

Guide to Planned Developments

INTRODUCTION

The Douglas County Department of Community Development (DCD) is committed to providing open, transparent application processes to the public. This Guide is provided to assist anyone interested in the procedures and expectations of developing a planned development. The information in this packet is a summary of Section 15 of the Douglas County Zoning Resolution (DCZR).

WHAT IS A PLANNED DEVELOPMENT?

A planned development (PD) is a unique type of zoning enabled through the Planned Unit Development Act of 1972. It provides an opportunity for a property owner to zone a mix of uses, such as residential, commercial, public and recreational, in a more flexible way than typically allowed through conventional zoning regulations. A PD is similar to the standard rezoning process in that it's frequently the first step in the land development process. A standard PD rezoning legally changes the zone district designation to allow different kinds of development than the existing zoning allows. A PD is approved by the Board of County Commissioners and the Douglas County Zone District Map is revised to reflect the approved PD zoning at the completion of the process.

WHEN IS A PD NECESSARY AND HOW DOES IT RELATE TO THE DEVELOPMENT PROCESS?

The PD process is necessary for anyone who wishes to utilize a property and finds that the existing zoning may not allow the mix of uses desired in the development. Other planning processes such as subdivision, use by special review, and site improvement plan may be required based on the land uses allowed in the PD.

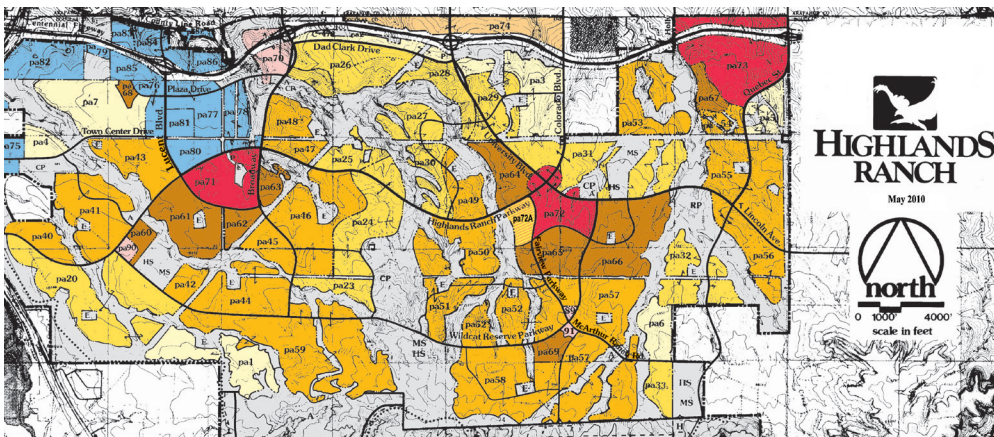
HOW DOES A PD RELATE TO WATER SUPPLY OVERLAY DISTRICT REQUIREMENTS?

Regardless of where a parcel is located in Douglas County, it must comply with the requirements of the Water Supply Overlay District as part of the PD process. Compliance with the Water Supply Overlay District demonstrates that the proposed PD has enough water in terms of quantity, quality, and dependability to serve the proposed development.

HOW DOES A PD RELATE TO THE CONCURRENT AVAILABILITY OF SERVICES?

The extent to which public services, such as fire protection, schools, roads, and parks and trails, may be impacted by new residences. If the level of service standards for public services will be impacted, coordination with the appropriate public agencies to mitigate impacts will be required.

The Highlands Ranch PD



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PD REZONING FEES

Planned Development	
• 0-20 acres	\$1,625
• 21-40 acres	\$75/acre
• 41-160 acres	\$2,825 + \$35/acre
• 161+ acres	\$8,425 + \$20/acre

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Steps 1-5 of the Planned Development Process

Presubmittal Review

STEP
1

COUNTY STAFF'S GOAL: 7-10 DAYS

The presubmittal review is the initial review of a proposal to identify potentially significant issues and submittal requirements. While Planning Services staff strives to identify critical issues at presubmittal, additional issues may be identified during the formal application review and referral process.

Presubmittal reviews are held weekly and proposals are evaluated by Planning Services, Public Works Engineering and Building staff. The applicant may schedule a meeting to request a presubmittal review by calling 303-660-7460.

Written comments from the presubmittal review team are typically provided to the applicant within a few days of the presubmittal meeting. Presubmittal comments are valid for one year from the date of the presubmittal meeting.

Submittal

STEP
2

APPLICANT'S AVERAGE: 2 DAYS

Following the presubmittal review, the applicant may submit a formal application to Planning Services. A planning technician reviews the application submittal to ensure that all required items have been included. Once all materials are provided, a planner is assigned to the project.

The submittal (summarized from Section 1506 of the DCZR) typically includes the presubmittal meeting notes, a completed land use application, the application fee, a copy of the title commitment, a project summary, and any applicable technical reports that were required during the presubmittal review meeting.

Pre-Referral Review

STEP
3

COUNTY STAFF'S GOAL: 15 DAYS

Planning Services and Public Works Engineering staff perform a completeness review to identify any additional exhibits and reports that may be required, as well as the Water Supply Overlay District requirements. The planner reviews the submittal to ensure compliance with Douglas County's Comprehensive Master Plan, Douglas County Subdivision Resolution, and DCZR.

The PD exhibit should include a written legal description of the land, identify the adjacent zoning and land uses, identify any existing easements, show public access to the site, identify topography and locate the 100-year floodplain, and note any unique features. A complete list of PD exhibit requirements can be found in Section 1508 of the DCZR.

Staff sends a pre-referral letter to the applicant outlining any revisions necessary for the application to move forward to the referral period, providing instructions on how to prepare referral packets, and indicating which referral agencies will receive referral packets. If no revisions are necessary, staff will request referral packets addressed to the appropriate agencies.

Applicant Revision

STEP
4

APPLICANT'S AVERAGE: 30 DAYS

The applicant reviews the pre-referral letter provided by staff and updates the PD exhibit and additional materials, as necessary. It is the applicant's responsibility to provide any additional exhibits, plans, studies or fees requested by staff in order to proceed with the referral process. The applicant prepares referral packets in accordance with staff's written instructions. A prompt resubmittal addressing all staff comments will help achieve a speedy process.

If no further revisions are necessary, staff will request referral packets addressed to the appropriate agencies.

Referral Period and Courtesy Notification

STEP
5

REGULATORY REFERRAL PERIOD: 21 DAYS

The planner verifies the contents of the applicant's referral packets, inserts a Referral Response Request form to solicit comments, and distributes the packets to necessary referral agencies. The referral period provides an opportunity for various agencies and stakeholders to comment on the application. Referral agencies have 21 days to comment unless the applicant grants, in writing, an extension of up to 30 days. The length of the referral period may be reduced upon concurrence by Public Works Engineering; however, it's the responsibility of the applicant to obtain comments within the reduced timeframe. The applicant must pay any referral fees, if charged.

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Steps 5-8 of the Planned Development Process

Referral Period and Courtesy Notification *continued*

The planner forwards referral comments to the applicant as they are received so the applicant can immediately begin addressing comments directly with the referral agencies. The planner assists in facilitating meetings and discussions between the applicant and referral agencies, if necessary. Additional referral periods may be required depending on the extent of design changes resulting from comments produced through the initial referral period.

Concurrent with the distribution of referral packets, the planner prepares and mails courtesy notices to abutting landowner(s) that state the application is in process.

STEP
5
continued

Post Referral Review

COUNTY STAFF'S GOAL: 5 DAYS

The planner ensures all referral responses have been forwarded to the applicant. Following the referral period, the planner provides a post-referral letter to the applicant summarizing any outstanding comments from Planning Services and referral agencies that the applicant must address. The applicant is encouraged to meet with the planner and referral agencies to discuss any comments or questions.

STEP
6

Applicant Revision

APPLICANT'S AVERAGE: 137 DAYS

The applicant reviews the post-referral letter provided by staff and revises all necessary exhibits, plans, and studies accordingly. The applicant addresses the comments of all regulatory referral agencies by identifying, in writing, the extent to which the project has been revised in response to the comments. If necessary, the applicant includes a revised PD exhibit with the post referral letter. The applicant is strongly encouraged to provide a written response to comments from any advisory referral agencies. It may be necessary for the applicant to meet with the planner and referral agencies in order to address all comments. A prompt resubmittal addressing all comments may reduce the process by several weeks.

STEP
7

Staff Review

COUNTY STAFF'S GOAL: 10 DAYS

The planner ensures all outstanding comments have been addressed in the applicant's resubmittal. If any comments have not been addressed, the planner provides the applicant with a letter stating the deficiencies. It may be necessary for the applicant to resubmit in order to satisfactorily address the review comments. If necessary, the planner will facilitate a meeting between the applicant and referral agencies to resolve outstanding comments.

Once the application is finalized, the planner schedules the project for Planning Commission and Board of County Commissioners' Hearings. The applicant must meet all public notice requirements listed in Section 1511 of the DCZR. At each hearing the following approval standards are used to evaluate the project:

Approval Standards (summarized from Section 1503 of the DCZR):

- Conforms with the goals, objectives, and policies of the Douglas County Comprehensive Master Plan
- Conforms with all applicable statutory provisions (for example, the PUD Act of 1972)
- Demonstrates a substantial change in the character of the neighborhood, since the land was last zoned
- The public facilities and services are available to service the development
- Rezoning is compatible with the surrounding land uses
- Land is suitable for the intended use and is compatible with the natural environment
- Maintain adopted roadway level of service
- Complies with the general requirements in 1502 of the DCZR
- Provides for unified development control under a unified plan
- Demonstrates a sufficient water supply in terms of quantity, quality and dependability as determined for the proposed uses, as determined in accordance with the standards in the Water Supply - Overlay District of the DCZR (Section 18A)

STEP
8

Step 9 of the Planned Development Process

Public Hearings

STEP 9

APPLICANT'S AVERAGE: 250 DAYS, BUT HAS BEEN COMPLETED AS QUICKLY AS 59 DAYS

Once the application is finalized, the planner schedules the project for Planning Commission (PC) and Board of County Commissioners' (BCC) Hearings. Planning Commission Hearings are generally held the first and third Monday of every month at 7 p.m. in the Commissioners' Hearing Room. The Board of County Commissioners generally hears land use proposals on the second and fourth Tuesdays of every month at 2:30 p.m. Please visit Douglas County's website for any changes to the schedule. Staff will identify upcoming hearing dates and relay them to the applicant. The planner provides the applicant with the deadlines for completing the required public noticing for these hearings. The planner creates a staff report in preparation for the hearings, a copy of which is mailed to the applicant.

The applicant is responsible for providing the planner with paper copies of the final PD exhibit for attachment to the staff report. In preparation for the public notice, the applicant must provide proper public notice, published and posted, of the item in accordance with Section 1511 of the DCZR 15 days prior to the hearing date.

At the hearing, the planner will present general project information. The applicant should be prepared to present pertinent information and address questions about the proposed rezoning. Common question topics include water supply, referral agency comments, traffic, and how the application meets the approval standards.

If approved, the PD is signed by all affected parties and landowners, and recorded.

PD EXHIBIT

As PDs are specific to each property and location, please contact a planner to assist in identifying a similar approved PD exhibit.

PD AMENDMENTS

Proposed changes to an approved PD are processed as either a major amendment or administrative amendment depending on the scale and impact of the project.

Major Amendment

Major amendments are adjustments to a PD that change the type of land uses allowed, significantly alter development standards, or substantially change the intent or commitments of the PD.

A major amendment is subject to the full PD process; however, the referral period is shortened to 21 days.

Major Amendment Checklist

- Completed Land Use Application form and application fee
- New PD plan exhibit, as necessary
- Development reports and plans, if applicable
- Current title commitment or insurance policy
- Notarized letter from the landowner authorizing a representative to process the application, if applicable
- Written narrative of proposed changes

Administrative Amendment

Administrative amendments are reserved for changes that do not alter the overall intent of the PD or the commitments and include changes that address minor development standards adjustments. The final decision to approve or deny the application is made by the Director of Community Development.

Staff conducts an internal review of the application, determines the extent of public notice required for the proposed changes, and sends the application on a 21-day referral period. Upon completion of the referral process, the Director of Community Development has 30 days to either approve or deny the amendment.

Administrative Amendment Checklist

- Completed Land Use Application form and application fee
- New PD plan exhibit, as necessary
- Development reports and plans, if applicable
- Current title commitment or insurance policy
- Notarized letter from the landowner authorizing a representative to process the application, if applicable
- Written narrative of proposed changes

PD AMENDMENT FEES

Major Amendment	\$1,135
Administrative Amendment	\$325
Waiver	\$350

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Depending on the project, additional fees may apply