage Design and Technical Criteria Manual. (orig. 4-27-04; am. 10-12-04; am. 11-24-15; am. 6-1-19)
- m. Land disturbance for natural surface trails that are less than one acre are exempt. Land disturbance over one acre associated with the construction of natural surface trails shall follow the procedure outlined below prior to commencement of any trail construction. The land disturbance associated with the construction of natural surface trails shall conform with the performance standards of this section and the current Jefferson County Natural Surface Trail Guide. (orig. 4-20-10; am. 11-20-12; am. 11-24-15; am. 7-17-18)
 - (1) Plans are submitted showing the location and overall scope of the trail construction project, including a description of the proposed construction phasing. (orig. 4-20-10; am. 7-17-18)
 - (2) A detailed construction schedule is provided for each phase of the construction project. (orig. 4-20-10)
 - (3) The applicant proposes a construction guide that includes typical construction procedures that will be used during the construction of trails, including erosion and sediment control measures. (orig. 4-20-10)
 - (4) Planning and Zoning has reviewed the construction guide and has determined that the construction procedures will be sufficient to assure compliance with the grading performance standards of this section, and state or county erosion and sediment control standards. (orig. 4-20-10)
 - (5) The applicant shall stake the proposed trail alignment and shall coordinate a site visit with County Staff to review the alignment. If Staff identifies areas where trail alignment should be adjusted to assure conformance with the performance standards and the construction guide, then a new plan showing the new alignment shall be submitted. (orig. 4-20-10)
 - (6) The applicant agrees to implement the construction procedures identified within the guide and agrees that the county has the authority to inspect and require field alterations if the typical construction procedures identified in the guide are not being properly implemented. The applicant also agrees that failure to implement the construction standards of the guide or the field alterations directed by Planning and Zoning may result in the issuance of a zoning violation in accordance with this Resolution; and may result in the exemption from the grading permit requirements being revoked for future phases of the trail construction project. (orig. 4-20-10)
 - (7) The applicant submits the standard Grading Permit fee to cover the cost of the review and approval of the construction guide, and the inspection of each phase of the construction process. (orig. 4-20-10)

The procedures outlined in this section shall not apply to trail construction in special flood hazard areas that have been identified as a part of the Jefferson County Floodplain Overlay District. The appropriate floodplain development permit and grading permit will be required for construction activities occurring within special flood hazard areas. (orig. 4-20-10; am. 6-1-19)

- n. Any work within State or Federal lands including Rights-of-Way and/or permanent easements held by said agencies. This exemption does not relieve these entities from completing a floodplain development permit in accordance with the Floodplain Overlay District Section of this regulation. (orig. 7-17-18)
 - o. Onsite disturbance through the Land Disturbance Permit may not be required for properties that are covered by a separate Municipal Separate Storm Sewer System (MS-4) permit through the State of Colorado, as determined by Planning & Zoning. (reloc. and am. 5-21-19)
- 4. Exemptions, Waivers, Variances and/or Exclusions

Any exclusions, exemptions, waivers, and variances included in the regulatory mechanism must comply with the terms and conditions of the MS4 Permit (COR090000). (orig. 6-1-19)
 - 5. Denial of other Permits

Building Permits or Certificate of Occupancy shall not be issued while an unresolved grading, drainage or floodplain violation is ongoing on the subject property or within a common plan of development. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 12-17-02; am. 7-17-18; am. 6-1-19; am. xx-xx-xx)

6. Permission of other Agencies or Owners

The issuance of a Grading Permit or the submission of a Notice of Intent shall not relieve the applicant of the responsibility for securing other permits or approvals required by any other division or agency of Jefferson County or other public agency or for obtaining any easements or authorization to work within an existing easement or for removing or transporting earth materials on property not owned by the applicant. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 12-17-02; am. 4-27-04; am. 10-12-04; am. xx-xx-xx)

7. Construction and Permits

For construction within County Right-of-Way, the Grading Permit or Notice of Intent must be accompanied by an Access Permit and/or a Right-of-Way Use and Construction Permit in accordance with plans approved by the County. For construction outside of County Right-of-Way, the Grading Permit must be accompanied by a Construction Permit in accordance with the plans approved by the County. The applicant shall obtain applicable permits from the County prior to commencing field work. All other applicable requirements shall be followed including the Transportation Design and Construction Manual. (orig. 8-8-95; am. 12-17-02; am. 10-12-04; am. 11-24-15; am. 7-17-18; am. xx-xx-xx)

8. Liability

Neither the issuance of a Grading Permit nor the submission of a Notice of Intent under the provisions of this section nor compliance with the provisions hereof or with any conditions imposed in this section shall relieve the applicant from responsibility for damage to any person or property or impose any liability upon the County for damage to any person or property. (orig. 8-25-86; am. 12-17-02; am. 10-12-04)

9. Restricted Activities

- a. No blasting, processing, crushing, or off-site hauling or other similar treatment of a commercial mineral deposit may occur in the permit area. (orig. 9-24-91; am. 10-12-04)
- b. Any activity to construct any street/road to be dedicated to the County shall be undertaken pursuant to the Land Development Regulation and the Transportation Design and Construction Manual and in accordance with plans approved by the County. (orig. 9-24-91; am. 8-8-95; am. 3-23-99; am. 12-17-02; am. 10-12-04; am. 11-24-15)
- c. No Grading Permit shall be issued for any land disturbance activity which exceeds the minimal amount of grading necessary for the uses legally allowed at the time of permit application. Land disturbance activities for uses that require rezoning are unlawful. (orig. 8-8-95; am. 3-23-99; am. 10-12-04)
- d. When there is a grading plan approved in conjunction with a Plat, Site Development Plan, Minor Adjustment or an Exemption from Platting, it shall be unlawful to grade in a manner that is not consistent with the approved grading plan. (orig. 8-8-95; am. 3-23-99; am. 10-12-04; am. 7-17-18)
- e. Any construction or development activity in a drainage easement or tract must either be in compliance with the original approved drainage report or comply with the Storm Drainage Design and Technical Criteria. (orig. 10-12-04)

10. Grading Concurrent with Platting

- a. When a property is in a platting process, grading activities may commence prior to Plat approval by the Board of County Commissioners provided all of the following conditions are satisfied: (orig. 3-23-99; am. 10-12-04)
 - (1) The zoning is final and recorded. (orig. 3-23-99)
 - (2) The subdivision proposal has received Planning Commission a recommendation of approval by the Planning Commission. (orig. 3-23-99; am. 10-12-04)
 - (3) The grading and sediment and erosion control plans have received staff approval, either through the Final or Preliminary and Final Plat process. The grading plans shall not include permanent facilities such as curb, gutter, sidewalk, asphalt, etc. The installation of drainage facilities is allowed as approved by Planning and Zoning. (orig. 3-23-99; am. 10-12-04; am. 11-24-15)

- (4) The Final Plat application has been received and accepted as complete by staff or the Planning Commission has recommended approval of the Preliminary and Final Plat. (orig. 3-23-99; am. 10-12-04; am. 11-24-15)
 - (5) Grading within a Floodplain Overlay District may be permitted if a Floodplain Development Permit has been issued. (orig. 3-23-99; am. 12-17-02; am. 10-12-04; am. 11-24-15; am. 7-17-18)
 - (6) No waivers or alternative standards/requirements or variances related to grading requirements are being requested or are necessary in conjunction with the Final or Preliminary and Final Plat application. (orig. 3-23-99; am. 10-12-04; am. 11-24-15)
 - (7) The applicant has submitted a letter to the County indicating a request to commence land disturbance activities prior to Final or Preliminary and Final Plat approval and acknowledging that grading prior to Platting is done at their own risk, that grading changes may be required upon Final or Preliminary and Final Plat approval, and that the County shall not be held responsible for changes emanating from or costs associated with any changes that may be required as a result of Final or Preliminary and Final Plat approval. (orig. 3-23-99; am. 12-17-02; am. 10-12-04; am. 11-24-15)
 - (8) A Performance Guarantee has been accepted by the County in accordance with the Land Development Regulation. (orig. 10-12-04)
 - b. When grading activities are authorized prior to Plat approval by the Board of County Commissioners, the grading shall comply with the Land Development Regulation and with any previously approved grading plans. (orig. 3-23-99; am. 12-17-02; am. 10-12-04; am. 11-24-15)
 - c. Any land disturbance activity permitted pursuant to this section may be subject to additional requirements or alterations depending on approval conditions imposed by the Board of County Commissioners during the Plat review. (orig. 3-23-99; am. 10-12-04)
11. Grading Concurrent with the Processing of a Site Development Plan or Minor Adjustment
- a. When a property is in a Site Development Plan or Minor Adjustment process, grading activities may commence prior to approval by Planning and Zoning provided all of the following conditions are satisfied: (orig. 11-24-15; am. 7-17-18)
 - (1) The zoning is final and recorded. (orig. 11-24-15)
 - (2) The grading and sediment and erosion control plans have received staff approval. The grading plans shall not include permanent facilities such as curb, gutter, sidewalk, asphalt, etc. The installation of drainage facilities is allowed as approved by Planning and Zoning. (orig. 11-24-15)
 - (3) Grading within a floodplain overlay district may be permitted if a Floodplain Permit has been issued. (orig. 11-24-15; am. 7-17-18)
 - (4) No alternate standards/requirements or variances related to grading requirements are being requested or are necessary in conjunction with the Minor Adjustment or Site Development Plan application. (orig. 11-24-15)
 - (5) The applicant has submitted a letter to the County indicating a request to commence land disturbance activities prior to Minor Adjustment or Site Development Plan approval and acknowledging that grading prior to approval is done at their own risk, that grading changes may be required upon Minor Adjustment or Site Development Plan approval, and that the County shall not be held responsible for changes emanating from or costs associated with any changes that may be required as a result of Minor Adjustment or Site Development Plan approval. (orig. 11-24-15)
 - (6) A Performance Guarantee has been accepted by the County in accordance with the Land Development Regulation. (orig. 11-24-15)
 - b. When grading activities are authorized prior to Minor Adjustment or Site Development Plan approval by Planning and Zoning, the grading shall comply with the Land Development Regulation and with any previously approved grading plans. (orig. 11-24-15; am. 7-17-18)
 - c. Any land disturbance activity permitted pursuant to this section may be subject to additional requirements or alterations depending on approval conditions imposed by Planning and Zoning

during the Minor Adjustment or Site Development Plan review. (orig. 11-24-15; am. 7-17-18)

C. Submittal Requirements

The following submittal documents are required for Land Disturbance Permit Applications. (orig. 8-25-86; am. 7-17-18; am. 6-1-19)

1. An application form signed by the fee simple owner of the property or by the lessee, licensee or easement holder if the activity is to be undertaken pursuant to that interest. Grading Permit, Notice of Intent, and Natural Surface Trail application forms are available from Planning and Zoning. (orig. 10-12-04; am. 5-20-08; am. 6-1-19)
2. A cover letter describing the proposed activities. Not Required for Notice of Intent Applications. (orig. 10-12-04; am. 5-20-08; am. 6-1-19)
3. A nonrefundable application fee in an amount established by the Board of County Commissioners. (orig. 8-25-86; am. 9-24-91; am. 5-3-94)
4. A copy of the recorded deed for the parcel, tract or lot. (orig. xx-xx-xx)
5. Proof of Access in accordance with the Access Standards in the General Provisions and Regulations Section of this Zoning Resolution. (orig. 6-1-19)
6. A grading, erosion and sediment control plan in accordance with the Plans and Specifications of this Section. (orig. 8-25-86; am. 6-1-19)
7. A geologic and/or soils investigation report in accordance with the Plans and Specifications of this Section is required if there are any geological hazards including highly erodible soils or commercial mineral deposits within or immediately adjacent to the grading site or when the final cut or fill slopes are proposed to be steeper than 2H:1V or if infiltration is a component of the drainage system. (orig. 8-25-86; am. 9-24-91, 8-8-95; am. 12-17-02; am. 10-12-04; am. 6-1-19; am. xx-xx-xx)
8. A drainage report or drainage letter in conformance with the requirements of the Storm Drainage Design and Technical Criteria. (orig. 10-12-04; am. 11-24-15; am. 6-1-19; am. 12-17-19)
9. Construction plans, details and supporting calculations for retaining walls, if applicable, in accordance with the Performance Standards of this Section. For Notice of Intent Applications, the applicant will need to apply for a separate miscellaneous permit for retaining walls greater than 36 inches high. (orig. 10-12-04; am. 6-1-19)
10. Drainage Easements may be required to be dedicated to the County for all permanent control measures. The applicant shall provide a legal description and exhibit (signed and stamped by a Professional Land Surveyor) when applicable. Not Required for Notice of Intent Applications. (orig. 12-17-19)
11. A cost and/or quantity estimate (Exhibit A) in accordance with the Improvement Security requirements of this Section, for all of the work associated with the project. Reference the example Exhibit A on the Planning and Zoning website. Not Required for Notice of Intent Applications. (orig. 10-12-04; am. 7-12-05; am. 7-17-18; am. 6-1-19; am. 12-17-19; am. xx-xx-xx)

Note: An improvements security may be required in accordance with the Security requirements of this Section. The typical improvement security will be a letter of credit or cash escrow. If required the improvement security will need to be submitted prior to approval of the Land Disturbance application. (orig. 10-12-04; am. 7-17-18; am. 6-1-19; 12-17-19)
12. A completed N-1 Form stating that the proposed construction and grading are in conformance with the Land Disturbance requirements of this Section and, if applicable, the approved overall grading plan for the subdivision. Only Required for Notice of Intent Applications. (orig. 6-1-19)

Note: A completed N-2 Form is required prior to issuance of a Certificate of Occupancy. (orig. 6-1-19)

D. Procedures

1. Notice of Intent Procedures: A Notice of Intent (NOI) shall be submitted with, or in advance of, a building permit application for a primary structure that depicts the phased grading, erosion and sediment control measures for that lot/parcel. The NOI shall certify that the Plans are in conformance with the Jefferson County Zoning Resolution (ZR), the Land Development Regulation (LDR), the Storm Drainage Design and Technical Criteria (SDDTC), and The Transportation Design and Construction Manual (TDCM). Any requests for relief of these standards shall require the submittal of a Grading Permit. If applicable, the NOI shall state that the project will be in conformance with the approved construction documents with that

subdivision. A completed Form Letter N-1 stating that the proposed construction and grading are in conformance with the approved overall grading plan and Land Disturbance Performance Standards shall be submitted to Planning & Zoning prior to issuance of the Building Permit. Form Letter N-1 shall be completed by a Colorado registered professional engineer. (orig. 6-1-19; am. xx-xx-xx)

Process Steps	Processing Time Frames	
Process from Plan Submittal to Acceptance of NOI		
Plan Submittal Intake	7 calendar days (Staff confirms the land disturbance permit qualifies as an NOI and required submittal items have been received)	Example timeframe: 19 Days to acceptance of NOI if processing time frames are met. May take longer if issues arise.
Applicant Action is Required	Varies, 5 calendar days used for example timeframe	
Plan Resubmittal and NOI Acceptance	7 calendar days (Staff confirms required submittal items have been received)	
Final Close Out		
Permit Monitoring until submittal of N-2	2 years maximum	

Plan Submittal Intake

a. Sufficiency Review:

The applicant shall electronically submit all the applicable documents identified in the Submittal Requirements of this Section as a complete package, and not in a fragmentary manner for review by the Case Manager. (orig. xx-xx-xx)

The Case Manager shall have 7 calendar days to review the submittal and either accept the application or respond to the applicant explaining any deficiencies in the submittal documents (including the appropriate application fees). A submittal that is not complete in terms of the type of documents required will not be accepted. (orig. xx-xx-xx)

Resubmittal Sufficiency Review (if required): The Case Manager shall have 7 calendar days to review the resubmittal and either accept the application or respond to the applicant explaining any deficiencies in the submittal documents. (orig. xx-xx-xx)

Plan Resubmittal and NOI Acceptance:

b. The final documents shall be comprised of the Submittal Requirements of this Section. (orig. xx-xx-xx)

The applicant shall have a maximum of 180 calendar days to respond to the comments from the case manager, or the application will be considered withdrawn. The applicant will then have to file a new application with the required fees and documents. The Director of Planning and Zoning may extend this 180-calendar day maximum response deadline for additional 180 calendar day periods if, in his/her opinion, the delay in response is for good cause. (orig. xx-xx-xx)

c. The Case Manager shall have 7 calendar days to review the resubmitted documents and shall accept the application if it is complete in form and has all the required information described in the Notice of Intent N-1 Form that provides certification from a Colorado registered professional engineer stating that the submitted plans are in conformance with the Jefferson County Zoning Resolution (ZR), the Land Development Regulation (LDR), the Storm Drainage Design and Technical Criteria (SDDTC), the Transportation Design and Construction Manual (TDCM), and the notes, restrictions and supporting documents of any associated approved Preliminary and Final Plat. The owner, contractor or engineer shall also certify that the specified control measures will be installed prior to land disturbance and that control measures will be adequately maintained throughout the process and shall sign the N-1 Form. (orig. xx-xx-xx)

Permit Monitoring:

d. Once the work associated with the accepted Notice of Intent is complete, the applicant shall submit a completed N-2 Form which provides certification from a Colorado registered professional engineer

stating that all grading work was completed in conformance with the final accepted Grading, Erosion and Sediment Control (GESC) Plan, Drainage Report and N-1 submitted with the project application. If amendments to the accepted plans were made resulting in grading activities that were not completed in conformance with the final accepted plans, then the N-2 Form shall be submitted in conformance with the Amendments procedure of this Section. (orig. xx-xx-xx)

Permit Limitations:

- e. The permit shall be limited to work shown on the approved plans. Such plans shall contain guidelines, conditions, and/or restrictions as are necessary to comply with the performance standards. At any time during the plan review or in the event unforeseen conditions arise during completion of the project, the County may require revision of the plans as necessary to ensure compliance with the performance standards. (orig. xx-xx-xx)

Amendments:

- f. Modifications to the final accepted plans requires submittal of the revised plans and the completed N-2 Form which provides certification from a Colorado registered professional engineer stating that deviations from the accepted plans have occurred and that the revised plans and work has been completed in conformance with the Jefferson County Zoning Resolution (ZR), the Land Development Regulation (LDR), the Storm Drainage Design and Technical Criteria (SDDTC), the Transportation Design and Construction Manual (TDCM), and the notes, restrictions and supporting documents of any associated approved Preliminary and Final Plat. If the appropriate certification cannot be provided and the modifications to the plans do not conform to the Jefferson County Standards and Regulations for land disturbance permits described in this section, revised plans shall be submitted and reviewed by Planning & Zoning through a Grading Permit Application where requests for relief from standards will be evaluated. (orig. xx-xx-xx)

Validity:

- g. The acceptance of plans and specifications by the County shall not be construed as an approval of any violation of the provisions of this section or of any other applicable laws, rules or regulations and shall not prevent the County from thereafter requiring the correction of errors in said plans and specifications or from preventing work being carried on thereunder in violation of this section or any other applicable law, rule or regulation. The issuance of a Land Disturbance Permit prior to any Plat approval shall in no way bind the Planning Commission or the Board of County Commissioners in the approval or denial of a Plat application, and the applicant's grading activities are at the applicant's risk. (orig. xx-xx-xx)

Time Limits:

- h. The work associated with the permit shall be completed within 2 years of the date of acceptance unless an extension has been granted by Planning and Zoning. A request for an extension shall be submitted in writing no later than 10 calendar days prior to the expiration of the permit. Planning and Zoning may grant an extension to the permit up to 1 year. Additional extensions may be granted by Planning and Zoning to allow the establishment of permanent erosion and sediment control measures. (orig. xx-xx-xx)

2. Grading Permit Procedures: If the applicant complies with all given time frames, submits a complete Grading Permit application and complies with all requirements of this regulation, the estimated time to reach the Determination Phase of the process is 62 calendar days from the date of the 1st referral, depending on the amount of disturbance for the proposed grading activity. (orig. 5-20-08; am. 7-17-18; am. 6-1-19; am. xx-xx-xx)

Process Steps		Processing Time Frames	
Steps prior to 1 st Referral			
Sufficiency Review and Referral Distribution or Deficiency Response		7 calendar days	
Resubmittal Sufficiency Review (if necessary)		7 calendar days	
Process from 1 st Referral to Determination			
1 st Referral and Staff Response		19 calendar days (14 day referral, 5 days for Staff response)	Example timeframe: 62 Days to determination if processing time frames are met. May take
Applicant's Response to 1 st Referral		Varies, 14 calendar	

	days used for example timeframe	longer if issues arise.
Sufficiency Review and Referral Distribution	7 calendar days	
2 nd Referral and Staff Response	12 calendar days (7 day referral, 5 days for Staff response)	
Submittal of Final Documents by applicant	Varies - 10 calendar days used for example timeframe	
Determination		
Determination	5 days	

If an applicant is going to request relief from a standard in the Regulations, then a request for relief of the standard may be submitted for consideration. In order to avoid processing delays, it is recommended that a request for relief from a standard be submitted early in the development process. Requests for relief of a standard are subject to different specific processing timeframes, which may add to the length to the processing of the development application. (orig. 5-20-08; am. 7-17-18; am. 6-1-19)

Notification is required at the time of the 1st Referral in accordance with the notification provisions of this section. (orig. 6-1-19)

Proof of Access: The Director of Planning and Zoning may allow the 1st Referral to be sent without meeting the access criteria proof of access requirements, if in his/her opinion the circumstances related to proving access should be finalized during the processing of the application. (orig. 4-20-10; am. 12-21-10; am. 6-1-19)

Steps Prior to 1st Referral

a. Sufficiency Review and Referral Distribution (1st Referral):

The applicant shall electronically submit all the applicable documents identified in the Submittal Requirements of this Section as a complete package, and not in a fragmentary manner for review by the Case Manager.

The Case Manager shall have 7 calendar days to review the submittal and either send the application out on referral or respond to the applicant explaining any deficiencies in the submittal documents (including the appropriate referral fees). A submittal that is not complete in terms of the type of documents required will not be sent out on referral. (orig. 7-17-18; am. xx-xx-xx)

Resubmittal Sufficiency Review (if required): The Case Manager shall have 7 calendar days to review the resubmittal and either send the application out on referral or respond to the applicant explaining any deficiencies in the submittal documents. (orig. 7-17-18; am. xx-xx-xx)

Process from 1st Referral to Determination

b. 1st Referral and Staff Response:

The referral agencies shall have 14 calendar days to respond in writing to the application. An extension of no more than 30 calendar days may be agreed to by the applicant. (orig. 5-20-08; am. 7-17-18; am. 6-1-19)

The Case Manager shall have 5 calendar days, after the end of the referral period, to provide the applicant with a Staff response inclusive of other referral responses. The response from the Case Manager will include an opinion as to whether the case should proceed forward to the Final Documents phase or if revised documents should be submitted for a subsequent referral process. (orig. 5-20-08; am. 7-17-18)

c. Applicant's Response to 1st Referral:

For the application to be processed in accordance with the example timeframe in the table above, the applicant shall have 14 Calendar days to address in writing any issues identified by the Case Manager or any referral agency and resubmit revised documents for the 2nd referral. (orig. 5-20-08; am. 7-17-18)

Regardless of the example timeframe, the applicant shall have a maximum of 180 calendar days to respond to the referral comments or the application will be considered withdrawn. The applicant will then have to file a new application with the required fees and documents. The Director of Planning and Zoning may extend this 180 calendar day maximum response deadline for additional 180 calendar day periods if, in his/her opinion, the delay in response is for good cause. (orig. 5-20-08;

am. 12-21-10; am. 7-17-18)

d. Sufficiency Review and Referral Distribution (2nd Referral):

The Case Manager shall have 7 calendar days to review the submittal and either send the application out on referral or respond to the applicant explaining any deficiencies in the submittal documents. A submittal that is not complete in terms of the type of documents required will not be sent out on referral. All resubmittal documents shall be submitted as a complete package, and not sent in a fragmentary manner. (orig. 7-17-18; am. xx-xx-xx)

Resubmittal Sufficiency Review (if required): The Case Manager shall have 5 calendar days to review the resubmittal and either send the application out on referral or respond to the applicant explaining any deficiencies in the submittal documents. (orig. 7-17-18)

e. 2nd Referral and Staff Response:

The referral agencies shall have 7 calendar days to respond in writing to the 2nd referral. An extension of no more than 30 calendar days may be agreed to by the applicant. (orig. 5-20-08; am. 7-17-18)

The Case Manager shall have 5 calendar days after the end of the referral period to provide the applicant with a Staff response inclusive of referral agency responses. The response from the Case Manager will include an opinion as to whether the case should proceed forward to the Final Documents phase or if revised documents should be submitted for a subsequent referral process. (orig. 7-17-18)

f. Applicant's Response to 2nd Referral Comments:

The applicant shall have a maximum of 180 calendar days to respond to the referral comments, or the application will be considered withdrawn. The applicant will then have to file a new application with the required fees and documents. The Director of Planning and Zoning may extend this 180 calendar day maximum response deadline for additional 180 calendar day periods if, in his/her opinion, the delay in response is for good cause. (orig. 5-20-08; am. 12-21-10; am. 7-17-18)

g. Additional Referrals and Responses:

For the 3rd Referral, and for any subsequent referrals thereafter, the processing of the application shall follow the same steps identified above in the Sufficiency Review and Referral Distribution (2nd Referral) process, the 2nd Referral and Staff Response process and the Applicant's Response to 2nd Referral process. (orig. 5-20-08; am. 7-17-18)

h. Final Documents:

The final documents shall be comprised of the stamped and signed grading plans and other final documents as identified by the Case Manager. In addition to submitting the final documents electronically, the applicant shall submit hard copies of the plans as specified in the case managers response to the last referral. (orig. 5-20-08; am. 6-1-19)

The applicant shall have a maximum of 180 calendar days to respond to the comments from the case manager, or the application will be considered withdrawn. The applicant will then have to file a new application with the required fees and documents. The Director of Planning and Zoning may extend this 180-calendar day maximum response deadline for additional 180 calendar day periods if, in his/her opinion, the delay in response is for good cause.

i. Determination:

The Case Manager shall have 5 calendar days to review the Final Documents and shall approve, conditionally approve or deny the application. An application shall be approved if it is complete in form, has all required information, includes appropriate control measure for all stages of construction, including final stabilization, the control measures meet the requirements of the MS4 Permit and the provisions of this section. Otherwise, it shall be denied. Any approval or denial shall be in writing with the reasons for denial specifically identified. Annotations on the plans shall be considered sufficient detail of the reasons for denial. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 12-17-02; am. 4-27-04; am. 10-12-04; am. 6-1-19).

j. Request for Reconsideration:

If an application is denied or conditionally approved, the applicant may request in writing, within 21 calendar days after the decision, a reconsideration of the decision by Planning and Zoning. The request for reconsideration shall state specific reasons or changes for the reconsideration. Planning

and Zoning shall act upon the request for reconsideration within 10 working days of its receipt. Failure to act shall constitute denial of the request for reconsideration. No appeal to the Board of Adjustment shall be permitted unless a request for reconsideration was previously filed and denied. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 12-17-02; am. 4-27-04; am. 5-20-08)

k. Appeals:

If Planning and Zoning denies the request for reconsideration, the applicant may submit a written appeal to the Board of Adjustment. The appeal must be received by the secretary of the Board of Adjustment within 30 calendar days of the date of denial. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 12-17-02; am. 4-27-04; am. 10-12-04; am. 12-14-04; am. 5-20-08)

l. Permit Limitations:

The permit shall be limited to work shown on the approved plans. Such plans shall contain guidelines, conditions, and/or restrictions as are necessary to comply with the performance standards. At any time during the plan review or in the event unforeseen conditions arise during completion of the project, the County may require revision of the plans as necessary to ensure compliance with the performance standards. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 3-23-99; am. 12-17-02; am. 10-12-04; am. 5-20-08)

m. Amendments:

Modifications to the approved plans are subject to an Administrative Review process. Modifications shall comply with the Plans and Specifications requirements and the performance standards as outlined in this Section, unless relief is granted through the appropriate process. (orig. 8-25-86; am. 3-23-99; am. 10-12-04; am. 7-17-18; am. 6-1-19)

n. Validity:

The approval of plans and specifications shall not be construed as an approval of any violation of the provisions of this section or of any other applicable laws, rules or regulations and shall not prevent the County from thereafter requiring the correction of errors in said plans and specifications or from preventing work being carried on thereunder in violation of this section or any other applicable law, rule or regulation. The issuance of a Grading Permit prior to any Plat approval shall in no way bind the Planning Commission or the Board of County Commissioners in the approval or denial of a Plat application, and the applicant's grading activities are at the applicant's risk. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 12-17-02; am. 10-12-04)

2. Grading Permit Inspections

- a. Upon approval by Planning and Zoning, the approved plans will be referred to an Engineering Inspector for permit issuance. (orig. 10-12-04; am. 5-20-08; am. 4-20-10; am. 7-17-18)
- b. The County may inspect the site and perform any necessary tests from time to time to ensure compliance with the permit conditions. (orig. 7-17-18).
- c. Final inspections shall confirm that the completed structural and/or non-structural water quality control measure operates in accordance with the approved plans. (orig. 6-1-19)
- d. All applicable development sites must have operational permanent water quality control measures at the completion of the site. In the case where permanent water quality control measures are part of future phasing, the permittee must have a mechanism to ensure that all control measures will be implemented, regardless of completion of future phases or site ownership. In such cases, temporary water quality control measures must be implemented as feasible and maintained until removed or modified. All temporary water quality control measure must meet one of the design standards in the MS4 Permit. For the purpose of this section, completion of a site or phase shall be determined by the issuance of a certificate of occupancy, use of the completed site area according to the site plan, payment marking the completion of a site control measure, the nature of the selected control measure or equivalent determination of completion as appropriate to the nature of the site. (orig. 6-1-19)
- e. Time Limits: The work associated with the permit shall be completed within 2 years of the date of permit issuance, unless an extension has been granted by Transportation and Engineering. A request for an extension shall be submitted in writing no later than 10 calendar days prior to the expiration of the permit. Transportation and Engineering may grant an extension to the permit up to 1 year. Additional extensions may be granted by Transportation and Engineering to allow the

establishment of permanent erosion and sediment control measures. (orig. 8-25-86; am. 9-24-91; am. 8-8-94; am. 3-23-99; am. 12-17-02; am. 10-12-04; am. 5-20-08; am. 10-13-09; am. 7-17-18)

E. Plans and Specifications

1. Grading, Erosion and Sediment Control Plan

The proposed grading, erosion and sediment control plan and specifications shall demonstrate compliance with the performance standards and shall be prepared on sheets 24 inches by 36 inches, or as otherwise approved by Planning and Zoning, and stamped and signed by a Colorado registered professional engineer. (orig. 8-25-86; am. 9-24-91; am. 10-12-04; am. 7-17-18; am. 6-1-19)

For graded areas between 0.5 and one acre, the County may waive the requirement for a topographic map and the requirement that the grading plans be prepared, stamped and signed by a Colorado registered professional engineer, where the applicant demonstrates an engineered grading plan and/or topographic map is not necessary to comply with the performance standards set forth herein. (orig. 9-24-91; am. 8-8-95; am. 12-17-02; am. 10-12-04; am. 7-17-18; am. 6-1-19)

The grading, erosion and sediment control plan shall include the following unless waived or exempted by Planning and Zoning herein. (orig. 8-25-86; am. 9-24-91; am. 10-12-04; am. 7-17-18; am. 6-1-19)

- a. A map which shows the items listed below. Acceptable map scales are 1 inch to 10, 20, 30, 40, 50, 60 or 100 feet. (orig. 8-25-86; am. 9-24-91; am. 10-12-04)
 - (1) A vicinity map (not to scale) indicating the location of the site relative to the principal roads, lakes or dams, and watercourses in the area. (orig. 8-25-86; am. 9-24-91)
 - (2) A title block which includes the title of the Grading Plan, purpose and nature of the grading project and, if applicable, states the use of earth material to be removed from the site. The name of the engineer who prepared the plans should also be included in the title block. (orig. 8-25-86; am. 9-24-91)
 - (3) The complete site boundary and locations of any easements and Rights-of-Way traversing and adjacent to the property, appropriately labeled and dimensioned. (orig. 8-25-86)
 - (4) The location of existing roads, buildings, wells, pipelines, watercourses and other structures, facilities and features of the sites, and the location of all improvements on adjacent land within 50 feet of the site's boundary. (orig. 8-25-86)
 - (5) The location and nature of known or suspected highly erodible soils or geologic hazard areas. (orig. 8-25-86; am. 9-24-91)
 - (6) A topographic map which shows the affected area. The map shall show affected areas outside the permit boundaries, such as drainages. Contour lines shall be at 5-foot intervals or at an interval of greater detail if necessary to accurately show topographic features and drainage patterns, and the configuration of the ground before and after grading. The existing and final contours shall be shown at 2-foot intervals for subdivisions within the plains area and contours at 5-foot intervals for subdivisions within the mountain areas including the method utilized to obtain all contour intervals. Contours shall be accurate to within one-half (1/2) contour interval and elevations shall be based on United States Geologic Survey (USGS) sea level datum. Except for access permits, USGS quad maps shall not be accepted as evidence for topographic contours. (orig. 8-25-86; am. 9-24-91; am. 3-23-99; am. 10-12-04; reloc. xx-xx-xx)
 - (7) The location, extent and finished surface slopes of all final cut and fill lines. (orig. 8-25-86)
 - (8) The 100-year flood plain boundaries. (orig. 8-25-86)
 - (9) The location of any existing or proposed flood control facilities, wells or Onsite Wastewater Treatment System in the vicinity of the permit area. Temporary access to the well and Onsite Wastewater Treatment System shall be depicted. (orig. 8-25-86; am. 9-24-91; am. 7-17-18; am. 6-1-19)
 - (10) The location where any earth materials and topsoil will be stockpiled. Include estimated stockpile volume. If the stockpile will reach into adjacent properties, approval from the property owner shall be required. (orig. 8-25-86; am. 9-24-91; am. 7-17-18)
 - (11) The north arrow, the scale, and the date. (orig. 8-25-86)

- (12) The general location and character of vegetative cover on the site and the location of all major rock outcrops. (orig. 8-25-86; am. 9-24-91)
- b. Typical cross sections (not less than two) of all existing and proposed graded areas taken at intervals not exceeding 200 feet and at locations of maximum cuts and fills where such cuts and/or fills exceed 10 feet in height. (orig. 8-25-86; am. 9-24-91)
- c. A table of the volume of cut, volume of fill, volume of material to be exported offsite, the steepest proposed slopes, the total area of land disturbance, the existing impervious area, the proposed impervious area (total impervious area for the site) and the area of land disturbance treated by a water quality control measure per the SDDTC. An example of this table is shown below and the table shall be placed on page 1 of the plan set. (orig. 8-25-86; am. 9-24-91; am. 6-1-19; am. xx-xx-xx)

Total Area of Land Disturbance	acres
Volume of Cut	cy
Volume of Fill	cy
Volume of Material to be Exported Offsite	cy
Existing Impervious Area	acres
Proposed Impervious Area	acres
Area of Land Disturbance Treated by a Permanent Water Quality Control Measure	acres
Steepest Proposed Slope	H:V

- d. The projected schedule of operations, including the following dates. The schedule dates must correspond to the permitted construction timeframe following approval: (orig. 8-25-86; am. xx-xx-xx)
- (1) Commencement of work, including days and hours of operation. (orig. 8-25-86; am. 9-24-91)
 - (2) Start and finish of rough grading. (orig. 8-25-86)
 - (3) Completion of work in any watercourse. (orig. 8-25-86)
 - (4) Completion of grading, erosion and sediment control measures (Best Management Practices, BMP's). (orig. 8-25-86; am. 10-12-04; am. 6-1-19; am. xx-xx-xx)
 - (5) Maintenance schedule for grading, erosion and sediment control BMP's. (orig. 9-24-91; am. 10-12-04; am. 6-1-19)
 - (6) Completion of any required landscaping. (orig. 8-25-86)
- e. The proposed grading, erosion and sediment control plan shall include permanent and, if applicable, temporary erosion and sediment control BMP's. The plans shall identify all structural and non-structural control measures for the applicable construction activities. The plan must contain installation and implementation specifications or a reference to the document with installation and implementation specifications for all structural control measures. A narrative description of non-structural control measures must be included in the plan. Revegetation plans shall include the seed mixture(s) including species and variety, type of seedbed preparation and method of seeding, seeding rates, seeding dates, type and application rates of fertilizer and mulch, and irrigation facilities and methods if applicable. Seed mix shall be based on the Jefferson Conservation District recommendations and/or a Planning and Zoning approved alternative. Seeding alone is not erosion control until vegetation is established. Seeding shall be combined with applicable erosion control structural BMP's until vegetation is established. (orig. 9-24-91; am. 10-12-04; am. 7-12-05; am. 7-17-18; am. 6-1-19)
- f. At a minimum, initial and final construction phases are required for all grading, erosion and sediment control plans. (orig. 7-17-18)

- g. Clearly and legibly show BMPs on the plan and include standard notes and associated details for the BMPs shown on said plan. (orig. 7-17-18; am. 6-1-19)
- h. If a Grading Permit Application requires an Improvement Security, a detailed improvements list is required. If the Grading Permit Application does not require an Improvement Security, the quantity of each erosion and sediment control BMP shall be provided. (orig. 6-1-19; am. 12-17-19; am. xx-xx-xx)

2. Soil/Geologic Investigation Report

If a soils and/or geologic investigation report is required by the County, it shall be prepared and signed by a qualified professional geologist or Colorado registered professional engineer. The report shall contain all the following as they may be applicable to the subject site: (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 12-17-02; am. 10-12-04)

- a. A site map showing the topographic features of the site and locations of all soil borings and test excavations. (orig. 8-25-86)
- b. A classification of the soil types, laboratory test data, and consequent evaluation regarding the distribution and nature of existing soils. (orig. 8-25-86; am. 9-24-91)
- c. A description of the geology of the site and adjacent areas when pertinent to the site. (orig. 8-25-86)
- d. A suitably scaled map and cross sections showing all identified areas of historic or potential instability within and adjacent to the permit area. An evaluation of the stability of natural slopes and any proposed cut and fill slopes. (orig. 8-25-86; am. 9-24-91)
- e. A description of known or inferred groundwater or excessive moisture conditions. (orig. 8-25-86; am. 9-24-91)
- f. A description of the soil and geologic investigative techniques employed. (orig. 8-25-86)
- g. A log for each soil boring and test excavation showing elevation at ground level and the depth of each soil or rock strata. (orig. 8-25-86)
- h. Recommendations for grading procedures and specifications, including methods for excavation and subsequent placement of fill. (orig. 8-25-86)
- i.
- j. Recommendations for mitigation of geologic hazards and constraints. (orig. 8-25-86; am. xx-xx-xx)
- k. The time of year the field work was done and a list of references and other supportive data. (orig. 8-25-86)
- l. Soil parameters to be used in the design of retaining walls. (orig. 9-24-91; am. xx-xx-xx)
- m. Infiltration testing shall be completed for each control measure that utilizes infiltration. At least two tests per control measure are required. The testing shall be at an appropriate elevation and location to adequately evaluate the underlying strata. A Factor of Safety of 2 shall be applied to the final infiltration rate to account for infiltration degradation over time (orig. xx-xx-xx)

3. Materials Handling Plan

The proposed materials handling plan shall include BMP's for controlling waste and spill prevention and containment. (orig. 10-12-04)

F. Performance Standards for All Land Disturbance Activities

- 1. Control measures must prevent pollution or degradation of state waters. Control measures must also be appropriate for the specific construction activity, the applicable pollutant sources, and phase of construction. Appropriate control measures must be implemented prior to the start of construction activity, must control potential pollutants during each phase of construction, and must be continued through final stabilization. Appropriate structural control measures must be maintained in operational condition. (orig. 6-1-19)

2. Control measures must be selected, designed, installed, implemented, and maintained to provide control of all potential pollutants, such as but not limited to sediment, construction site waste, trash, discarded building materials, concrete truck washout, chemicals, sanitary waste, and contaminated soils in discharges to the MS4 and/or waterways. At a minimum pollutant sources associated with the following activities (if part of the applicable construction activity) must be addressed: (orig. 6-1-19; am. xx-xx-xx)
 - a. Land disturbance and storage of soils. (orig. 6-1-19)
 - b. Vehicle tracking. (orig. 6-1-19)
 - c. Loading and unloading operations. (orig. 6-1-19)
 - d. Outdoor storage of construction site materials, building materials, fertilizers, and chemicals
 - e. Bulk storage of materials. (orig. 6-1-19)
 - f. Vehicle and equipment maintenance and fueling. (orig. 6-1-19)
 - g. Significant dust or particulate generating processes. (orig. 6-1-19)
 - h. Routine maintenance activities involving fertilizers, pesticides, detergents, fuels, solvents, and oils. (orig. 6-1-19)
 - i. Concrete truck/equipment washing, including the concrete truck chute and associated fixtures and equipment. (orig. 6-1-19)
 - j. Dedicated asphalt and concrete batch plants. (orig. 6-1-19)
 - k. Other areas or operations where spills can occur. (orig. 6-1-19)
 - l. Other non-stormwater discharges including construction dewatering not covered under the Construction Dewatering Discharges general permit and wash water that may contribute pollutants to the MS4 and/or waterways. (orig. 6-1-19)
3. No Impedance to Natural Water Flow
 - a. No work shall be done which may obstruct, impede or interfere with the flow of storm water in overland flows, natural drainageways, unimproved channels or watercourses, or improved ditches, channels or canals in such a manner as to cause flooding that adversely impacts adjacent and downstream properties. Any activity taking place in an area zoned Floodplain Overlay District shall meet the requirements of the Floodplain Overlay District section of this Zoning Resolution. (orig. 8-25-86; am. 9-24-91; am. 12-17-02; am. 7-17-18)
 - b. Construction equipment shall be kept out of watercourses except when necessary to perform work on the approved plans. Where in-channel work is designated on approved plans, precautions shall be taken to stabilize the work area during construction to minimize erosion. The channel, including bed and banks, shall be stabilized immediately after in-channel work is completed. (orig. 9-24-91; am. 6-1-19)
 - c. Where a drainageway will be crossed by construction vehicles regularly during construction, a temporary crossing shall be provided. A permit may be required from the U.S. Army Corps of Engineers and the Environmental Protection Agency prior to any disturbance in waters of the United States or federally regulated wetlands. (orig. 9-24-91; am. 12-17-02; am. 10-12-04)
4. Excavation

Excavations shall be constructed and/or protected so that they are stable and do not endanger life or property. (orig. 8-25-86; am. 9-24-91)
5. Excavation Slope
 - a. The slope of cut surfaces of permanent excavations shall not be steeper than 2 horizontal to 1 vertical (approximately 25 degrees). Steeper slopes may be permitted for grading permits with the approval of the County, provided it can be adequately demonstrated in a soils/geologic report that such slopes are stable and will not undergo accelerated erosion. The County may require the excavation to be made with a cut face flatter in slope than 2 horizontal to 1 vertical (2H:1V) if soils/geologic information submitted shows that flatter slopes are necessary for stability, adequate revegetation or maintenance. Cut slopes shall be rounded into the existing terrain to produce a contoured transition from cut face to natural ground. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 12-17-02; am. 6-1-19)
 - b. The slope of cut surfaces which are 5 feet in height or less and are in competent bedrock may be

steeper than 2H:1V, but shall be no steeper than 1 1/2H:1V. Steeper slopes may be permitted for grading permits with the approval of the County, provided it can be adequately demonstrated in a soils/geologic report that such slopes are stable and will not undergo accelerated erosion. (orig. 9-24-91; am. 8-8-95; am. 12-17-02; am. 6-1-19)

6. Fill Placement

Completed fills shall be stable masses of well-integrated material bonded to adjacent materials and to the materials on which they rest. Proper drainage and other appropriate measures shall be taken to ensure continuing integrity of fills. Earth materials shall be used which have no more than minor amounts of organic substances. (orig. 8-25-86)

7. Fill Compaction

The County will require fills to be compacted to a minimum of 90 percent of maximum density as determined by ASTM D1557 unless prior approval by the County has been granted. ASTM D698 may be used for clays with a high plasticity index. The standard for fill compaction shall not apply to fills of less than 50 cubic yards which are placed on natural terrain with a slope flatter than 5H:1V, are less than 5 feet in depth, are not intended to support structures, and do not obstruct a drainage course. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 12-17-02; am. 10-12-04; am. 7-17-18)

8. Ground Preparation for Fill Placement

The ground surface shall be prepared to receive fill by removing vegetation, topsoil, and other unsuitable materials. (orig. 8-25-86)

9. Fill Slopes

The slope of all permanent fills shall not be steeper than 2H:1V. Steeper slopes may be permitted for grading permits with the approval of the County, provided it can be adequately demonstrated in a soils/geologic report that such slopes are stable and will not undergo accelerated erosion. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 12-17-02; am. 6-1-19)

10. Driveways and Private Streets/Roads

- a. All street, road and driveway construction shall meet the Transportation Design and Construction Manual standards. (orig. 12-17-02; am. 10-12-04; am. 11-24-15)
- b. For private streets/roads and driveways including turnarounds the maximum allowable vertical disturbance from the toe of fill to the top of cut measured perpendicular to the existing contours shall be 25 feet in vertical height. Planning and Zoning may approve vertical disturbance heights greater than 25 feet for grading permits where it is determined that slopes shall be sufficiently stabilized and restored to be congruent with surrounding conditions to the maximum extent practicable and the alignment of the driveway has been placed in the optimal location to allow for minimal disturbance. (am. 7-17-18; am. 6-1-19)

Relief for grading permits will also be considered if the applicant demonstrates that the proposed grading plan results in less overall land disturbance and that the relief is necessary to comply with the Preservation of Existing Terrain and Vegetation and Impact Mitigation Standards below. In determining whether to approve or disapprove the request, all technical evaluations, relevant factors, standards specified in other sections, and whether the applicant has adequately addressed the provisions of this Zoning Resolution shall be considered. (orig. 8-8-95; am. 11-12-02; am. 12-17-02; am. 7-1-03; am. 10-12-04; am. 3-26-13; am. 11-24-15; am. 7-17-18; am. 6-1-19)

- (1) Parking areas adjacent to building structures and drainage facilities not a part of the streets/roads will not be considered as vertical disturbance. (reloc. 7-17-18)

- c. Widths (including shoulders) of driveways and private streets/roads shall conform to the Transportation Design and Construction Manual. (orig. 8-8-95; am. 11-12-02; am. 11-24-15)

11. Protection of Adjacent Structures

Foundations or flatwork which may be affected by any excavation shall be underpinned or otherwise protected against settlement and shall be protected against lateral movement. Fills or other surcharge loads shall not be placed adjacent to any building or structure unless such building or structure is capable of withstanding the additional loads caused by such fill or surcharge. (orig. 8-25-86)

12. Setbacks

- a. Setbacks for all grading, erosion and sediment control activities shall be at least 7 feet from property boundaries and at least 25 feet from off-site occupied structures. Planning and Zoning may waive setback requirements for land disturbance provided it can be adequately demonstrated that activities occurring within setback limitations will not adversely affect adjacent property or structures. A letter prepared by a Colorado registered professional engineer will be required that addresses the following:(orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 3-23-99; am. 4-27-04; am. 5-20-08; am. 6-1-19; am. xx-xx-xx)
 - i. Identify any potential issues caused by grading, erosion and sediment control activities relating to existing infrastructure, drainage patterns or visual and safety impacts. (orig. xx-xx-xx)
 - ii. Provide justification and rationale demonstrating that there will be no adverse impacts to adjacent property owners as a result of the proposed land disturbance. (orig. xx-xx-xx)
- b. Grading for streets/roads and driveways is exempt from setback requirements if it can be adequately demonstrated that grading activities will not adversely affect adjacent properties or structures in terms of, but not limited to, runoff and slope stability. (orig. 9-24-91; am. 7-17-18)

13. Stormwater

Any required drainage and infiltration structures and devices shall be designed and constructed in accordance with standards and criteria established in the Storm Drainage Design and Technical Criteria and as listed below. (orig. 8-25-86; am. 9-24-91; am. 12-17-02; am. 10-12-04; am. 7-17-18; am. 6-1-19)

- a. Drainage Structures and Devices: All drainage facilities shall be designed to carry surface and subsurface water to the nearest adequate street, storm drain, and natural watercourse or other juncture. (orig. 8-25-86)
- b. Water Accumulation: All finished areas shall be graded and drained such that water will not pond or accumulate except where the end use is a pond, reservoir infiltration area or structure or detention basin. Drainage shall be affected in such a manner that it will not cause erosion or endanger the stability of any cut or fill slope or any building or structure. (orig. 8-25-86; am. 9-24-91; am. 10-12-04; am. 7-17-18)
- c. Protection of Adjoining Property: When surface drainage is discharged onto any adjoining property, it shall be discharged in such a manner that it will not cause an increased hazard to the stability of any cut and fill slope or any building or structure. (orig. 8-25-86; am. 9-24-91)
- d. Subsurface Drainage: Cut and fill slopes shall be provided with subsurface drainage as necessary for stability. (orig. 8-25-86)

14. Erosion and Sediment Control

The following shall apply to the control of erosion and sediment from land disturbance activities: (orig. 8-25-86; am. 10-12-04)

- a. To the maximum extent practicable and in conformance with F.1., above, implementation of the erosion and sediment control plan shall precede grading activities. . (orig. 9-24-91; am. 10-12-04; am. xx-xx-xx)
- b. Upon completion of land disturbance activities, disturbed areas, except for rock cuts and fills, shall be stabilized by adequate vegetative cover consisting of at least 70% of pre-existing vegetation conditions or other permanent soil erosion control measures which prevent accelerated erosion. (orig. 8-25-86; am. 9-24-91; am. 10-12-04; am. 7-17-18)
 - (1) Cuts and fills accomplished for all roads, driveways and other vehicular access shall be stabilized with adequate vegetative cover or other permanent soil erosion control measures which prevent accelerated erosion, unless the cut is in competent bedrock. (orig. 9-24-91)
 - (2) No project shall cause accelerated or increased off-site erosion. (orig. 9-24-91; am. 10-12-04)
- c. To the maximum extent practicable, sediment caused by accelerated soil erosion shall be removed from runoff water before leaving the site. (orig. 9-24-91; am. 10-12-04)
- d. All land disturbing activities shall be designed, constructed, and phased in such a manner as to minimize the exposure of disturbed areas and to prevent accelerated soil erosion to the maximum

extent practicable. (orig. 9-24-91; am. 10-12-04)

- e. Cut and fill slopes shall be stabilized, and surface water damage to cut and fill slopes shall be prevented. (orig. 8-25-86)
- f. Fugitive dust emissions shall be controlled using the best available control technology as defined by the Colorado Department of Public Health and Environment as of the date of permit issuance. (orig. 8-25-86; am. 9-24-91)
- g. All temporary and permanent soil erosion and sediment control practices shall be maintained and repaired as needed to assure continued performance of their intended function in accordance with the details in the approved grading plans. (orig. 9-24-91; am. 10-12-04; am. 7-17-18)
- h. All topsoil, where physically practicable, shall be salvaged and no topsoil shall be removed from the site except as set forth in the approved plans. Topsoil and overburden shall be segregated and stockpiled separately. Topsoil and overburden shall be redistributed within the graded area after rough grading to provide a suitable base for areas which will be seeded and planted. Runoff from the stockpiled area shall be controlled to prevent erosion and resultant sedimentation of receiving water. (orig. 8-25-86; am. 9-24-91)
- i. Runoff shall not be discharged from the site in quantities or at velocities substantially above those which occurred before land disturbance except into drainage facilities whose design has been specifically approved by the County prior to the permit approval. (orig. 8-25-86; am. 3-23-99; am. 12-17-02; am. 10-12-04)
- j. The landowner and/or contractor shall take reasonable precautions to ensure that vehicles do not track or spill earth materials on to streets/roads and shall immediately remove such materials if this occurs. (orig. 8-25-86; am. 12-17-02; am. 10-12-04)
- k. Should an increase in sediment discharge occur or become imminent, the landowner and/or contractor shall immediately take all necessary steps to control such discharge. The landowner and/or contractor shall take prompt action to resolve emergency problems. (orig. 8-25-86; am. 12-17-02; am. 10-12-04)
- l. Permanent or temporary soil stabilization measures shall be applied to disturbed areas within 14 days after final grade is reached on any portion of the site. Soil stockpiles shall be permanently or temporarily stabilized within 14 days if the stockpile is not being actively utilized for construction purposes. Soil stabilization measures shall be applied within 14 days to disturbed areas which may not be at final grade, but will be left dormant for longer than 60 days. (orig. 9-24-91; am. 7-17-18)

15. Geologic, Floodplain, Wildfire, and Dipping Bedrock Hazards

Any activity taking place in an area zoned Geologic Hazard Overlay District or Floodplain Overlay District, or Wildfire Hazard Overlay District, or Dipping Bedrock Overlay District shall meet the requirements of the appropriate sections of this Zoning Resolution. Land disturbance activities shall not create or aggravate unstable slopes, rockfall, landslide, or subsidence hazards or increase the risk of wildfire, flooding, or dipping bedrock hazards. (orig. 8-8-95; am. 3-23-99; am. 10-12-04)

16. Preservation of Existing Terrain and Vegetation and Impact Mitigation

- a. Grading for cut and fill slopes shall not result in a staircase effect, except that retaining walls are permitted per paragraph "e." below. The edges of graded areas shall blend into the surrounding natural terrain/topography and contour of the land. (orig. 8-8-95; am. 11-12-02)
- b. The proposed grading shall occur in such a manner that it avoids, to the extent practicable, all rock outcroppings, existing trees over 6 inches in caliper, vegetation over 8 feet in height, and riparian, wetland and critical wildlife areas. If from the original documentation and/or field investigation it appears that a less impactful alternative exists, the County may require the grading plan to be revised. (orig. 8-8-95; am. 12-17-02)
- c. Excess material shall be graded in a manner which is similar to the natural topography and shall not be cast over the side of cut or fill slopes. (orig. 8-8-95; am. 11-12-02)
- d. Cut slopes that are in rock and are intended to be left exposed shall be graded to obtain a natural looking appearance, to the extent possible, in form to blend with surrounding terrain. (orig. 8-8-95; am. 11-12-02; am. 10-12-04)

- e. Retaining walls shall not exceed a maximum height of twelve (12) feet and shall be faced with stone or constructed with textured earth colored material that is identified in the grading plan. If a series of retaining walls is required, the horizontal distance between walls shall be a minimum of 4 feet. The minimum distance between walls shall be increased to 6 feet if either wall exceeds 8 feet in height. Retaining walls greater than 36 inches in height shall be constructed in accordance with the design prepared by a Colorado registered professional engineer. The design may require consultation with a geotechnical engineer, shall consider such factors as expansive soils, steep slopes and vehicles or structures near the walls, and shall include the following: (orig. 8-8-95; am. 11-12-02; am. 12-17-02; am. 7-1-03; am. 10-12-04; am. 7-17-18)
 - (1) Construction plans indicating how the proposed wall height will vary along its length. (orig. 10-12-04)
 - (2) Details with elevations showing top and bottom of wall for critical points along the wall length. (orig. 10-12-04)
 - (3) Supporting calculations that demonstrate an adequate factor of safety (minimum 1.5) for bearing capacity, overturning, sliding, and internal stability, including surcharge loads due to sloping backfill, adjacent vehicles and structures. When global stability analysis is required the minimum factor of safety is 1.3 for both the temporary and permanent conditions. (orig. 10-12-04; am. xx-xx-xx)
 - f. The site shall be designed to use existing topography and existing vegetation to screen site disturbance. (orig. 8-8-95; am. 10-12-04)
 - g. Revegetation plans shall be similar to existing vegetation and feature the prominent use of plants which are indigenous to the area or as approved by the County. Seeding methods such as hydroseeding, drilling, seeding and raking in, or other seeding method may be required when necessary to quickly and effectively establish a groundcover for areas where other types of seeding may be ineffective. (orig. 8-8-95; am. 11-12-02; am. 10-12-04)
 - h. Any permanent erosion control and drainage improvements that are installed, as a result of land disturbance activities shall be designed to complement and blend with the natural topography of the land. (orig. 8-8-95; am. 10-12-04)
 - i. Where possible, turnouts shall be provided with the narrowest permissible road to minimize the extent of land disturbance. (orig. 11-12-02; am. 10-12-04)
 - j. When the grading operations encounter remains of prehistoric people's dwelling sites, remains, or artifacts of historical, paleontological or archaeological significance, the operations shall be temporarily discontinued. The developer shall notify Planning and Zoning, and the developer shall promptly contact the proper authorities to determine the disposition thereof. If required by state or federal authorities, the developer shall preserve the area of historical, paleontological or archaeological significance for a maximum period of 30 days to allow authorities to excavate and recover the items of significance. (reloc. xx-xx-xx)
17. Materials handling BMP's are required. At a minimum, BMP's shall include controlling waste such as discarded building materials, concrete truck washout, chemicals, litter and sanitary waste, as applicable. In addition, spill prevention and containment BMP's for construction materials, waste and fuel shall be provided, as applicable. (orig. 10-12-04)
18. Maximum allowable height of a temporary stockpile is 50 feet measured from existing grade. The setback of the stockpile measured from the abutting property line to the edge of the stockpile is 2 multiplied by the height of the stockpile. The edge of the stockpile shall be no closer than the grading setback (7 feet from the abutting property line). The slope shall not exceed 3H:1V unless otherwise approved by Planning and Zoning for grading permits based on existing site conditions and topographic constraints. The temporary stockpile shall remain in place no longer than two years unless otherwise approved by Planning and Zoning for grading permits based on site conditions and construction duration. (orig. 11-24-15; am. 7-17-18; am. 6-1-19; am. xx-xx-xx)

G. Improvement Security

- 1. As a condition for the issuance of a Grading Permit, the County may require an improvement security in an amount necessary to ensure compliance with the performance standards in the event of default on the part of the applicant or of denial of the case by the Board of County Commissioners. Grading Permits

associated with single family attached, detached or duplex residential structures with an active building permit will not require an improvement security. An improvement security is required for improvements in the Right-Of-Way or for improvements which may affect Right-Of-Way. (orig. 8-25-85; am. 9-24-91; am. 8-8-95; am. 3-23-99; am. 12-17-02; am. 7-1-03; am. 10-12-04; am. 10-13-09; am. 6-1-19; am. 12-17-19; am. xx-xx-xx)

- a. Except for rough grading, the amount of the security shall be 100 percent of the cost of all grading erosion and sediment control items plus 100% of the cost of the work required for public streets/roads and for private streets/roads. The amount of security for rough grading shall be 25 percent of the total cost of rough grading for all lands within the mountains and 10 percent for all lands within plains of the County. A contingency amount equivalent to 10 percent of the total cost of all work shall be added to the security amount. (orig. 3-23-99; am. 12-17-02; am. 7-17-18)
 - b. The improvement security shall be in the form of cash escrow or a letter of credit. (am. 3-23-99)
 - c. The improvement security shall remain in effect until final inspections have been made, where required, and all grading work has been accepted by the County. Final acceptance of warranted Public Improvements shall conform to the Jefferson County Land Development Regulation. Upon final acceptance of improvements or warranted Public Improvements, securities will be released. (orig. 8-25-85; am. 9-24-91; am. 8-8-95; am. 12-17-02; am. 5-20-08)
2. Any letter of credit or deposit required pursuant to this section shall be payable to the Board of County Commissioners of Jefferson County and shall be for a minimum of 2 year. (orig. 8-25-86; am. 8-8-95; am. 10-12-04; am. 5-20-08)

H. Permit Completion and Closeout

1. Notice of Intent
 - a. A completed Form Letter N-2 stating that the final construction and grading are in conformance with the approved overall grading plan and Notice of Intent shall be submitted to Planning & Zoning prior to issuance of the Certificate of Occupancy. Form Letter N-2 shall be completed by a Colorado registered professional engineer. (orig. 6-1-19)
2. Grading Permit
 - a. The conditions of approval as specified in the approval letter and/or approved plan set. (orig. 8-25-86; am. 6-1-19)
 - b. Jefferson County staff confirms that the completed control measure operates in accordance with the approved site plan. (orig. 6-1-19)
 - c. The Certificate of Occupancy for residential structures will be issued once the Grading Permit certification is accepted and the Grading Permit is closed by Jefferson County staff. (orig. 6-1-19)

I. Release of Security for Grading Permits

1. Upon completion of the following, the improvement and/or maintenance securities will be released, and/or a Certificate of Compliance will be issued. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 12-17-02; am. 7-17-18; am. 6-1-19)
 - a. Applicable provisions of this section. (orig. 8-25-86)
 - b. The conditions of approval of the Grading Permit. (orig. 8-25-86; am. 6-1-19)
 - c. Final stabilization of the site, which can include established vegetation, that will prevent accelerated erosion and other erosion control measures, where required. A uniform vegetative cover with a density of at least 70 percent of pre-disturbance levels shall be considered adequate vegetative cover for erosion control measures. (orig. 8-25-86; am. 9-24-91; am. 12-17-02; am. 7-1-03; am. 10-12-04)
 - d. Receipt of proof of compaction, where the compaction standard applies. Compaction tests shall be taken under the direct supervision of a geotechnical engineer. The geotechnical engineer or his designated representative shall observe grading activities on a full-time basis and shall take sufficient compaction test to enable the engineer to determine that the site is ready for the intended uses and shall so state on the compaction report. Compaction reports shall be signed and sealed and dated by a Colorado registered professional engineer. Compaction reports shall include the moisture density curves, location of test sites, soil types(s), density results, type of test and if a failing test, retesting of the site. The engineer shall provide a complete set of all test and observations and a

report stating that the grading activities have been completed in substantial conformance with the approved grading plan, the requirements of this section, and the Land Development Regulation. (orig. 9-24-91; am. 3-23-99; am. 10-12-04)

2. An as-built plan is required by the County for the following:
 - a. Land disturbance activities that occur in a Floodplain Overlay District.
 - b. Large fills (greater than 1000 cubic yards).
 - c. Retaining walls as designated on the approved plans.
 - d. The construction deviates from the approved plans.
 - e. Permanent non-structural and structural water quality control measures including dimensions, volume calculations and overall compliance with approved plans.
 - f. Other activities as required by Performance Guarantee and Warranty Section of the Land Development Regulation. Orig. 9-24-91; am. 8-8-95; am. 12-17-02; am. 10-12-04; am. 7-17-18)
3. Upon completion and acceptance of all items listed on the list of improvements and associated costs, the project performance guarantee may be reduced to the amount shown on the Exhibit A for adequate revegetation and temporary erosion and sediment control. Revegetation means that a density of at least 70 percent of the pre-disturbance levels or equivalent permanent methods have been employed. (orig. 12-17-02; am. 10-12-04)
4. However, upon failure to complete the work, failure to comply with all of the terms of the permit or failure of the erosion and sediment control measures to function properly, the County may perform the required work or cause it to be done and collect from the permittee or surety all costs incurred, including administrative and inspection costs. Any unused portion of a deposit shall be refunded to the permittee after deduction by the County of the cost of the work. (orig. 8-25-86; am. 10-12-04; am. 7-17-18)

J. Enforcement

1. Inspections

The County may inspect the site and perform any necessary tests from time to time to ensure compliance with the permit conditions. (orig. 9-24-91; am. 8-8-95; am. 3-23-99)

2. Suspension and Revocation of Permit

The County may suspend, limit or revoke a permit for violation of any provision of this section, violation of the permit or misrepresentations by permit holder, his agents or his employees or independent contractors under contract with the permittee for a Notice of Intent or Grading Permit for an individual lot or within a common plan of development. The decision of the County to suspend, limit or revoke a permit may be appealed to the Board of Adjustment. No work shall be performed while an appeal is pending except as authorized by the County. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 12-17-02; am. 6-1-19)

3. Enforcement Response

- a. The escalation process for enforcement actions includes verbal warnings, written notifications, revocation of permits, denial of plan review, withholding of permits, withholding inspections, stop work orders, issuance of zoning violations (civil process), issuance of illicit discharge violations (civil process), fines associated with the illicit discharge violation and/or using the performance guarantee to hire a separate contractor to complete the work. The escalation process does not have to occur in that order. (orig. 6-1-19; am. xx-xx-xx)
- b. The escalation process for chronic and recalcitrant violators of control measure requirements includes verbal warnings, written notifications, revocation of permits, denial of plan review, withholding of permits, withholding inspections, stop work orders, issuance of zoning violations (civil process), issuance of illicit discharge violations (civil process), fines associated with the illicit discharge violation and/or using the performance guarantee to hire a separate contractor to complete the work. The escalation process does not have to occur in that order. (orig. 6-1-19; am. xx-xx-xx)

3. Court Action

Nothing in this section shall be construed to prevent the Attorney's Office, at their discretion, from filing a court action based upon a violation or potential violation of this section. (orig. 3-23-99)

4. Right of Entry

Whenever necessary to enforce the provisions of this section the County can enter the premises at all reasonable times to perform any duty imposed by this section. If such entry is refused, the County shall have recourse to every remedy provided by law to secure entry. If a Land Disturbance Permit is suspended or revoked, or if a Stop Work Order has been issued, the County shall have the right to enter the site to complete the work allowed under the grading permit. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 3-23-99; am. 12-17-02; am. 10-12-04; am. 7-17-18)

5. Stop Work Orders

When any work is being performed which is not in compliance with an approved permit and/or the provisions of this section or any other applicable law, rule or regulation, the County can order the work stopped by serving written notice on any personnel engaged in performing the work. Such person shall immediately stop such work until authorized by the County to proceed. If there are no persons present on the premises, the notice may be posted in a conspicuous place and the notice shall state the nature of the violation. The notice shall not be removed until the violation has been vacated or authorization to remove the notice has been issued. Failure to comply with any Stop Work Order is a violation of the Zoning Resolution, the Grading Permit and/or the Notice of Intent. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 3-23-99; am. 12-17-02; am. 10-12-04; am. 7-17-18)

6. Violations of Other Regulations

Violations of this section may also cause violations of other State and/or Federal regulations and result in additional fines and penalties. (am. 10-12-04)

Section 17- Land Disturbance

(orig. 7-12-05; am. xx-xx-xx)

A. Planning Standards

1. Grading, erosion and sediment control plans shall be prepared in accordance with and in compliance with the standards in the Land Disturbance Section of the Zoning Resolution. (am. 7-12-05)

REFERRAL AGENCIES AND ORGANIZATIONS

The Denver Post, LLC

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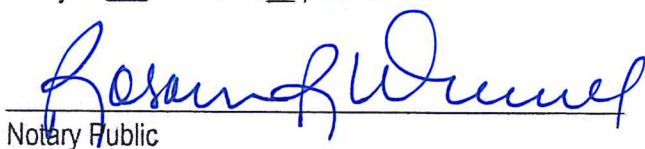
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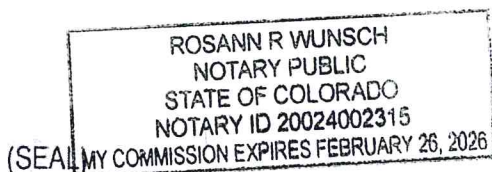
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November 3, 2022


Signature

Subscribed and sworn to before me this
4 day of November, 2022.


Notary Public



**LEGAL NOTICE AND PUBLICATION OF PROPOSED
AMENDMENTS TO THE JEFFERSON COUNTY
LAND DEVELOPMENT REGULATION**

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of the County of Jefferson, State of Colorado, will hold a hybrid (in-person and online virtual) public hearing on proposed changes to the Land Development Regulations within Jefferson County, Colorado. The public hearing will be held at the Jefferson County Administration and Courts Facility, Hearing Room 1, at 100 Jefferson County Parkway, Golden, Colorado, on December 6, 2022 at 8:00 a.m. with the virtual hearing link being available on the County's website at <https://www.jeffco.us/4042/Virtual-Hearings#bcc>.

FURTHER NOTICE IS HEREBY GIVEN that said public hearings may be continued from time to time without further notice. Said proposed amendments in case 21-10926SAM are as follows:

To amend Section 16 of the Zoning Resolution and Section 17 of the Land Development Regulation

BE IT ALSO KNOWN that the text relating to the above referenced regulation amendments may be examined in the offices of the Jefferson County Planning and Zoning Division, 100 Jefferson County Parkway, Suite 3550, Golden, Colorado between the hours of 8:00 a.m. and 5:00 p.m. during any working days, Monday through Thursday holidays excepted. The proposed amendments are currently available for examination on the Jefferson County Planning and Zoning website (<http://planning.jeffco.us>) under Regulations & Plans-Regulation Updates.

**BOARD OF COUNTY COMMISSIONERS
COUNTY OF JEFFERSON
STATE OF COLORADO**

Published November 3, 2022

/s/ Andrew Kerr, Chairman

June 29, 2022

Dear Agency/Interested Party,

Jefferson County Planning & Zoning is proposing a Regulation Amendment process pertaining to the Zoning Resolution Section 16, Land Disturbance. This regulation update includes general housekeeping and updates to the section as shown herein and as summarized in the **Proposed Regulation Changes Summary Sheet**.

Red-marked drafts can be found in both Word and Adobe PDF formats on our Regulation Revision [website](#) and in the case folder (21-109265AM) **here**.

We are very interested in any comments or concerns that you or your agency may have with these proposed changes. If you have any questions, please contact Planning and Zoning Regulation Revisions at PZRegRev@jeffco.us.

Comments are due Wednesday July 20, 2022.

Sincerely,

Planning and Zoning Staff

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COMMENT AND RESPONSE LOGS

Comments and Response Log		
Source of Comment	Comment	Staff Response
CORE	CORE Electric Cooperative appreciates the updates to Section 16; has the county considered a small Utility GESC permit similar to Douglas County? Section 16 seems broad in nature and really doesn't address the different types of land disturbances.	This has been considered by the County, however we do not have the resources currently. This could be considered with a future regulation update.
Evergreen Metro	<p>I have reviewed the proposed changes to the Land Disturbance Regulation and have a comment/question.</p> <p>Under Section B. General Provisions, part 6, Permission of other Agencies or Owners specifically states:</p> <p>“The issuance of a Grading Permit or the submission of a Notice of Intent shall not relieve the applicant of the responsibility for securing other permits or approvals required by any other division or agency of Jefferson County or other public agency or for obtaining any easements or authorization for removing or transporting earth materials on property not owned by the applicant. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 12-17-02; am. 4-27-04; am. 10-12-04)”</p> <p>Recently, Evergreen Metropolitan District has had a contractor with an approved Grading Permit using a Notice of Intent working within our utility easement. With this revision, is there an opportunity to add specific language about contractors working within easements needing to contact the easement owner before work begins?</p> <p>In this specific situation, the grading plans show that the contractor was to fill on top of the easement and install a permanent retaining wall on part of it. Evergreen Metropolitan District was never contacted. The retaining wall is troublesome. More so, the contractor didn't show any interim earthwork required to install geothermal lines. The contractor excavated before the water main, exposing it, and never notified us.</p>	Clarified in regulation and language to be added to the N-1 Form stating that contractors working within easements need to contact the easement owner before work begins.
Evergreen Park and Recreation District	We are reaching out to see how this will impact the North Evergreen Lake Trail project that is currently out to bid. With the resolution to Section 16 ZR how will this impact this project?	This regulation update does not impact this project.

Jeffco EDC	Section B.2.a.1.a – indicates a decrease in the size of the property that must submit for a grading permit from 1 ac to 0.5 ac. Is there any background on why?	This change is a simplification to the regulation. Removing the 0.23 K Factor analysis because there are different values available. The 1/2 acre threshold is similar to other jurisdiction requirements.
	Section B.2.a.1.a –Indicates a grading permit being required when 5.000 yrs are stored on a project unless it is actively being used. Is there any additional definition/clarification for the term “active”? This reads very subjective and could create confusion on the definition...	An active use would be construction associated with an active building permit for a primary structure.
	Section D.1 – Asks for a certification that the NOI meets Jeffco Zoning, Land Development Regs, Storm Design Criteria, and the Transportation Design and Construction Manual. Is this a new request? If so, it might create challenges obtaining this certification as this is not covered by E&O insurance companies.	This language is not new for the NOI process and is a clarification for the regulations. This process has been in place for 3 years without incident.
	Section E.2.m – Asks for infiltration testing to be provided in a Geotech report. Potential concerns with some applications given a heavy cut/fill in the location of the proposed infiltration mechanism and accomplishing on first submittal.	Infiltration testing will be completed on the representative material. If material will be imported, the property of the fill material can be specified. For cut, the bore can be deeper to reach the necessary depth.
	Section F.12.a –Requiring a stamped letter (from a PE) to state that grading provided within 7 ft of a property line or within 25 ft of an adjacent structure meeting the following: a. Any potential issues with this grading – This could be a long list in some cases b. Challenges with visual and/or safety impacts - concerns that this cannot be provided by a PE letter – then engineer does not own the safety impact and the visual impact is subjective and does not belong in a stamped/certified let	Agreed. The engineer should certify safety and can comment on visual impacts. The PE for the project is the correct person to certify since they are the designer.

Glenn Douglass	In the same vein in regards to Land Disturbance Permits, it appears that the submittal of a Soils / Geologic Report will also trigger a full Grading Permit (vs an NOI), even when the intent of allowing steeper slopes (especially in steep rock outcroppy areas in bedrock) is to REDUCE the land disturbance. When a project is less than 1/2 acre and only some of the slopes are steeper than 2:1, it would seem more practical to still permit the NOI process as more of an applicant's budget can be applied to erosion protection and rock excavation than fees and engineering without compromising land disturbance impacts. I guess such a situation would have to be case specific, which would create another type of review.	A Geotechnical Report requires review and therefore triggers a Grading Permit
Rocky Mountain Metropolitan Airport	We are interested in how this would apply to the stockpile at the airport. Due to a number of both county and private projects, we are frequently either importing or exporting dirt/millings/etc. at our "yard". We'd estimate around 30,000 cy. yd. of dirt at the moment. Airport staff likely would not have the capacity to adjust permits/plans/etc. due to the frequent use of this yard. Is there a way to exempt public airport property on the stockpiling requirement (ZR Sec. 16 B(2)(a)(1)(b)? Each individual development site will still be subject to a land disturbance permit, and airport staff monitor for stormwater quality as part of our CDPHE permit...	This requirement would apply if the total area of disturbance exceeds 1-acre. Is the CDPHE permit the industrial permit or the permit required by CDPHE for the stockpile since it exceeds 1-acre? Changes made to 3.g. to clarify.

Baseline	<p>Since Baseline works in all the Counties along the front range from Wyoming down to Pueblo I would tell you that Jefferson County is the only one I'm aware of that connects the erodibility of the soil as any type of threshold or factor for a grading permit. I do appreciate you getting rid of it as part of the criteria. Obviously this is not just a Jefferson County soil issue. My understanding from the map you sent is that the County feels the K factor plays a significant role in the decision to lower the permit threshold for full Grading Permit vs. NOI. Removing it does result in an easier explanation to homeowners and builders but I still don't view it as a factor.</p> <p>As we can all attest regardless of what area of the County grading is being performed in it is more incumbent on the contractor to maintain good BMP's and their handling of materials regardless of what a soils map says. The preparation of our GESC plans and the County's review of them is only valuable when the contractor implements and builds per those plans and makes necessary adjustments to BMPs when the conditions warrant.</p> <p>I'm always going to be in favor of less regulation and more responsibility for the PE seal we put on plans and the contractors responsibility for the work being performed.</p> <p>Weld in my opinion has a very straight forward grading permit application process https://www.weldgov.com/files/sharedassets/public/departments/public-works/documents/grading-permit-application-2021.pdf as they put the responsibility squarely on the Colorado PE and the applicant with more stringent requirements for sites that are within an MS4 area. The result of them putting the responsibility back on the PE and the applicant is shorter reviews for any grading applications regardless of disturbance.</p> <p>I'd still prefer to see the thresholds remain the same and would have no problems with additional certification language that would put more responsibility back on the PE and the applicant. Everyone has historically dreaded hitting the NOI to full Grading Permit threshold in the County. They are always trying to find loopholes to avoid it and that should not be so.</p>	<p>Part of the rationale for removing the K factor in the equation is to simplify the regulations so we can provide a straight forward answer to homeowners, builders and engineers when asked do I need grading permit or NOI. We are expecting an increase of about 10-12 permits per year based on this change. In 2018, the threshold was 10,000sqft rather than 0.5 so still much better than it was.</p>
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Anne Lafoon	<p>Could you please contact me to discuss these proposed changes to Section 16 of the Zoning Resolution and Section 17 of the Land Development Regulation?</p> <p>In particular, could you please share any information you have on the process and timeline for the discussion of these changes and any materials that provide background on the proposed changes, the reason for the changes, and the areas of the county that would be affected by these changes?</p>	<p>Attached is a summary of changes for your review. The majority of the changes are minor and include general housekeeping and cleanup. The major changes include the removal of the K Factor evaluation. This change is being proposed in an effort to simplify the criteria for when a Grading Permit is required. The other major change adds specific language to when a permit would be needed for stockpiling of material. This change is being proposed as there have been a few instances where stockpiles have remained in locations for an extended time and the regulations were unclear if a permit was needed. I've also attached a set of regulations which identify the changes being made. The next steps include scheduling hearing dates to bring these changes before the Planning Commission and Board of County Commissioners (BCC). The ultimate decision will be made by the BCC.</p>
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Mike Rawluk	Do you have time to help me understand this amendment proposal?	<p>Do you have any specific questions to the proposed changes? In an effort to provide clarity and adapt to changes we are constantly proposing changes to the regulations. In this particular case we are proposing some changes to the Land Disturbance Sections of the Zoning Resolution.</p> <p>The changes can be seen in the attached track changes pdf. One of the major items we are proposing to get rid of the K Factor criteria as having worked with this for a few years we found it difficult for both applicants and the County as there were different sources of K factor information out there. In the we felt like it would be much simpler if we just require a grading permit for any disturbance over 0.5acre.</p> <p>I'm happy to talk through any questions you may have.</p>
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Jefferson County Zoning	<p>Pat and I were talking awhile back about instituting some other review or guideline to require the engineer of record or developer to monitor a property to ensure that the NOI is being followed. Something between the N-1 and N-2. Maybe a monthly check for projects that take longer than a month. It may not prevent violations, but maybe it would put some pressure on the developer or engineer to ensure they actually follow the plan and maintain it throughout the project. Right now, we are seeing a lot of properties that start construction without any erosion control in place. I know it's too much of a change for this round but wanted to bring it up.</p>	<p>Staff agrees that this is something we should look into with the next regulation update.</p>
Architerra	<p>As both a resident, licensed landscape architect and small business owner in Jefferson County, I respectfully request that all references to grading plans or grading, erosion and sediment control (GESC) plans "be stamped and signed by a Colorado registered professional engineer" be changed to "be stamped and signed by the appropriate Colorado licensed professional". Landscape architects are educated, trained and tested in the tasks of grading, erosion and sediment control. The attached memo from the Colorado Department of Regulatory Agencies was sent to local building officials and all county attorneys in 2015 to clarify questions about who can prepare, sign and seal those documents.</p> <p>Is it Jefferson County's intention to prevent licensed professionals in the State of Colorado from practicing within the scope of their expertise and licensure on projects in the county?</p> <p>This causes unnecessary additional costs to our clients. An example, we often work on new park or existing park renovation projects for the Foothills Park & Recreation District. The current regulations require us to hire a Professional Engineer to review and stamp our grading and GESC plans for any land disturbance project. This adds to the total cost of the project but provides no additional value to the County or the owner.</p>	<p>A similar discussion occurred several years ago as it relates to this topic. At that time we did discuss this with our County Attorney's Office and the determination was that we would not make this change.</p> <p>Since the hearing for this regulation update is next week, we do not have time to add this discussion to this round of updates, however, we do have another round of regulation updates planned for 2023 and we can plan to look into this in more detail at that time.</p>
Dave Wicks	<p>I would like to suggest that the initial paragraph explain what you have described so as to make it clear that Land Disturbance Permits have two subtypes. Like I said before, I didn't spend a whole lot of time trying to figure this out, but if it's confusing to me it may be confusing to others.</p>	<p>Staff has update the regulation to specify that Grading Permit and Notice of Intent are both subtypes of the land disturbance permit.</p>

CGS	<p>I reviewed your proposed changes and have a few comments that are listed below.</p> <p>I believe there are typos or missing words in sections B.2 second sentence and page 14 2.1 (parameter should be plural and you probably don't want to delete walls).</p> <p>Regarding the factor of safety for tiered retaining walls. The factor of safety should be 1.5 instead of 1.3 if tiered retaining walls support structures.</p>	Staff agrees with these comments and has modified the regulation accordingly.
	<p>B.1. Removal of reference to the Grading Permit and Notice of Intent creates some confusion. The Land Disturbance Permit is referenced here, but it doesn't say how this corresponds to the Grading Permit or the NOI. Throughout the remaining document, the reference is made to the Grading Permit and NOI There needs to be more information to explain the connection between the LDP and Grading Permit and NOI.</p>	Please see attached for the addition to B.2.
	<p>B. 2. a and B. 2. b. Don't flow naturally from the change in language above which references the LDP, and immediately talks about the Grading Permit and the NOI.</p>	To be reviewed with the Comprehensive Update next year.
	<p>B.3.d. There are items "shall not be exempt". Those items not exempt should be shown in the paragraphs above, since paragraph 3 is for all activities that are "exempt".</p>	To be reviewed with the Comprehensive Update next year.
	<p>B.4. The MS4 permit should be called out by name. This is an important permit. State of Colorado PH&E for a Municipal Storm Sewer System Permit.</p> <p>This also has requirements for construction stormwater runoff requirements. Do any of those requirements conflict with ZR Sect 16? Owners should know how to find the authority responsible for issuing MS4 permits. All Jeffco codes and ordinances should refer seamlessly to one and other.</p>	Please see Section B.3.o.
	<p>General: Why doesn't ZR Sect 16 refer to the Colorado Water Conservation Board and ordinance requiring adherence to the National Flood Insurance Program? Colorado adopted these higher standards in 2003 and I assume they continue as the standard, correct? Who is the state coordinator for NFIP and have they reviewed these proposed amendments?</p>	This is discussed in the Zoning Resolution Section 37 (Floodplain Overlay District)

Julie Rosen

B.5. The Building Permit is often issued and the drainage issues happen after Land Disturbance occurs. Even with engineered drawings, which the county approves. What is the mechanism to cure drainage that has caused damage or endangers adjacent properties? The county should not rely on individual landowners having to sue one another to cure drainage problems, especially after the county has reviewed and issued a permit. This issue is happening all around Jeffco and there does not seem to be a mechanism to create a cure for problems.	To be reviewed with the Comprehensive Update next year.
page 12 - 2.c. What is the enforcement mechanism? The flood in Evergreen from the 55+ community into the Safeway center had a "Final Inspection". This project also violated the 2H:1V slope and must not have had flood prevention engineered mechanisms in place despite the slopes. The more intense storms in Colorado necessitate not only the best technical review by county officials who are civil engineers but also an enforcement mechanism during construction. The adjacent owners should not have to be Jefferson Counties enforcement mechanism through litigation. The county has an obligation to protect existing properties from damage.	The enforcement mechanism involves an engineers certification letter and as-built drawings of the constructed control measure. This is required prior to closeout of the land disturbance permit. If the letter identifies deficiencies, then the applicant is required to update the plans to meet County Requirements.
Page 12, 2.d. The first sentence does not make sense "at the completion of the site" Does this mean the terminus of the downstream outflow from the site?	This is referring to completion of construction. We will look at clarifying this.
p, 13 - E.1.c. - The SDDTC should be named here for clarity.	Please see D.1
pg 13 - E.1.a.9. The location and the type of flood control facility should be detailed. A contractor calls a straw bale flood control when perhaps an earth berm should be built.	To be reviewed with the Comprehensive Update next year.
p.15. 2.l. "Soil parameters". As a structural engineer, I know this wording is incorrect. If retaining walls are being designed, then the "Soil Classification and Preparation Parameters" apply. The soil classification is essential.	To be reviewed with the Comprehensive Update next year.

	<p>p.17. Paragraph 13. Stormwater. This is becoming a serious issue in Jeffco as landowners build on ever steeper sites especially as climate change is creating more intense storms. There has to be more of a requirement for development to require engineered temporary and permanent flood control protection facilities. The county is the authority issuing permits and therefore must have their own technical staff reviewing and approving these facilities, in order to protect property owners adjacent to development. Never should individual property owners have to sue to obtain relief from development that damages them or their property.</p>	To be reviewed with the Comprehensive Update next year.
United Power	No comments	Acknowledged
City of Littleton	No comments	Acknowledged
Building Safety	No comments	Acknowledged
RTD	No comments	Acknowledged
Arapahoe	No comments	Acknowledged
Town of Mountain View	No comments	Acknowledged
Xcel Energy	No comments	Acknowledged
CDOT	No comments	Acknowledged
Highlands	No comments	Acknowledged

REFERRAL COMMENTS

Lindsey Wire

From: Nathan Seymour
Sent: Monday, September 12, 2022 7:57 AM
To: mike rawluk
Subject: RE: --{EXTERNAL}-- 21-109265AM
Attachments: Summary of Regulation Updates.pdf; ZR Section 16 - Land Disturbance - Track Changes.pdf

Hi Mike,

Do you have any specific questions to the proposed changes? In an effort to provide clarity and adapt to changes we are constantly proposing changes to the regulations. In this particular case we are proposing some changes to the Land Disturbance Sections of the Zoning Resolution.

The changes can be seen in the attached track changes pdf. One of the major items we are proposing to get rid of the K Factor criteria as having worked with this for a few years we found it difficult for both applicants and the County as there were different sources of K factor information out there. In the we felt like it would be much simpler if we just require a grading permit for any disturbance over 0.5acre.

I'm happy to talk through any questions you may have.
Let me know.

Best,

Nathan Seymour
Civil Planning Engineer
o 303.271.8751 | www.jeffco.us



We encourage scheduling an appointment to see staff during our office hours Monday - Thursday. Please schedule [appointments](#) and submit [applications](#) online. Go to planning.jeffco.us for more information.

From: mike rawluk <rawlukm@yahoo.com>
Sent: Friday, September 9, 2022 10:15 AM
To: Nathan Seymour <nseymour@co.jefferson.co.us>
Subject: --{EXTERNAL}-- 21-109265AM

CAUTION: This email originated from outside Jefferson County Government. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Nathan, do you have time to help me understand this amendment proposal?
Thank you!
Have a great day!
Mike Rawluk

Lindsey Wire

From: Terri Maulik <TMaulik@arapahoegov.com>
Sent: Wednesday, July 6, 2022 6:53 AM
To: Lindsey Wire
Cc: Referrals
Subject: --{EXTERNAL}-- AC CASE NO O22-240- JEFFCO REF/ REGULATION AMENDMT 21-109265AM - ZONING RESO SECT 16 AND LAND DEV REGULATION SECT 17 - LAND DISTURBANCE

Follow Up Flag: Follow up
Flag Status: Flagged

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Hello Lindsey,

Thank you for the opportunity to review and comment on this project. The Arapahoe County Planning Division has no comments; however, other departments and/or divisions may submit comments.



TERRI L MAULIK

Planning Technician | Public Works & Development - Planning Division

6924 S Lima St., Centennial Co 80112

Direct: 720-874-6840 | Main: 720-874-6650

arapahoegov.com [arapahoegov.com] | [Facebook](https://www.facebook.com/arapahoegov) [[facebook.com](https://www.facebook.com/arapahoegov)] | [Twitter](https://twitter.com/arapahoegov) [[twitter.com](https://twitter.com/arapahoegov)] | [Instagram](https://www.instagram.com/arapahoegov) [[instagram.com](https://www.instagram.com/arapahoegov)] | [Nextdoor](https://www.nextdoor.com/arapahoegov) [[nextdoor.com](https://www.nextdoor.com/arapahoegov)]

I work a hybrid schedule, so email is always the optimal method to contact me. You are encouraged to visit our website at <https://www.arapahoegov.com/519/Public-Works-and-Development> [arapahoegov.com] for information. Please consider emailing us at planning@arapahoegov.com as this email inbox is monitored by several staff members. You may also call (720) 874-6650 to speak with staff or to leave a message.

From: Kim Lynch <KLynch@arapahoegov.com>
Sent: Tuesday, July 5, 2022 10:33 AM
To: Sarah White <SWhite@arapahoegov.com>; Ava Pecherzewski <APecherzewski@arapahoegov.com>; Cathleen Valencia <CValencia@arapahoegov.com>; Chuck Haskins <CHaskins@arapahoegov.com>; Jason Reynolds <JReynolds@arapahoegov.com>; Michelle Lengyel <MLengyel@arapahoegov.com>; Referrals <Referrals@arapahoegov.com>; Roger Harvey <RHarvey@arapahoegov.com>
Subject: O22-240- JEFFCO REF/ REGULATION AMENDMT 21-109265AM - ZONING RESO SECT 16 AND LAND DEV REGULATION SECT 17 - LAND DISTURBANCE

LOCATION: JEFFCO

DUE: 07/21/2022

With gratitude,



KIM LYNCH

Planning Technician | PWD Planning Division

6924 S Lima St., Centennial, CO 80112

720-874-6650

From: Lindsey Wire <lwire@co.jefferson.co.us>

Sent: Thursday, June 30, 2022 12:52 PM

To: PZ-Regulation-Revisions <PZRegRev@co.jefferson.co.us>

Subject: Regulation Amendment Case 21-109265AM - Zoning Resolution Section 16 and the Land Development Regulation Section 17 - Land Disturbance

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Agency/Interested Party,

Jefferson County Planning & Zoning is proposing a Regulation Amendment process pertaining to the Zoning Resolution Section 16 and the Land Development Regulation Section 17, Land Disturbance. This regulation update includes general housekeeping and updates to the section as shown herein and as summarized in the Proposed Regulation Changes Summary Sheet.

Red-marked drafts can be found in both Word and Adobe PDF formats on our Regulation Revision [website](#) and in the case folder (21-109265AM) [here](#).

We are very interested in any comments or concerns that you or your agency may have with these proposed changes. Please provide comments by Thursday, July 21. If you have any questions, please contact Planning and Zoning Regulation Revisions at PZRegRev@jeffco.us.

Sincerely,

Planning and Zoning Staff

Lindsey Wire, P.E.

Planning & Zoning
Engineering Supervisor
303.271.8717

lwire@jeffco.us | planning.jeffco.us



Planning and Zoning will be closed to the public on Monday, June 6 and on Monday, June 27. During these two days, Planning and Zoning staff will be working to improve our processes so that we can provide better customer service. We apologize for any inconveniences this may cause.

We encourage scheduling an appointment to see staff during our office hours Monday - Thursday. Please schedule [appointments](#) [\[jeffco-planning-and-zoning-hqorx.appointlet.com\]](#) and submit [applications](#) online. Go to [planning.jeffco.us](#) for more information.



Jefferson County encrypted email system

If you received this disclaimer all email between Jefferson County and your organization is TLS encrypted.

Jefferson County Colorado

Lindsey Wire

From: Troy Jones
Sent: Wednesday, July 20, 2022 9:26 AM
To: Lindsey Wire
Subject: RE: Regulation Amendment Case 21-109265AM - Zoning Resolution Section 16 and the Land Development Regulation Section 17 - Land Disturbance

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning, Lindsey,

The Division of Building Safety has no issues with Regulation Amendment Case 21-109265AM and no further review is required.

Thank you and have an excellent and healthy day.

Troy Jones
Plans Examiner/MCP
Jefferson County Division of Building Safety
tjones@jeffco.us
Phone: 303-271-8256
Fax: 303-271-8282

Beginning June 1, 2020 Jefferson County offices, including Building Safety, will be open Monday through Thursday 8am-5pm. County offices will be closed on Friday. Monday through Thursday, the building department will have limited staff in the office due to social distancing requirements.



From: Lindsey Wire <lwire@co.jefferson.co.us>
Sent: Thursday, June 30, 2022 12:50 PM
To: PZ-Regulation-Revisions <PZRegRev@co.jefferson.co.us>
Subject: Regulation Amendment Case 21-109265AM - Zoning Resolution Section 16 and the Land Development Regulation Section 17 - Land Disturbance

Dear Agency/Interested Party,

Jefferson County Planning & Zoning is proposing a Regulation Amendment process pertaining to the Zoning Resolution Section 16 and the Land Development Regulation Section 17, Land Disturbance. This regulation update includes general housekeeping and updates to the section as shown herein and as summarized in the Proposed Regulation Changes Summary Sheet.

Red-marked drafts can be found in both Word and Adobe PDF formats on our Regulation Revision [website](#) and in the case folder (21-109265AM) [here](#).

We are very interested in any comments or concerns that you or your agency may have with these proposed changes. Please provide comments by Thursday, July 21. If you have any questions, please contact Planning and Zoning Regulation Revisions at PZRegRev@jeffco.us.

Sincerely,

Planning and Zoning Staff

Lindsey Wire, P.E.

Planning & Zoning
Engineering Supervisor
303.271.8717

lwire@jeffco.us | planning.jeffco.us



Planning and Zoning will be closed to the public on Monday, June 6 and on Monday, June 27. During these two days, Planning and Zoning staff will be working to improve our processes so that we can provide better customer service. We apologize for any inconveniences this may cause.

We encourage scheduling an appointment to see staff during our office hours Monday - Thursday. Please schedule [appointments](#) and submit [applications](#) online. Go to planning.jeffco.us for more information.

Lindsey Wire

From: bradley.sheehan@state.co.us
Sent: Tuesday, July 5, 2022 12:15 PM
To: Lindsey Wire
Subject: --{EXTERNAL}-- Re: Regulation Amendment Case 21-109265AM - Zoning Resolution Section 16 and the Land Development Regulation Section 17 - Land Disturbance

Follow Up Flag: Follow up
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Lindsey. I have no issues with what you are proposing.

On Thu, Jun 30, 2022 at 12:50 PM Lindsey Wire <lwire@co.jefferson.co.us> wrote:

Dear Agency/Interested Party,

Jefferson County Planning & Zoning is proposing a Regulation Amendment process pertaining to the Zoning Resolution Section 16 and the Land Development Regulation Section 17, Land Disturbance. This regulation update includes general housekeeping and updates to the section as shown herein and as summarized in the Proposed Regulation Changes Summary Sheet.

Red-marked drafts can be found in both Word and Adobe PDF formats on our Regulation Revision [website](#) and in the case folder (21-109265AM) [here](#).

We are very interested in any comments or concerns that you or your agency may have with these proposed changes. Please provide comments by Thursday, July 21. If you have any questions, please contact Planning and Zoning Regulation Revisions at PZRegRev@jeffco.us.

Sincerely,

Planning and Zoning Staff

Lindsey Wire

From: Karen Berry <kaberry@mines.edu>
Sent: Thursday, July 21, 2022 11:14 PM
To: PZ-Regulation-Revisions
Cc: Justine Robinson
Subject: --{EXTERNAL}-- Changes to Grading Regulation

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Dear Nathan

I reviewed your proposed changes and have a few comments that are listed below.

I believe there are typos or missing words in sections B.2 second sentence and page 14 2.I (parameter should be plural and you probably don't want to delete walls).

Regarding the factor of safety for tiered retaining walls. The factor of safety should be 1.5 instead of 1.3 if tiered retaining walls support structures.

Regards,

Karen Berry, PG, AICP
State Geologist and Director
Colorado Geological Survey

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Lindsey Wire

From: CGS_LUR <CGS_LUR@mines.edu>
Sent: Friday, October 28, 2022 3:20 PM
To: Lindsey Wire
Subject: --{EXTERNAL}-- Re: [External] 21-109265AM Regulation Updates - Hearings Scheduled for the Zoning Resolution Section 16 and Land Development Regulation Section 17 (Land Disturbance)

Follow Up Flag: Follow up
Flag Status: Flagged

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Hi Lindsey,

CGS has no comments nor objection to approval of the proposed 21-109265AM Regulation Updates (modifications to Zoning Resolution Section 16 and Land Development Regulation Section 17 regarding Land Disturbance).

Hope all is well with you.

Thanks,
Jill

Land Use Review Program
Colorado Geological Survey
1801 Moly Road
Golden, CO 80401
cgs_lur@mines.edu
303-384-2655

From: Lindsey Wire <lwire@co.jefferson.co.us>
Sent: Wednesday, October 26, 2022 3:26 PM
To: PZ-Regulation-Revisions <PZRegRev@co.jefferson.co.us>
Subject: [External] 21-109265AM Regulation Updates - Hearings Scheduled for the Zoning Resolution Section 16 and Land Development Regulation Section 17 (Land Disturbance)

Dear Agency/Interested Party,

Jefferson County Planning & Zoning has scheduled the Planning Commission and Board of County Commissioner hearings pertaining to revisions to the Zoning Resolution (ZR) Section 16 Land Disturbance and the Land Development Regulation (LDR) Section 17 Land Disturbance.

You can view the final draft of the proposed amendments by clicking this [LINK](https://nam04.safelinks.protection.outlook.com) [nam04.safelinks.protection.outlook.com].

Please email your comments or questions to Case Managers Nathan Seymour (nseymour@jeffco.us) and Lindsey Wire (lwire@jeffco.us).

Hearings Schedule:

Lindsey Wire

From: Jason Stawski <jstawski@evergreenmetro.org>
Sent: Sunday, July 3, 2022 1:39 PM
To: PZ-Regulation-Revisions
Subject: --{EXTERNAL}-- RE: Proposed Land Disturbance Regulation Updates

CAUTION: This email originated from outside Jefferson County Government. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Sir or Ma'am,

I have reviewed the proposed changes to the Land Disturbance Regulation and have a comment/question.

Under Section B. General Provisions, part 6, Permission of other Agencies or Owners specifically states:

"The issuance of a Grading Permit or the submission of a Notice of Intent shall not relieve the applicant of the responsibility for securing other permits or approvals required by any other division or agency of Jefferson County or other public agency or for obtaining any easements or authorization for removing or transporting earth materials on property not owned by the applicant. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 12-17-02; am. 4-27-04; am. 10-12-04)"

Recently, Evergreen Metropolitan District has had a contractor with an approved Grading Permit using a Notice of Intent working within our utility easement. With this revision, is there an opportunity to add specific language about contractors working within easements needing to contact the easement owner before work begins?

In this specific situation, the grading plans show that the contractor was to fill on top of the easement and install a permanent retaining wall on part of it. Evergreen Metropolitan District was never contacted. The retaining wall is troublesome. More so, the contractor didn't show any interim earthwork required to install geothermal lines. The contractor excavated before the water main, exposing it, and never notified us.

Thanks for considering.

Jason S. Stawski, PE

New Services and Environmental Manager
Evergreen Metro District
30920 Stagecoach Blvd. | Evergreen, CO 80439
Main: 303.674.4112 | Direct: 720.813.6916

Lindsey Wire

From: Noah Nemmers <noah@baselinecorp.com>
Sent: Tuesday, November 16, 2021 4:00 PM
To: Nathan Seymour
Cc: Pat OConnell; Ethan Watel
Subject: --{EXTERNAL}-- RE: Grading Permit Threshold

CAUTION: This email originated from outside Jefferson County Government. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Nathan,

Since Baseline works in all the Counties along the front range from Wyoming down to Pueblo I would tell you that Jefferson County is the only one I'm aware of that connects the erodibility of the soil as any type of threshold or factor for a grading permit. I do appreciate you getting rid of it as part of the criteria. Obviously this is not just a Jefferson County soil issue. My understanding from the map you sent is that the County feels the K factor plays a significant role in the decision to lower the permit threshold for full Grading Permit vs. NOI. Removing it does result in an easier explanation to homeowners and builders but I still don't view it as a factor.

As we can all attest regardless of what area of the County grading is being performed in it is more incumbent on the contractor to maintain good BMP's and their handling of materials regardless of what a soils map says. The preparation of our GESC plans and the County's review of them is only valuable when the contractor implements and builds per those plans and makes necessary adjustments to BMPs when the conditions warrant.

I'm always going to be in favor of less regulation and more responsibility for the PE seal we put on plans and the contractors responsibility for the work being performed.

Weld in my opinion has a very straight forward grading permit application process <https://www.weldgov.com/files/sharedassets/public/departments/public-works/documents/grading-permit-application-2021.pdf> as they put the responsibility squarely on the Colorado PE and the applicant with more stringent requirements for sites that are within an MS4 area. The result of them putting the responsibility back on the PE and the applicant is shorter reviews for any grading applications regardless of disturbance.

I'd still prefer to see the thresholds remain the same and would have no problems with additional certification language that would put more responsibility back on the PE and the applicant. Everyone has historically dreaded hitting the NOI to full Grading Permit threshold in the County. They are always trying to find loopholes to avoid it and that should not be so.

Thanks again for taking the time to consider and value my perspective.

Regards,

NOAH NEMMERS, P.E. | CIVIL ENGINEERING MANAGER

Baseline Engineering Corporation | Engineering, Planning, & Surveying

Phone: 303.940.9966 x 207 | Cell: 303.482.7712 | www.baselinecorp.com | [Social Media](#)

Office: [112 N. Rubey Drive, #210, Golden, CO 80403](#)

Thank you for your ongoing support! We are now in the office, as well as home, continuing to provide the best services for our clients.

From: Nathan Seymour <nseymour@co.jefferson.co.us>
Sent: Tuesday, November 16, 2021 1:29 PM
To: Noah Nemmers <noah@baselinecorp.com>
Cc: Pat OConnell <poconnel@co.jefferson.co.us>
Subject: Grading Permit Threshold

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hi Noah,

Thanks for the call back. We do appreciate your comments and thank you for reaching out. Just wanted to share a map of Jeffco showing everywhere (brown color) where the K factor is above 0.23. You can see this makes up most of the County and in all of these areas a grading permit is required where the land disturbance exceeds 0.5 acre.

Part of our rationale for removing the K factor in the equation is to simplify the regulations so we can provide a straight forward answer to homeowners, builders and engineers when asked do I need grading permit or NOI. We are expecting an increase of about 10-12 permits per year based on this change. Certainly if this becomes too much of a burden on Staff or citizens we can consider making additional changes. If you remember back in 2018 the threshold was 10,000sqft rather than 0.5 so still much better than it was.

Current regs are as follows and are a bit confusing for folks due to K Factor criteria in item a.

a. Land disturbance activities that require a Grading Permit include the following: (orig. 10-12-04)

(1) A Grading Permit is required if one of the following apply:

- (a) The disturbed area is greater than or equal to 0.5 acre and the National Resources Conservation Service (NRCS) soil erodibility (K factor) is equal to or greater than 0.23. If the K factor is not mapped, the default K factor will be 0.23. The applicant may provide site specific soil data and evaluated K factor from a qualified professional that will be reviewed by Jefferson County staff. (orig. 6-1-19)
- (b) The disturbed area is greater than or equal to 0.5 acres and a perennial or intermittent stream (or similar) as classified by the United States Geological Survey (USGS) National Hydrography Dataset (NHD) is within 100 feet of the disturbed area. (orig. 6-1-19)
- (c) The disturbed area is greater than or equal to 0.5 acre and is within 100 feet of the Floodplain Overlay District boundaries. (orig. 6-1-19)
- (d) The disturbed area is greater than or equal to 0.5 acre and is within the Geologic Hazard Overlay District. (orig. 6-1-19)
- (e) The disturbed area is equal to or greater than 1 acre. (orig. 6-1-19)

Hope this helps you understand why we are proposing the change.

Nathan Seymour

Jefferson County Planning and Zoning
Civil Planning Engineer
100 Jefferson County Parkway, Suite 3550
Golden, CO 80419
303.271.8751
nseymour@jeffco.us | planning.jeffco.us

Planning and Zoning is open to the public and we are offering both virtual and in-person appointments. For the convenience and safety of the public and our staff, virtual appointments are encouraged. Many staff are still working remotely to provide online and virtual services Monday through Thursday. County offices are closed on Fridays. Please schedule [appointments](#) and submit [applications](#) online. Go to planning.jeffco.us for more information.

Lindsey Wire

From: Cory Vander Veen <cvanderveen@eprd.co>
Sent: Wednesday, July 6, 2022 7:00 AM
To: PZ-Regulation-Revisions
Cc: Chris Vogelsang; Liz Cohen; Nancy Cooper
Subject: --{EXTERNAL}-- Fwd: [External] Regulation Amendment Case 21-109265AM - Zoning Resolution Section 16 and the Land Development Regulation Section 17 - Land Disturbance
Attachments: Summary of Regulation Updates.pdf

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Good morning,

We are reaching out to see how this will impact the North Evergreen Lake Trail project that is currently out to bid. With the resolution to Section 16 ZR how will this impact this project?

Thanks,

Cory Vander Veen | Executive Director

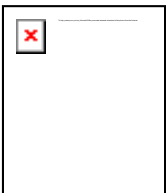
Email: cvanderveen@eprd.co | P: 720.880.1011 | C: 720.813.9548

Evergreen Park & Recreation District

1521 Bergen Parkway | Evergreen, CO 80439

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ATTACHMENTS. Although this email and any attachments are believed to be free of any virus, the files should be virus scanned before opening them.

----- Forwarded message -----

From: **Lindsey Wire** <lwire@co.jefferson.co.us>

Date: Thu, Jun 30, 2022 at 12:54 PM

Subject: [External] Regulation Amendment Case 21-109265AM - Zoning Resolution Section 16 and the Land Development Regulation Section 17 - Land Disturbance

To: PZ-Regulation-Revisions <PZRegRev@co.jefferson.co.us>

Dear Agency/Interested Party,

Jefferson County Planning & Zoning is proposing a Regulation Amendment process pertaining to the Zoning Resolution Section 16 and the Land Development Regulation Section 17, Land Disturbance. This regulation update includes general housekeeping and updates to the section as shown herein and as summarized in the Proposed Regulation Changes Summary Sheet.

Red-marked drafts can be found in both Word and Adobe PDF formats on our Regulation Revision [website](https://linkprotect.cudasvc.com) [\[linkprotect.cudasvc.com\]](https://linkprotect.cudasvc.com) and in the case folder (21-109265AM) [here](https://linkprotect.cudasvc.com) [\[linkprotect.cudasvc.com\]](https://linkprotect.cudasvc.com).

We are very interested in any comments or concerns that you or your agency may have with these proposed changes. Please provide comments by Thursday, July 21. If you have any questions, please contact Planning and Zoning Regulation Revisions at PZRegRev@jeffco.us.

Sincerely,

Planning and Zoning Staff

Lindsey Wire, P.E.

Planning & Zoning

Engineering Supervisor

303.271.8717

lwire@jeffco.us | planning.jeffco.us [\[linkprotect.cudasvc.com\]](https://linkprotect.cudasvc.com)



Planning and Zoning will be closed to the public on Monday, June 6 and on Monday, June 27. During these two days, Planning and Zoning staff will be working to improve our processes so that we can provide better customer service. We apologize for any inconveniences this may cause.

We encourage scheduling an appointment to see staff during our office hours Monday - Thursday. Please schedule [appointments \[linkprotect.cudasvc.com\]](#) and submit [applications \[linkprotect.cudasvc.com\]](#) online. Go to [planning.jeffco.us \[linkprotect.cudasvc.com\]](#) for more information.

Lindsey Wire

From: Bobbi Lavoie <BLavoie@highlandsranch.org>
Sent: Monday, July 11, 2022 4:16 PM
To: Lindsey Wire
Subject: --{EXTERNAL}-- FW: Regulation Amendment Case 21-109265AM - Zoning Resolution Section 16 and the Land Development Regulation Section 17 - Land Disturbance
Attachments: 21-109265AM_Staff Comments.pdf

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Hi Lindsay,
The regulation amendment has been reviewed and we have no comments on Case 21-109265AM - Zoning Resolution Section 16 and the Land Development Regulation Section 17 - Land Disturbance. Staff comment sheet is attached.
Many thanks,
Bobbi

Bobbi Lavoie | Business Support Specialist
Centennial Water & Sanitation District
Metro Districts Highlands Ranch
62 Plaza Dr. | Highlands Ranch CO 80129
blavoie@highlandsranch.org
720-240-4928

From: Lindsey Wire <lwire@co.jefferson.co.us>
Sent: Thursday, June 30, 2022 12:50 PM
To: PZ-Regulation-Revisions <PZRegRev@co.jefferson.co.us>
Subject: Regulation Amendment Case 21-109265AM - Zoning Resolution Section 16 and the Land Development Regulation Section 17 - Land Disturbance

Dear Agency/Interested Party,

Jefferson County Planning & Zoning is proposing a Regulation Amendment process pertaining to the Zoning Resolution Section 16 and the Land Development Regulation Section 17, Land Disturbance. This regulation update includes general housekeeping and updates to the section as shown herein and as summarized in the Proposed Regulation Changes Summary Sheet.

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We are very interested in any comments or concerns that you or your agency may have with these proposed changes. Please provide comments by Thursday, July 21. If you have any questions, please contact Planning and Zoning Regulation Revisions at PZRegRev@jeffco.us.

Sincerely,

Planning and Zoning Staff

Lindsey Wire, P.E.

Planning & Zoning
Engineering Supervisor
303.271.8717

lwire@jeffco.us | planning.jeffco.us



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Lindsey Wire

From: Leigh Seeger <lseeger@jeffcoedc.org>
Sent: Thursday, July 21, 2022 5:34 PM
To: Lindsey Wire; PZ-Regulation-Revisions
Cc: Jansen Tidmore
Subject: --{EXTERNAL}-- RE: Regulation Amendment Case 21-109265AM - Zoning Resolution Section 16 and the Land Development Regulation Section 17 - Land Disturbance

Follow Up Flag: Follow up
Flag Status: Flagged

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Good afternoon Lindsey,

I hope you are doing well. Please see the following below questions/comments from the Jeffco EDC group related to the Regulation Amendment Case 21-109265AM - Zoning Resolution Section 16 and the Land Development Regulation Section 17 - Land Disturbance.

Thank you for the opportunity to provide input and get clarification on a few items.

Best,
Leigh

Comments/questions for clarification highlighted in yellow:

1. Section B.2.a.1.a – indicates a decrease in the size of the property that must submit for a grading permit from 1 ac to 0.5 ac. **Is there any background on why?**
2. Section B.2.a.1.a –Indicates a grading permit being required when 5.000 yrs are stored on a project unless it is actively being used. **Is there any additional definition/clarification for the term “active”? This reads very subjective and could create confusion on the definition...**
3. Section D.1 – Asks for a certification that the NOI meets Jeffco Zoning, Land Development Regs, Storm Design Criteria, and the Transportation Design and Construction Manual. **Is this a new request? If so, it might create challenges obtaining this certification as this is not covered by E&O insurance companies.**
4. Section E.2.m – Asks for infiltration testing to be provided in a Geotech report. **Potential concerns with some applications given a heavy cut/fill in the location of the proposed infiltration mechanism and accomplishing on first submittal.**
5. Section F.12.a –Requiring a stamped letter (from a PE) to state that grading provided within 7 ft of a property line or within 25 ft of an adjacent structure meeting the following:
 - a. Any potential issues with this grading – **This could be a long list in some cases**

- b. Challenges with visual and/or safety impacts - concerns that this cannot be provided by a PE letter – then engineer does not own the safety impact and the visual impact is subjective and does not belong in a stamped/certified let

From: Lindsey Wire <lwire@co.jefferson.co.us>

Sent: Thursday, June 30, 2022 12:50 PM

To: PZ-Regulation-Revisions <PZRegRev@co.jefferson.co.us>

Subject: Regulation Amendment Case 21-109265AM - Zoning Resolution Section 16 and the Land Development Regulation Section 17 - Land Disturbance

Dear Agency/Interested Party,

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Sincerely,

Planning and Zoning Staff

Lindsey Wire, P.E.

Planning & Zoning
Engineering Supervisor
303.271.8717

lwire@jeffco.us | planning.jeffco.us



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Lindsey Wire

From: Nathan Seymour
Sent: Tuesday, August 30, 2022 8:16 AM
To: anne.laffoon@icloud.com; laffoona@gmail.com
Cc: Lindsey Wire
Subject: 21-109265AM - Regulation Amendments
Attachments: Summary of Regulation Updates.pdf; LDR Section 17 - Land Disturbance - Track Changes.pdf; ZR Section 16 - Land Disturbance - Track Changes.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Hello Ms. Laffoon,

Thank you for reaching out. I'm attached a summary of changes for your review. The majority of the changes are minor and include general housekeeping and cleanup. The major changes include the removal of the K Factor evaluation. This change is being proposed in an effort to simplify the criteria for when a Grading Permit is required. The other major change included adding specific language to when a permit would be needed for stockpiling of material. This change is being proposed as there have been a few instances where stockpiles have remained in locations for an extended time and the regulations were unclear if a permit was needed.

I've also attached a set of regulations which identify the changes being made.

The next steps include scheduling hearing dates to bring these changes before the Planning Commission and Board of County Commissioners (BCC). The ultimate decision will be made by the BCC. If you have any specific concerns or comments please let me know.

Best,

Nathan Seymour
Jefferson County Planning and Zoning
Civil Planning Engineer
o 303.271.8751
nseymour@jeffco.us | www.jeffco.us



We encourage scheduling an appointment to see staff during our office hours Monday - Thursday. Please schedule [appointments](#) and submit [applications](#) online. Go to planning.jeffco.us for more information.

-----Original Message-----

From: Anne Laffoon <anne.laffoon@icloud.com>
Sent: Saturday, August 27, 2022 5:55 AM
To: PZ-Regulation-Revisions <PZRegRev@co.jefferson.co.us>
Subject: --{EXTERNAL}-- Case Number: 21-109265AM Case Manager: Nathan Seymour

CAUTION: This email originated from outside Jefferson County Government. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Seymour,

Could you please contact me to discuss these proposed changes to Section 16 of the Zoning Resolution and Section 17 of the Land Development Regulation?

In particular, could you please share any information you have on the process and timeline for the discussion of these changes and any materials that provide background on the proposed changes, the reason for the changes, and the areas of the county that would be affected by these changes?

I can be reached at 202 491-6567 or by email laffoona@gmail.com

Thank you,
Anne Laffoon

Lindsey Wire

From: Todd Hager <thager@littletongov.org>
Sent: Thursday, July 21, 2022 8:48 AM
To: Lindsey Wire
Subject: --{EXTERNAL}-- FW: Outside Referral Comments

Follow Up Flag: Follow up
Flag Status: Flagged

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Looks like I couldn't send it to PZRegRev@jecffo.us

I also have Covid so I really don't know what I am doing these days!

Thanks,

Todd Hager
Planner II
Community Development
2255 West Berry Avenue
Littleton, Colorado 80120
thager@littletongov.org
303-795-3744 (office)



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From: Todd Hager
Sent: Thursday, July 21, 2022 8:37 AM
To: PZRegRev@jecffo.us
Subject: Outside Referral Comments

Lindsey,

The City of Littleton has no comments regarding the PZ Regulation Revisions. I hope you are doing well!

Thanks,

Todd Hager
Planner II
Community Development

2255 West Berry Avenue
Littleton, Colorado 80120
thager@littletongov.org
303-795-3744 (office)



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Lindsey Wire

From: Travis Reynolds <treynolds@safebuilt.com>
Sent: Friday, July 1, 2022 9:07 AM
To: Lindsey Wire
Cc: Margy Greer; Emilie Mitcham
Subject: --{EXTERNAL}-- Town of Mountain View - Regulation Amendment Case 21-109265AM - Zoning Resolution Section 16 and the Land Development Regulation Section 17 - Land Disturbance

Follow Up Flag: Follow up
Flag Status: Flagged

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Ms. Wire,

On behalf of the Town of Mountain View, CO, as an interested party to the proposed changes to your land development regulations relating to land disturbance – the Town staff have reviewed the proposed changes and have no concerns at this time. This is mainly due to the applicability of the proposed regulations to unincorporated areas of Jefferson County and the changes having no regulatory, jurisdictional impact to the Town.

Please feel free to contact me directly if feel there are other considerations we should observe, but as drafted, we have no concerns.

Thank you,
Travis Reynolds

Travis Reynolds, AICP – Colorado Planning Manager | [SAFEbuilt Studio \[protect-us.mimecast.com\]](https://safebuiltstudio.com/protect-us.mimecast.com) | Denver, CO | 📞 303.912.7153
(please note our number change)

From: Lindsey Wire <lwire@co.jefferson.co.us>
Sent: Thursday, June 30, 2022 12:50 PM
To: PZ-Regulation-Revisions <PZRegRev@co.jefferson.co.us>
Subject: Regulation Amendment Case 21-109265AM - Zoning Resolution Section 16 and the Land Development Regulation Section 17 - Land Disturbance

Dear Agency/Interested Party,

Jefferson County Planning & Zoning is proposing a Regulation Amendment process pertaining to the Zoning Resolution Section 16 and the Land Development Regulation Section 17, Land Disturbance. This regulation update includes general housekeeping and updates to the section as shown herein and as summarized in the Proposed Regulation Changes Summary Sheet.

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We are very interested in any comments or concerns that you or your agency may have with these proposed changes. Please provide comments by Thursday, July 21. If you have any questions, please contact Planning and Zoning Regulation Revisions at PZRegRev@jeffco.us.

Sincerely,

Planning and Zoning Staff

Lindsey Wire, P.E.

Planning & Zoning
Engineering Supervisor
303.271.8717

lwire@jeffco.us | planning.jeffco.us

Lindsey Wire

From: Glenn Douglass <douglassengineering1@gmail.com>
Sent: Monday, July 18, 2022 9:26 AM
To: Lindsey Wire; Cassidy Clements; Heather Gutherless
Subject: --{EXTERNAL}-- Regulation Advisory Panel - TCDM Road-Driveway Regs and Land Disturbance Permits comments

Follow Up Flag: Follow up
Flag Status: Flagged

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Hi Lindsey,

Kind of a late hour for comments prior to our meeting today, but here are some thoughts in response to the proposed changes:

TCDM - Section 3.7.8.1.2:

For persons not familiar with the Driveway / Road regs, maybe the sentence should begin with

" For driveways **less** than 150 feet.....". That would prevent inadvertent misinterpretation that ALL driveways can be 14 feet wide. I seem to get this question alot.

TCDM - Section [3.7.8.3](#) [\[3.7.8.3\]](#):

Its my understanding that the local Fire Protection Districts are no longer planning on providing alternative standards letters for circumstances where the offsite (or onsite) road does not comply with the private road regs. Is a Minor Variation Request going to be required for any alternative standard, specifically where the new proposed regulation which allows up to 15% grade for 100 feet? Of more concern is if the MVR alternative standard is considered a "relief of the regulation", will that convert what would have normally qualified as an NOI Land Disturbance Permit into a Full Grading Permit? The extra cost in permit fees, engineering and lengthened processing time frame will add significant burden to homeowners and builders.

In the same vein in regards to Land Disturbance Permits, it appears that the submittal of a Soils / Geologic Report will also trigger a full Grading Permit (vs an NOI), even when the intent of allowing steeper slopes (especially in steep rock outcroppy areas in bedrock) is to REDUCE the land disturbance. When a project is less than 1/2 acre and only some of the slopes are steeper than 2:1, it would seem more practical to still permit the NOI process as more of an applicant's budget can be applied to erosion protection and rock excavation than fees and engineering without compromising land disturbance impacts. I guess such a situation would have to be case specific, which would create another type of review.

Thank you for the opportunity to comment on the regulation changes.

Kind Regards

--

Glenn Douglass, PE
Douglass Engineering
(303) 421-4165
(720) 333-7837 CELL

Lindsey Wire

From: Ben Miller
Sent: Thursday, July 7, 2022 8:27 AM
To: Lindsey Wire
Cc: Brian Bishop
Subject: RE: Regulation Amendment Case 21-109265AM - Zoning Resolution Section 16 and the Land Development Regulation Section 17 - Land Disturbance

Follow Up Flag: Follow up
Flag Status: Flagged

Lindsey,

We are interested in how this would apply to the stockpile at the airport. Due to a number of both county and private projects, we are frequently either importing or exporting dirt/millings/etc. at our "yard". We'd estimate around 30,000 cy. yd. of dirt at the moment. Airport staff likely would not have the capacity to adjust permits/plans/etc. due to the frequent use of this yard. Is there a way to exempt public airport property on the stockpiling requirement (ZR Sec. 16 B(2)(a)(1)(b)? Each individual development site will still be subject to a land disturbance permit, and airport staff monitor for stormwater quality as part of our CDPHE permit...

Ben

From: Lindsey Wire <lwire@co.jefferson.co.us>
Sent: Thursday, June 30, 2022 12:50 PM
To: PZ-Regulation-Revisions <PZRegRev@co.jefferson.co.us>
Subject: Regulation Amendment Case 21-109265AM - Zoning Resolution Section 16 and the Land Development Regulation Section 17 - Land Disturbance

Dear Agency/Interested Party,

Jefferson County Planning & Zoning is proposing a Regulation Amendment process pertaining to the Zoning Resolution Section 16 and the Land Development Regulation Section 17, Land Disturbance. This regulation update includes general housekeeping and updates to the section as shown herein and as summarized in the Proposed Regulation Changes Summary Sheet.

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Sincerely,

Planning and Zoning Staff

Lindsey Wire, P.E.
Planning & Zoning

Engineering Supervisor
303.271.8717
lwire@jeffco.us | planning.jeffco.us



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Lindsey Wire

From: Clayton Woodruff <Clayton.Woodruff@RTD-Denver.com>
Sent: Tuesday, July 19, 2022 12:46 PM
To: Lindsey Wire
Subject: --{EXTERNAL}-- RE: Regulation Amendment Case 21-109265AM - Zoning Resolution Section 16 and the Land Development Regulation Section 17 - Land Disturbance

Follow Up Flag: Follow up
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Lindsey

The RTD has no comments on these changes

Thank you



C. Scott Woodruff
Engineer III

Regional Transportation District
1560 Broadway, Suite 700, FAS-73 | Denver, CO 80202

o 303.299.2943 | m 303-720-2025
clayton.woodruff@rtd-denver.com

From: Lindsey Wire <lwire@co.jefferson.co.us>
Sent: Thursday, June 30, 2022 12:50 PM
To: PZ-Regulation-Revisions <PZRegRev@co.jefferson.co.us>
Subject: Regulation Amendment Case 21-109265AM - Zoning Resolution Section 16 and the Land Development Regulation Section 17 - Land Disturbance

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Dear Agency/Interested Party,

Jefferson County Planning & Zoning is proposing a Regulation Amendment process pertaining to the Zoning Resolution Section 16 and the Land Development Regulation Section 17, Land Disturbance. This regulation update includes general housekeeping and updates to the section as shown herein and as summarized in the Proposed Regulation Changes Summary Sheet.

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We are very interested in any comments or concerns that you or your agency may have with these proposed changes. Please provide comments by Thursday, July 21. If you have any questions, please contact Planning and Zoning Regulation Revisions at PZRegRev@jeffco.us.

Sincerely,

Planning and Zoning Staff

Lindsey Wire, P.E.

Planning & Zoning
Engineering Supervisor
303.271.8717

lwire@jeffco.us | planning.jeffco.us [\[gcc02.safelinks.protection.outlook.com\]](https://gcc02.safelinks.protection.outlook.com)



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Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571. 3284
donna.l.george@xcelenergy.com

July 12, 2022

Jefferson County Planning and Zoning
100 Jefferson County Parkway, Suite 3550
Golden, CO 80419

Attn: Lindsey Wire

**Re: Zoning Resolution Section 16 and Land Development Regulation
Section 17 - Land Disturbance, Case # 21-109265AM**

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the above captioned **Zoning Resolution** changes and has no objection to this proposal, contingent upon PSCo's ability to maintain all existing rights and this amendment should not hinder our ability for future expansion, including all present and any future accommodations for natural gas transmission and electric transmission and distribution related facilities.

PSCo would like to remind the developer to call the Utility Notification Center by dialing 811 for utility locates prior to all land disturbance projects.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com

Lindsey Wire

From: Samantha Riblett <sriblett@UnitedPower.com>
Sent: Thursday, July 21, 2022 5:10 PM
To: PZ-Regulation-Revisions
Subject: --{EXTERNAL}-- FW: Regulation Amendment Case 21-109265AM - Zoning Resolution Section 16 and the Land Development Regulation Section 17 - Land Disturbance

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Hello,

Thank you for inviting United Power, Inc. to review and comment on the Zoning Resolution Section 16 and the Land Development Regulation Section 17 - Land Disturbance. At this time we have not comments. Thank you.



unitedpower.com



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[\[linkedin.com\]](https://linkedin.com)



[\[youtube.com\]](https://youtube.com)



[\[instagram.com\]](https://instagram.com)

Samantha Riblett, RWA-GN

Right of Way Agent

Office: 303-659-0551 | **Mobile:** 720-695-5040 |

sriblett@unitedpower.com

Working Hours: Monday -Friday 7 :00am-3 :30pm

United Power | www.unitedpower.com

[\[unitedpower.com\]](http://unitedpower.com)

500 Cooperative Way Brighton, CO 80603

*Powering Lives, Powering Change, Powering the
Future—The Cooperative Way*

From: Lindsey Wire <lwire@co.jefferson.co.us>
Sent: Thursday, June 30, 2022 12:52 PM
To: PZ-Regulation-Revisions <PZRegRev@co.jefferson.co.us>
Subject: Regulation Amendment Case 21-109265AM - Zoning Resolution Section 16 and the Land Development Regulation Section 17 - Land Disturbance

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Sincerely,

Planning and Zoning Staff

Lindsey Wire, P.E.

Planning & Zoning
Engineering Supervisor
303.271.8717

lwire@jeffco.us | planning.jeffco.us



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We encourage scheduling an appointment to see staff during our office hours Monday - Thursday. Please schedule [appointments \[jeffco-planning-and-zoning-hqorx.appointlet.com\]](http://jeffco-planning-and-zoning-hqorx.appointlet.com) and submit [applications](http://planning.jeffco.us) online. Go to planning.jeffco.us for more information.

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Lindsey Wire

From: Jeremy Cohen
Sent: Thursday, October 27, 2022 2:28 PM
To: Lindsey Wire
Cc: Mike Schuster; Pat OConnell
Subject: RE: 21-109265AM Regulation Updates - Hearings Scheduled for the Zoning Resolution Section 16 and Land Development Regulation Section 17 (Land Disturbance)

Follow Up Flag: Follow up
Flag Status: Flagged

Pat and I were talking awhile back about instituting some other review or guideline to require the engineer of record or developer to monitor a property to ensure that the NOI is being followed. Something between the N-1 and N-2. Maybe a monthly check for projects that take longer than a month. It may not prevent violations, but maybe it would put some pressure on the developer or engineer to ensure they actually follow the plan and maintain it throughout the project.

Right now, we are seeing a lot of properties that start construction without any erosion control in place.

I know it's too much of a change for this round but wanted to bring it up.

Thanks,

Jeremy Cohen

Zoning Inspector Supervisor

Jefferson County Planning and Zoning Division

100 Jefferson County Parkway, Suite 3550

Golden, CO 80419

o 303.271.8722

jcohen@jeffco.us

www.jeffco.us/Planning-and-Zoning/



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From: Lindsey Wire <lwire@co.jefferson.co.us>
Sent: Wednesday, October 26, 2022 3:26 PM
To: PZ-Regulation-Revisions <PZRegRev@co.jefferson.co.us>
Subject: 21-109265AM Regulation Updates - Hearings Scheduled for the Zoning Resolution Section 16 and Land Development Regulation Section 17 (Land Disturbance)

Dear Agency/Interested Party,

Jefferson County Planning & Zoning has scheduled the Planning Commission and Board of County Commissioner hearings pertaining to revisions to the Zoning Resolution (ZR) Section 16 Land Disturbance and the Land Development Regulation (LDR) Section 17 Land Disturbance.

You can view the final draft of the proposed amendments by clicking this [LINK](#).

Lindsey Wire

From: Dave and Leah Wicks <artopia4751@gmail.com>
Sent: Thursday, October 27, 2022 8:23 PM
To: Lindsey Wire
Subject: Re: --{EXTERNAL}-- Re: 21-109265AM Regulation Updates - Hearings Scheduled for the Zoning Resolution Section 16 and Land Development Regulation Section 17 (Land Disturbance)

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Lindsey,

Thanks for the reply and explanation. I would like to suggest that the initial paragraph explain what you have described so as to make it clear that Land Disturbance Permits have two subtypes. Like I said before, I didn't spend a whole lot of time trying to figure this out, but if it's confusing to me it may be confusing to others.

Thanks,
Dave Wicks

On Thu, Oct 27, 2022 at 10:22 AM Lindsey Wire <lwire@co.jefferson.co.us> wrote:

Hi Dave,

Thank you for your email. The Jefferson County Land Disturbance permit has two subtypes:

- Grading Permit
- Notice of Intent Permit

Previously, the regulation had indicated either the Grading Permit or Notice of Intent Permit options. By generalizing it, we can refer to both permit types under the land disturbance permit header.

Section B.a. describes when a Grading Permit is required and Section B.b describes when a Notice of Intent Permit is required.

Please let me know if you have any questions.

Thank you!

Lindsey Wire, P.E.

Planning & Zoning

Engineering Supervisor

303.271.8717

lwire@jeffco.us | planning.jeffco.us



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From: Dave and Leah Wicks <artopia4751@gmail.com>

Sent: Wednesday, October 26, 2022 4:19 PM

To: Lindsey Wire <lwire@co.jefferson.co.us>

Subject: --{EXTERNAL}-- Re: 21-109265AM Regulation Updates - Hearings Scheduled for the Zoning Resolution Section 16 and Land Development Regulation Section 17 (Land Disturbance)

CAUTION: This email originated from outside Jefferson County Government. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Lindsey,

Thanks for providing me with a copy of the proposed revisions to the regulations regarding land disturbance. I didn't dig into the proposed revisions in much detail, but I'm confused about why Section 16-B-1 and Section 16-B-2 both delete the term "Grading Permit", replacing that term with "Land Disturbance Permit", yet the rest of Section 16 (from B-2a on) refers only to Grading Permits, not to Land Disturbance Permits. I must be missing something, but I can't figure out what it is. Is there an easy way to explain this?

Thanks for your help,

Lindsey Wire

From: Dean Pearson <dpearson@architerragroup.com>
Sent: Wednesday, November 2, 2022 4:38 PM
To: Lindsey Wire; Nathan Seymour
Cc: Colin Insley; Sean Kitners
Subject: --{EXTERNAL}-- Proposed Zoning Resolution Changes
Attachments: State of Colorado Grading & Drainage Memo 2-25-15.pdf

CAUTION: This email originated from outside Jefferson County Government. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Lindsey and Nathan,

I have reviewed the recent proposed revisions to your Zoning Resolution (ZR) Section 16 Land Disturbance and the Land Development Regulation (LDR) Section 17 Land Disturbance and have a few comments:

As both a resident, licensed landscape architect and small business owner in Jefferson County, I respectfully request that all references to grading plans or grading, erosion and sediment control (GESC) plans “be stamped and signed by a Colorado registered professional engineer” be changed to “be stamped and signed by the appropriate Colorado licensed professional”. Landscape architects are educated, trained and tested in the tasks of grading, erosion and sediment control. The attached memo from the Colorado Department of Regulatory Agencies was sent to local building officials and all county attorneys in 2015 to clarify questions about who can prepare, sign and seal those documents.

Is it Jefferson County’s intention to prevent licensed professionals in the State of Colorado from practicing within the scope of their expertise and licensure on projects in the county?

This causes unnecessary additional costs to our clients. An example, we often work on new park or existing park renovation projects for the Foothills Park & Recreation District. The current regulations require us to hire a Professional Engineer to review and stamp our grading and GESC plans for any land disturbance project. This adds to the total cost of the project but provides no additional value to the County or the owner.

Please feel free to contact me with any questions.

Thank you for your consideration.

Dean

Dean Pearson, PLA, FASLA
Architerra Group, Inc.
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SOUTH METRO FIRE RESCUE

FIRE MARSHAL'S OFFICE



Nathan Seymour, Case Manager
Jefferson County Planning and Zoning
100 Jefferson County Parkway, Suite 3550
Golden, Colorado 80419
303-271-8717
nseymour@jeffco.us

Project Name: Regulation Amendment
Project File #: **21-109265AM**
S Metro Review # REFOTH22-00211

Review date: November 9, 2022

Plan reviewer: Jeff Sceili
720-989-2244
Jeff.Sceili@Southmetro.org

Project Summary: Regulation Amendment

Code Reference: 2018 Fire Code Edition, 2018 Building Code Edition

South Metro Fire Rescue (SMFR) has reviewed the above project and has no comments for the proposed amendments.

Lindsey Wire

From: John <rosen.john@gmail.com>
Sent: Tuesday, November 8, 2022 11:32 AM
To: Lindsey Wire
Cc: Julie
Subject: --{EXTERNAL}-- 21 - 109265AM Comments Zoning Resolution Section 16

Follow Up Flag: Follow up
Flag Status: Flagged

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Dear Ms. Wire,

B.1. Removal of reference to the Grading Permit and Notice of Intent creates some confusion. The Land Disturbance Permit is referenced here, but it doesn't say how this corresponds to the Grading Permit or the NOI. Throughout the remaining document, the reference is made to the Grading Permit and NOI. There needs to be more information to explain the connection between the LDP and Grading Permit and NOI.

B. 2. a and B. 2. b. Don't flow naturally from the change in language above which references the LDP, and immediately talks about the Grading Permit and the NOI.

B.3.d. There are items "shall not be exempt". Those items not exempt should be shown in the paragraphs above, since paragraph 3 is for all activities that are "exempt".

B.4. The MS4 permit should be called out by name. This is an important permit. State of Colorado PH&E for a Municipal Storm Sewer System Permit.

This also has requirements for construction stormwater runoff requirements. Do any of those requirements conflict with ZR Sect 16? Owners should know how to find the authority responsible for issuing MS4 permits. All Jeffco codes and ordinances should refer seamlessly to one and other.

General: Why doesn't ZR Sect 16 refer to the Colorado Water Conservation Board and ordinance requiring adherence to the National Flood Insurance Program? Colorado adopted these higher standards in 2003 and I assume they continue as the standard, correct? Who is the state coordinator for NFIP and have they reviewed these proposed amendments?

B.5. The Building Permit is often issued and the drainage issues happen after Land Disturbance occurs. Even with engineered drawings, which the county approves. What is the mechanism to cure drainage that has caused damage or endangers adjacent properties? The county should not rely on individual landowners having to sue one another to cure drainage problems, especially after the county has reviewed and issued a permit. This issue is happening all around Jeffco and there does not seem to be a mechanism to create a cure for problems.

page 12 - 2.c. What is the enforcement mechanism? The flood in Evergreen from the 55+ community into the Safeway center had a "Final Inspection". This project also violated the 2H:1V slope and must not have had flood prevention engineered mechanisms in place despite the slopes. The more intense storms in Colorado necessitate not only the best technical review by county officials who are civil engineers but also an enforcement mechanism during

construction. The adjacent owners should not have to be Jefferson Counties enforcement mechanism through litigation. The county has an obligation to protect existing properties from damage.

Page 12, 2.d. The first sentence does not make sense "at the completion of the site" Does this mean the terminus of the downstream outflow from the site?

p, 13 - E.1.c. - The SDDTC should be named here for clarity.

pg 13 - E.1.a.9. The location and the type of flood control facility should be detailed. A contractor calls a straw bale flood control when perhaps an earth berm should be built.

p.15. 2.I. "Soil parameters". As a structural engineer, I know this wording is incorrect. If retaining walls are being designed, then the "Soil Classification and Preparation Parameters" apply. The soil classification is essential.

p.17. Paragraph 13. Stormwater. This is becoming a serious issue in Jeffco as landowners build on ever steeper sites especially as climate change is creating more intense storms. There has to be more of a requirement for development to require engineered temporary and permanent flood control protection facilities. The county is the authority issuing permits and therefore must have their own technical staff reviewing and approving these facilities, in order to protect property owners adjacent to development. Never should individual property owners have to sue to obtain relief from development that damages them or their property.

Thank you and I'll not be at the meeting, because I'm traveling home from Hawaii. However, I hope that my comments are taken into consideration,

Julie Rosen

--

John Rosen
303.981.3720

PC PRESENTATION



Planning Commission Hearing

Land Disturbance ZR Section 16 and LDR Section 17

November 9, 2022

Page 289 of 305

Background

Land Disturbance ZR Section 16 and LDR Section 17

ZR versus LDR

- Currently there is a Land Disturbance Section in both the Zoning Resolution and the Land Development Regulation
- The Zoning Resolution regulates:
 - Land Disturbance Permitting
 - Performance Standards
 - Enforcement
- The Land Development Regulation included duplicative or outdated standards

Zoning Resolution Updates

Permit Thresholds

Land Disturbance Permit Types

- There are two main types of Land Disturbance Permit:
 - Notice of Intent
 - Grading Permit
- Notice of Intent Permits are typically associated with a larger subdivision and approved overlot grading plan and drainage report. We rely on a Professional Engineer to certify that the proposed grading for a single-family residence meets the regulatory requirements and the requirements of the overall development.
- Grading Permits include a full review by Staff and are sent on a referral to various review agencies

Grading Permit Thresholds

Current	Proposed
A Grading Permit is Required If:	A Grading Permit is Required If:
The disturbed area is greater than or equal to 0.5 acre and the National Resources Conservation Service (NRCS) soil erodibility (K factor) is equal to or greater than 0.23. If the K factor is not mapped, the default K factor will be 0.23. The applicant may provide site specific soil data and evaluated K factor from a qualified professional that will be reviewed by Jefferson County staff.	The disturbed area is equal to or greater than 0.5 acres
The disturbed area is greater than or equal to 0.5 acres and a perennial or intermittent stream (or similar) as classified by the United States Geological Survey (USGS) National Hydrography Dataset (NHD) is within 100 feet of the disturbed area.	When 5,000 or more cubic yards of earthen material is stored on a property and the material is not actively being used on said property. An active use would be construction associated with an active building permit for a primary structure.
The disturbed area is greater than or equal to 0.5 acre and is within 100 feet of the Floodplain Overlay District boundaries.	
The disturbed area is greater than or equal to 0.5 acre and is within the Geologic Hazard Overlay District.	
The disturbed area is equal to or greater than 1 acre.	

Notice of Intent Thresholds

- Land disturbance activities that require a Notice of Intent to be submitted with, or in advance of, a Building Permit application include the following:
 - Land disturbance in accordance with lot grading, erosion and sediment control plans approved with plats
 - Land disturbance associated with new start building permits for primary structures.
 - This Notice of Intent process shall only apply to **Land Disturbance Activities** that meet the regulatory requirements, **including all performance standards** related to grading, drainage and circulation; otherwise, a Grading Permit is required.

Notice of Intent Timeline

Process Steps	Processing Time Frames	
Process from Plan Submittal to Acceptance of NOI		
Plan Submittal Intake	7 calendar days (Staff confirms the land disturbance permit qualifies as an NOI and required submittal items have been received)	Example timeframe: 19 Days to acceptance of NOI if processing time frames are met. May take longer if issues arise.
Applicant Action is Required	Varies, 5 calendar days used for example timeframe	
Plan Resubmittal and NOI Acceptance	7 calendar days (Staff confirms required submittal items have been received)	
Final Close Out		
Permit Monitoring until submittal of N-2	2 years maximum	

Zoning Resolution Updates

Land Disturbance Setbacks



Land Disturbance Setbacks

- Setbacks for all grading, erosion and sediment control activities shall be at least 7 feet from property boundaries and at least 25 feet from off-site occupied structures.
- Planning and Zoning may waive setback requirements for land disturbance provided it can be adequately demonstrated that activities occurring within setback limitations will not adversely affect adjacent property or structures.
- **A letter prepared by a Colorado registered professional engineer that addresses the following:**
 - **Identify any potential issues caused by grading, erosion and sediment control activities relating to existing infrastructure, drainage patterns or visual and safety impacts.**
 - **Provide justification and rationale demonstrating that there will be no adverse impacts to adjacent property owners as a result of the proposed land disturbance.**

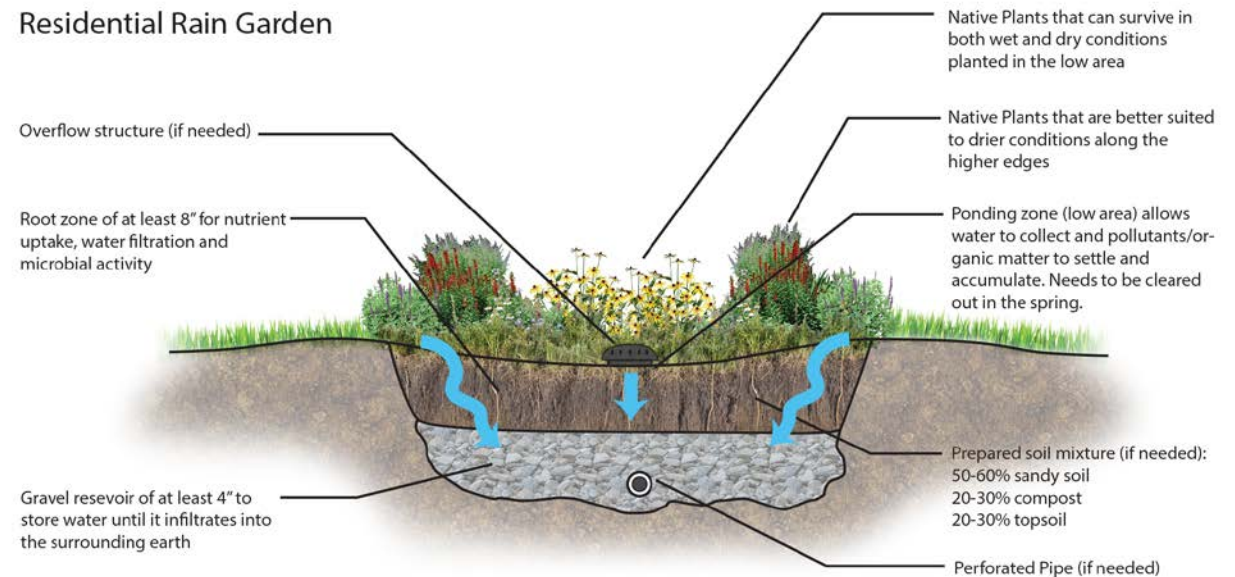
Zoning Resolution Updates

Infiltration Testing Requirements

Why is Infiltration Testing Needed?

- Infiltration testing shall be completed for each control measure that utilizes infiltration.
- At least two tests per control measure are required and the testing shall be at an appropriate elevation and location to adequately evaluate the underlying strata.
- A Factor of Safety of 2 shall be applied to the final infiltration rate to account for infiltration degradation over time

Residential Rain Garden



Referral Process

Referral Process

- Draft documents sent to the following referral agencies:

Internal Referral Agencies	External Referral Agencies	All Registered HOAs and Interested Citizens through Notify Me
Engineering, Planning, County Geologist, Geologist, T&E, R&B, Open Space, Public Health, Jefferson County Airport, and Technical Support and Research	Regulation Advisory Panel, Cities, Counties, CGS, CSFS, MHFD, CPW, CDOT, FWS, DWR, Metro Districts, Park and Recreation Districts, Jeffco Schools, Utilities, Water and Sanitation Districts, Irrigation Companies, and Fire Protection Districts	

Comment and Response Log

- The majority of the comments were submitted by citizens, community groups, other agencies/jurisdictions and engineering consultants.
- A full list of the questions and responses can be found in the comment response log.

Staff Findings

1. The amendments to the regulations will establish clear, concise, and comprehensive documents that meet the needs of our community today.
2. The amendments to the regulations ensure consistency with current County regulations, State statutes, and applicable Federal standards.
3. The amendments are in the best interest of the health, safety, and general welfare of the residents of Jefferson County.

And;

Staff recommends that the Planning Commission recommend APPROVAL of Case No. 21-109265AM.

Planning Commission Action

The Planning Commission is charged with reviewing the proposed amendments and staff report, receiving testimony and evidence on the application, and recommending approval or denial on the proposed amendments.

