

**DOUGLAS COUNTY COMMISSIONERS  
WORK SESSION - VARIOUS  
Monday, October 13, 2025**

**A G E N D A**

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**1:30 p.m.**

**Douglas County Zoning Resolution Amendment  
to Section 15 Administrative and Major PD  
Amendments Post Referral Comments**

**Legal Updates**


- Construction Defects**
- EV Chargers at Multifamily Properties**
- School Security**

## Agenda Item

**Date:** October 14, 2025

**To:** Douglas County Board of County Commissioners

**Through:** Douglas J. DeBord, County Manager

**From:** Terence T. Quinn, AICP, Director of Community Development 

**CC:** Matt Jakubowski, AICP, Chief Planner  
Lauren Pulver, Planning Supervisor  
Curt Weitkunat, AICP, Long Range Planning Manager  
Kati Carter, AICP, Assistant Director of Planning Resources  
Steven E. Koster, AICP, Assistant Director of Planning Services

**Subject:** **Douglas County Zoning Resolution Amendment to Section 15  
Administrative and Major PD Amendments Post Referral Comments**

**Project File:** DR2025-005

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### SUMMARY

Based on direction by the Board of County Commissioners (Board), staff sent proposed revisions to the Section 15 Planned Development (PD) amendment sections of the Douglas County Zoning Resolution (DCZR) on referral from August 13 to September 15, 2025. The proposed revisions aim to simplify review of PD amendments, while meeting the statutory requirements for PD amendments within Colorado Revised Statutes (C.R.S.) Section 24-67-106.

### DISCUSSION

The proposed amendment would revise the procedures, approval criteria text, and public notice and hearing requirements for Administrative PD Amendments and Major PD Amendments in DCZR Section 15. The intent of the proposed amendment is to streamline and simplify the review process in the context of C.R.S. Section 24-67-106. Only technical revisions are proposed to the PD Rezoning process in Section 15. A summary of the proposed amendments to Section 15 is below:

1. Require a presubmittal meeting for PD Amendment applications.
2. Revise the approval criteria to align with C.R.S. Section 24-67-106 for PD amendments.
3. Allow for an optional staff "Initial Review" to allow direct entry to the referral review period for PD amendments.
4. Specify that referrals will be sent to regulatory agencies and homeowners associations (HOAs) within 1,000 feet of a subject property for PD amendments.
5. Remove the requirement for mailing of courtesy notices for PD amendments.

6. Remove the discretionary notice process for a Director's decision on an Administrative PD Amendment.
7. Assign a public hearing date for a Major PD Amendment at the closure of the referral period.
8. Remove the requirement for the Planning Commission to provide a recommendation to the Board on Major PD Amendments.
9. Remove the requirement to install signs providing notice of hearings on Major PD Amendments.

Technical corrections were also made to Section 15 as necessary.

### **PUBLIC INPUT**

Staff sent the proposed amendment to the County-wide contact and referral agency list, which consists of approximately 500 recipients. All referral agency responses are attached. Most referral agencies responding to the request provided either a no comment or no objection response.

The Arapahoe County Public Airport Authority (Centennial Airport) has no objection but indicated that the Authority should be referred on any PD within the Centennial Airport Review Area identified in DCZR Section 19.

The City of Centennial does not object to the proposal, but requests that PD referrals adjacent to its boundaries be provided to its staff. Centennial will continue to receive referral response requests under the proposed amendment.

Highlands Ranch Metro District (HRMD) indicated that if applicants are granted the option to bypass a staff initial review for direct-entry into the referral period, it is important that the application and all supporting documents are complete with sufficient detail to allow referral agencies the ability to complete a thorough assessment.

Jefferson County commented that while the proposed amendments will not impact its review of Douglas County PD amendments, the reduced notification and hearings are less transparent and could lead to public trust issues.

The Sterling Ranch Community Authority Board expressed support for the proposal as a means to streamline the review process for municipalities and government entities. A public comment was also received from the Sterling Ranch Development Company in support of a reduction in unnecessary red tape and bureaucratic processes more closely aligned with statute.

HOAs and community groups, that included the Franktown Citizens Coalition (FCC), the Happy Canyon HOA, the Louviers Conservation Partnership, the Roxborough Park Foundation, and the Russellville HOA, objected to the proposed changes. Each expressed general concern that the proposed amendment reduces public transparency, public participation in the development review process, and public discourse. Objections centered upon removal of courtesy notices,

removal of Administrative PD Amendment approval notifications, removal of the Planning Commission public hearing for a Major PD Amendment, and removal of the requirement to erect signs for Major PD Amendment public hearing notice. They voiced concern that the public may be removed from participating in decisions that affect their communities.

FCC and Roxborough Park Foundation objected to removing approval criteria that cite consistency with PD intent. Additionally, Roxborough Park Foundation indicated that the word “individual” should be replaced with “person” in the proposed approval criteria Section 1519.04 for consistency with statute and cited concern with removal of the detailed approval criteria regarding accommodation of public facilities and services concurrent with development impacts (current Section 1520.06), and roadway capacity and level of service concurrent with development impacts (current Section 1520.07).

A public workshop was held on September 11, 2025. A representative of HRMD and a representative of the Sterling Ranch Development Company attended the workshop. Staff presented a summary of the proposed amendments and responded to specific questions from attendees. A summary of the comments provided by attendees is attached.

## **NEXT STEPS**

Staff is prepared to discuss referral and public comments received and next steps with the Board.

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**Referral Agency Response Report****Page 1 of 6****Project Name:** Planned Development, Douglas County Zoning Resolution Amendment, Section 15**Project File #:** DR2025-005**Date Sent:** 08/13/2025**Date Due:** 09/15/2025

<b>Agency</b>	<b>Date Received</b>	<b>Agency Response</b>	<b>Response Resolution</b>
Arapahoe County Engineering Services Division	08/15/2025	Following is an excerpt from the attached letter.  Staff has no comments regarding the referral at this time based on the information submitted.	No response required.
Arapahoe County Public Airport Authority-Centennial	08/15/2025	Following is a summary of referral comments received. See the attached letter for full comments.  No objection. Centennial Airport should be referred on any Planned Development within the Centennial Airport Review Area.	No response required.
Arapahoe County Water & Wastewater PID	08/20/2025	Following is an excerpt from the attached letter.  ACWWA has no comments regarding the proposed summary of amendments to Section 15 of the Douglas County Zoning Resolution.	No response required.
Black Hills Energy	08/21/2025	No Comment.	No response required.
CDPHE - All Referrals	08/26/2025	No Comment.	No response required.
Cherry Creek Basin Water Quality Authority	08/27/2025	The Cherry Creek Basin Water Quality Authority (Authority) acknowledges notification from Douglas County that the proposed development plans for DR2025-005, Planned Development, Douglas County Zoning Resolution Amendment, Section 15 have been or will be reviewed by Douglas County for compliance with the applicable Regulation 72 construction and post-construction requirements. Based on the Authority's current policy, the Authority will no longer routinely conduct a technical review and instead the Authority will defer to Douglas County's review and ultimate determination that the proposed development plans comply with Regulation 72. If a technical review of the proposed development plan is needed, please contact LandUseReferral@ccbwqa.org. The review may include consultation with the Authority's Technical Manager to address specific questions or to conduct a more detailed Land Use Review, if warranted. (verbatim)	No response required.
City of Centennial	09/08/2025	Centennial Staff have no comments about the proposed amendments to Development Section 15, but Staff does want to note that we want to still be involved on any referrals that are adjacent to the City of Centennial boundaries. (verbatim)	No response required.

**Referral Agency Response Report****Page 2 of 6****Project Name:** Planned Development, Douglas County Zoning Resolution Amendment, Section 15**Project File #:** DR2025-005**Date Sent:** 08/13/2025**Date Due:** 09/15/2025

<b>Agency</b>	<b>Date Received</b>	<b>Agency Response</b>	<b>Response Resolution</b>
Colorado Department of Transportation CDOT HQ	08/14/2025	I have reviewed the referral for Amendments to Section 15 (DR2025-005) and have no comment.  Thank you for the opportunity to review this referral. (verbatim)	No response required.
Colorado Department of Transportation CDOT-Region # 1	08/14/2025	I have reviewed the referral for Amendments to Section 15 (DR2025-005) and have no comment.  Thank you for the opportunity to review this referral. (verbatim)	No response required.
Colorado Division of Water Resources	09/12/2025	Following is an excerpt from the attached email.  Our office has no objections to the proposed amendments, since no changes to Section 18A Water Supply – Overlay District were identified in this referral. We note that, documentation of a sufficient water supply in accordance with Section 18A, Water Supply – Overlay District is still required to be provided with any Planned Development, Use by Special Review and Rezoning applications.	No response required.
Colorado Geological Survey	08/28/2025	No Comment.	No response required.
CORE Electric Cooperative	08/20/2025	No Comment.	No response required.
Douglas County Addressing Analyst	08/15/2025	No Comment.	No response required.
Douglas County Assessor	08/27/2025	Please Be Aware of the following comments: None (verbatim)	No response required.
Douglas County Building Services	08/29/2025	No Comment.	No response required.
Douglas County Engineering Services	09/23/2025	No Comment.	No response required.
Douglas County Health Department	09/03/2025	Following is an excerpt from the attached letter.  DCHD Staff have no comments on the proposed Amendment at this time.	No response required.
Douglas County Historic Preservation	09/11/2025	No Comment.	No response required.

**Referral Agency Response Report****Page 3 of 6****Project Name:** Planned Development, Douglas County Zoning Resolution Amendment, Section 15**Project File #:** DR2025-005**Date Sent:** 08/13/2025**Date Due:** 09/15/2025

<b>Agency</b>	<b>Date Received</b>	<b>Agency Response</b>	<b>Response Resolution</b>
Douglas County Office of Emergency Management	08/19/2025	No Comment.	No response required.
Douglas County Open Space and Natural Resources	09/02/2025	No Comment.	No response required.
Douglas County Parks and Trails	09/10/2025	No Comment.	No response required.
El Paso County Planning and Community Development Department	08/21/2025	No Comment.	No response required.
Franktown Citizens Coalition II Inc	09/03/2025	<p>Following is a summary of referral comments received. See the attached email for full comments.</p> <ul style="list-style-type: none"><li>- The current process allows the public to be heard twice and gives time for changes to be made to a plan prior to the Board hearing.</li><li>- Keep the courtesy notice mailing.</li><li>- Keep the Planning Commission hearing.</li><li>- Administrative Amendment approval criteria in current Section 1514.01 regarding PD intent should remain.</li></ul>	This comment has been provided to the Board for review.
Happy Canyon HOA	09/07/2025	<p>Following is a summary of referral comments received. See the attached letter for full comments.</p> <ul style="list-style-type: none"><li>- Expressed concern about reducing public participation in the process and reducing transparency.</li><li>- Expressed concern about removing the Planning Commission hearing from the process.</li><li>- Urged the Board to keep existing public notice requirements in place.</li></ul>	This comment has been provided to the Board for review.
Highlands Ranch Metro District	08/27/2025	<p>Following is an excerpt from the attached letter.</p> <p>If applicants are granted the option to bypass an initial staff review of the application and directly enter the referral period, it is important that the application, and all supporting documents, are complete and have sufficient detail provided to allow for a thorough assessment of potential impacts or concerns by referral agencies.</p>	This comment has been provided to the Board for review.

**Referral Agency Response Report****Page 4 of 6****Project Name:** Planned Development, Douglas County Zoning Resolution Amendment, Section 15**Project File #:** DR2025-005**Date Sent:** 08/13/2025**Date Due:** 09/15/2025

<b>Agency</b>	<b>Date Received</b>	<b>Agency Response</b>	<b>Response Resolution</b>
Highlands Ranch Town Center Review Committee	09/11/2025	No Comment.	No response required.
Highlands Ranch Water and Sanitation District	08/27/2025	Following is an excerpt from the attached letter.  District staff have reviewed the proposed application for its impacts on our facilities and have no comments.	No response required.
Jefferson County Planning and Zoning	09/15/2025	Following is an excerpt from the attached email.  In reviewing the changes, they will not impact the ability for Jefferson County to review Douglas County's PD amendments. However, the reduced notification and hearings is a less transparent process and could lead to public trust issues - but that is consideration for the Douglas County decision-makers and does not impact Jefferson County.	This comment has been provided to the Board for review.
Larimer County Planning Department	08/19/2025	No Comment.	No response required.
Louviers Conservation Partnership	09/15/2025	Following is an excerpt from the attached email.  All of the proposed changes/updates remove the public & local residents from notifications and the process. The following changes specifically result in less transparency to the public & local residents who will be impacted the most: <ul style="list-style-type: none"><li>- Removing the abutting property notification.</li><li>- Removing the requirement for posted signage for meetings.</li><li>- Removing the Planning Commission Meeting from the process.</li></ul> All the proposed amendments should not be approved.	This comment has been provided to the Board for review.
Meridian DCC, Meridian Village Metro District, Meridian Metro Districts	09/11/2025	No Comment.	No response required.
Meridian Village Metro Districts 1-2-3-4	09/11/2025	No Comment.	No response required.
Plum Creek Water Reclamation Authority	08/19/2025	No Comment.	No response required.

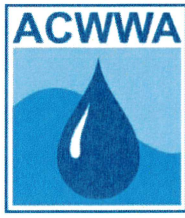


**Referral Agency Response Report****Page 5 of 6****Project Name:** Planned Development, Douglas County Zoning Resolution Amendment, Section 15**Project File #:** DR2025-005**Date Sent:** 08/13/2025**Date Due:** 09/15/2025

<b>Agency</b>	<b>Date Received</b>	<b>Agency Response</b>	<b>Response Resolution</b>
Roxborough Park Foundation	09/15/2025 09/17/2025	<p>Following is an excerpt from the attached email.</p> <p>In summary, if changes to the resolution are adopted by the County, the process and approval criteria which afforded landowners and abutting owners various safeguards over and above those afforded by the PUD Act of 1972, will in large part disappear. As such, the Foundation objects to the proposed changes to Section 1520 as noted.</p>	This comment has been provided to the Board for review.
RTD - Planning & Development Dept	09/09/2025	<p>RTD staff have reviewed the submittal and have the following comments:</p> <ul style="list-style-type: none"><li>• Bus Operations - No exceptions</li><li>• Bus Stop Program - No exceptions</li><li>• Commuter Rail - No exceptions</li><li>• Construction Management - No exceptions</li><li>• Engineering - No exceptions</li><li>• Light Rail - No exceptions</li><li>• Real Property - No exceptions</li><li>• Service Development - No exceptions</li><li>• Transit Oriented Development - No exceptions</li><li>• Utilities - No exceptions</li></ul> <p>This review is for Design concepts and to identify any necessary improvements to RTD stops and property affected by the design. This review of the plans does not eliminate the need to acquire, and/or go through the acquisition process of any agreements, easements or permits that may be required by the RTD for any work on or around our facilities and property. (verbatim)</p>	No response required.
Russellville HOA	09/14/2025	<p>Following is a summary of referral comments received. See the attached letter for full comments.</p> <ul style="list-style-type: none"><li>- Expressed objection to taking out notice requirements.</li><li>- Expressed objection to removing the Planning Commission hearing from the process.</li><li>- Expressed support for keeping the Administrative PD Amendment Section 1514 unchanged.</li></ul>	This comment has been provided to the Board for review.

**Referral Agency Response Report****Page 6 of 6****Project Name:** Planned Development, Douglas County Zoning Resolution Amendment, Section 15**Project File #:** DR2025-005**Date Sent:** 08/13/2025**Date Due:** 09/15/2025

<b>Agency</b>	<b>Date Received</b>	<b>Agency Response</b>	<b>Response Resolution</b>
South Metro Fire Rescue	08/28/2025	South Metro Fire Rescue (SMFR) has reviewed the provided documents and has no objection to the proposed amendments to the zoning resolution. (verbatim)	No response required.
South Suburban Park & Recreation District	09/15/2025	Following is an excerpt from the attached letter.  South Suburban staff have reviewed the materials and have no comments at this time.	No response required.
Southeast Metro Stormwater Authority	08/15/2025	No Comment.	No response required.
Sterling Ranch Community Authority Board	09/11/2025	Following is an excerpt from the attached letter.  - We are writing to express our support for the proposed amendments. - The amendments are reasonable and will streamline the review process for municipalities and government entities within Douglas County.	This comment has been provided to the Board for review.
Teller County Community Development Services Department	08/27/2025	No Comment.	No response required.
Town of Castle Rock	09/09/2025	No Comment.	No response required.
Town of Larkspur	09/12/2025	No Comment.	No response required.
Town of Parker Public Works	08/21/2025	No Comment.	No response required.
West Douglas County FD	08/22/2025	No Comment.	No response required.
Xcel Energy-Right of Way & Permits	09/09/2025	Following is an excerpt from the attached letter.  No apparent conflict.	No response required.



## Arapahoe County Water and Wastewater Authority

13031 E Caley Avenue, Centennial, CO 80111 9364

Phone (303) 790-4830, Fax (303)790-9364

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**TO:** Matt Jakubowski - Douglas County  
[mjakubow@douglas.co.us](mailto:mjakubow@douglas.co.us)

**DATE:** August 20, 2025

**SUBJECT:** **Summary of Amendments to Section 15 of the Douglas County Zoning Resolution,**  
**Project#: DR2025-005 – ACWWA Referral Review Comment**

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Dear Mr. Jakubowski,

We appreciate the opportunity to review the above-mentioned project on behalf of Arapahoe-County Water & Wastewater Authority (ACWWA) and have the following comments:

1. ACWWA has no comments regarding the proposed summary of amendments to Section 15 of the Douglas County Zoning Resolution referenced above.

Merrick performs reviews on behalf of ACWWA, if you have any questions, please contact me.

Sincerely,

**Wade B. Wheatlake, P.E.**

Merrick & Company

303.353.3683 / [wade.wheatlake@merrick.com](mailto:wade.wheatlake@merrick.com)



**BRYAN D. WEIMER, PWLF**  
Director

Lima Plaza  
6924 South Lima Street  
Centennial, Colorado 80112-3853  
720-874-6500  
arapahoeco.gov

## **Engineering Services Division Referral Comments**

August 15, 2025

Douglas County – Planning Services Division  
100 Third St  
Castle Rock, CO 80104  
Attn: Case Manager



RE: Amendments to Section 15 of the Douglas County Zoning Resolution  
Project File DR2025-005

Engineering Services Division of Arapahoe County Public Works and Development (Staff) thanks you for the opportunity to review the outside referral for the proposed Amendment. Staff has no comments regarding the referral at this time based on the information submitted.

Please know that other Divisions in the Public Works Department may submit comments as well.

If you have any questions, please feel free to contact our offices at 720-874-6500.

Respectfully,

Sue Liu, PE, CFM

Arapahoe County Public Works & Development  
Engineering Services Division  
cc Arapahoe County Case No. O25-163



CENTENNIAL AIRPORT  
ARAPAHOE COUNTY AIRPORT AUTHORITY

7565 South Peoria Street, Unit D9  
Englewood, Colorado 80112  
main: 303-790-0598 | fax: 303-790-2129  
www.centennialairport.com

August 15, 2025

Matt Jakubowski  
Douglas County Community Development Department  
100 Third St.  
Castle Rock, CO 80104

Re: DR2025-005 – Amendments to Section 15 of the DCZR

Dear Mr. Jakubowski,

Thank you for the opportunity to review the proposed zoning resolution amendments. The Arapahoe County Public Airport Authority has reviewed the documents and has no objection to the proposed changes, but we have the following comments to make on the project:

- Regardless of referral radii the Arapahoe County Public Airport Authority shall be referred on any Planned Development within the Centennial Airport Review Area (CARA) as established by Section 19 of the Douglas County Zoning Resolution.

Please feel free to call me if you have any questions.

Sincerely,

Zachary Gabehart  
Planning Specialist - Noise & Environmental  
303-218-2919

**From:** Comaniciu - DNR, Ioana  
**Sent:** Friday, September 12, 2025 8:00 AM  
**To:** Matt Jakubowski  
**Subject:** Fwd: Referral Request - DR2025-005 DCZR Sec. 15

Good Morning,

We have reviewed the proposed update to the Douglas County Zoning Resolution (Zoning Resolution) Section 15, Planned Development District (PD). This referral does not appear to qualify as a “subdivision” as defined in Section 30-28-101(10)(a), C.R.S. Therefore, pursuant to the State Engineer’s March 4, 2005 and March 11, 2011 memorandums to county planning directors, this office will only perform a cursory review of the referral information and provide informal comments. The comments do not address the adequacy of the water supply plan for this project or the ability of the water supply plan to satisfy any County regulations or requirements. In addition, the comments provided herein cannot be used to guarantee a viable water supply plan or infrastructure, the issuance of a well permit, or physical availability of water.

The proposal does not indicate water requirements related to the project. However, under Section 1520.05 if the applications are proposing an increase in the intensity of allowed land-uses, they must be consistent with the water supply standards in Section 18A, Water Supply Overlay District.

Our office has no objections to the proposed amendments, since no changes to Section 18A Water Supply - Overlay District were identified in this referral. We note that, documentation of a sufficient water supply in accordance with Section 18A, Water Supply - Overlay District is still required to be provided with any Planned Development, Use by Special Review and Rezoning applications.

Sincerely,

**Ioana Comaniciu, P. E.**

**Water Resource Engineer**

P 303-866-3581 x 8246

1313 Sherman St., Suite 821 Denver CO 80203

[ioana.comaniciu@state.co.us](mailto:ioana.comaniciu@state.co.us) | <https://dwr.colorado.gov>

----- Forwarded message -----

From: **Matt Jakubowski** <[mjakubow@douglas.co.us](mailto:mjakubow@douglas.co.us)>

Date: Wed, Aug 13, 2025 at 3:46 PM

Subject: Referral Request - DR2025-005 DCZR Sec. 15

To: [javier.vargasjohnson@state.co.us](mailto:javier.vargasjohnson@state.co.us) <[javier.vargasjohnson@state.co.us](mailto:javier.vargasjohnson@state.co.us)>

**Date: August 14, 2025**

**To:** Interested Parties

**From:** Matt Jakubowski, AICP

**RE: Summary of Amendments to Section 15 of the Douglas County Zoning Resolution – Project File DR2025-005**

**Request for Review:**

Please review the following proposed update to the Douglas County Zoning Resolution (Zoning Resolution) Section 15, PD - Planned Development District and forward any comments to me by **September 15, 2025**. The full text of this update can be obtained by contacting this office, or by accessing the Douglas County website at [www.douglas.us/PRO](http://www.douglas.us/PRO) and entering the project file number DR2025-005 in the search tool.

**Synopsis of Regulation Change:**

Douglas County is proposing revision to Planned Development (PD) Administrative and Major Amendment processing procedures and approval criteria to better align with Colorado Revised Statutes (C.R.S.) Section 24-67-106. Key changes include requiring a pre-submittal meeting, reducing referral radius, eliminating certain mailing and signage requirements, and sending major amendments directly to the Board of County Commissioners for their consideration. New approval criteria also aim to simplify review while meeting C.R.S. requirements.

Additional technical text changes to typographical errors are proposed to Section 15.

## **Amendment Process**

Douglas County staff will conduct a public workshop on September 11, 2025 at 4:00 p.m in the Commissioners' Hearing Room (Phillip S. Miller Building, 1<sup>st</sup> Floor, 100 Third Street, Castle Rock). Please contact Matt Jakubowski ([mjakubow@douglas.co.us](mailto:mjakubow@douglas.co.us)) at 303-660-7460 if you plan to attend the public workshop or if you have any questions.

Once comments from this referral process have been received, a work session will be scheduled with the Board of County Commissioners to review the comments.

Final consideration of the proposed regulations will occur at a public hearing with the Board, following a Planning Commission recommendation. Future hearings date(s) may be obtained by calling 303-660-7460 or by accessing the project information at [www.douglas.us/PRO](http://www.douglas.us/PRO).

Technology Accessibility Disclaimer: If you experience difficulty in accessing any part of this document, please contact us at [adacoordinator@douglas.co.us](mailto:adacoordinator@douglas.co.us); website: <https://www.douglas.co.us/accessibility-options/>; phone: 303-660-7401 or 303-663-7791 (TTY enabled); address: 100 Third Street, Castle Rock, CO 80104 for assistance.



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September 3, 2025

Matt Jakubowski  
100 Third St.  
Castle Rock, CO 80104

RE: DR2025-005

Dear Mr. Jakubowski,

Thank you for the opportunity to review and comment on Planned Development, Douglas County Zoning Resolution Amendment, Section 15 for the for Proposed amendments to the Douglas County Zoning Resolution (DCZR) for Planned Development Section 15.

Douglas County Health Department (DCHD) staff have reviewed the application for compliance with applicable environmental and public health regulations. After reviewing the application, DCHD has the following comments:

DCHD Staff have no comments on the proposed Amendment at this time.

Please feel free to contact me at 720-643-2488 or [ssicard@douglas.co.us](mailto:ssicard@douglas.co.us) if you have any questions about our comments.

Sincerely,  
Skyler Sicard  
Douglas County Health Department  
Environmental Health Division

**From:** Diana Love  
**Sent:** Wednesday, September 3, 2025 8:28 AM  
**To:** Matt Jakubowski  
**CC:** Troy Dayton; hyjinx79@q.com; Debbie  
**Subject:** FCC II Comments on proposed amendments to Section 15

Matt,  
Good morning. Below are the FCC II comments on the proposed amendments to Section 15, Planned Development District.

Diana

To the Honorable Board of County Commissioners,

Thank you very much for the opportunity for the Franktown Citizens' Coalition II to comment on the proposed amendments to Section 15, Planned Development District. It is apparent that staff has spent a good deal amount of time developing these amendments. While the language in the statute states:

**"(1) To further the mutual interest of the residents, occupants, and owners of a planned unit development and of the public in the preservation of the integrity of the plan,** the provisions of the plan relating to the use of land and the location of common open space **shall run in favor of the county or municipality and shall be enforceable at law or in equity by the county or municipality** without limitation on any power or regulation otherwise granted by law."

The bolded language appears to be in direct conflict. If the language of Section 15 doesn't take into account the importance of both sides working together to meet this statutory language, it could cause problems on both sides.

In that vein of cooperation, please consider the comments below. Thank you again.

Diana Love  
President  
Franktown Citizens' Coalition II

#### **A.IMPORTANCE OF NOTICE AND THE PRESENT TWO-STEP PLANNING PROCESS:**

Pursuant to C.R.S. 24-67-104 the process for a Planned Unit Development review is very important to protect an individual's and a community's DUE PROCESS. It requires a county to:

e. "Sets forth the procedures pertaining to the application for, hearing on, and tentative and final approval of a planned unit development which shall afford procedural due process to interested parties. . . ." Even though this statute requires only one public hearing, the two-step process in place in Douglas County has provided the constituents of this County an outstanding public hearing and input ability to their government not matched by many government entities.

One of the best things about the County process, on the items that presently require it, is the NOTICE and the two-step process of requiring both a Planning Commission hearing and then a BOCC hearing. This process gives the public a fuller opportunity to be heard twice. It gives the County the ability to make changes after public comments after the Planning commission hearing. Also, the most important point is that this two-step process gives the BOCC a better chance to make the right decision based on complete information.

A.

**1.DISAGREE WITH DELETING THE BELOW LANGUAGE.** The importance of NOTICE to people is paramount, ESPECIALLY WHEN IT AFFECTS THEIR SURROUNDINGS. To take this away would appear to be detrimental to the rights of the surrounding owners to their legal DUE PROCESS rights to challenge this.

1522.03 Staff shall send a courtesy notice of an application in process and applicable contact information to all abutting landowners and owners of land separated by 300 feet or less from the property by a platted tract. In Nonurban Areas, staff shall send a courtesy notice of an application in process to the entity or entities responsible for ownership and maintenance of a shared private access. The applicant shall reimburse the County for the cost of materials. Errors in the courtesy notice shall not negatively impact the determination of public notice compliance set forth herein. (Amended 4/13/2021)

**2. DISAGREE WITH DELETING THE BELOW LANGUAGE WHICH TAKES OUT THE PLANNING COMMISSION HEARING AND LEAVING ONLY THE ONE BOCC HEARING. LEAVE THESE IN AS IS.**

1522.051521.04 The staff planner will review the referral comments, discuss the concerns with the applicant, schedule a public hearing before the Planning Commission, Board of County Commissioners at the conclusion of the referral period, notify the applicant of the hearing date and time, and prepare a staff report. The applicant shall be responsible for public notice, in accordance with Section 1522, herein.

1522.06 The Planning Commission shall evaluate the application, referral comments, staff report, and public testimony, and make a recommendation to the Board to approve, approve with conditions, table for further study, or deny the amendment request. The Planning Commission's comments shall be based on the evidence presented, compliance with the adopted standards, regulations, policies and other guidelines.

1522.07 Following the recommendation by the Planning Commission, the staff planner will schedule a public hearing with the Board, and notify the applicant of the hearing date and time. The applicant shall be responsible for public notice, in accordance with Section 1523, herein.

1522.081521.05 The Board shall evaluate the major amendment, referral agency comments, staff report, the Planning Commission recommendation and public testimony, and shall approve, conditionally approve, table for further study, remand to the Planning Commission or deny the amendment. The Board's comments shall be based on the evidence presented, compliance with the adopted standards, regulations, policies and other guidelines.

**PLEASE, ADD BACK IN ALL OF THE LANGUAGE THROUGHOUT THE AMENDMENTS THAT TAKES OUT NOTICE AND THE TWO STEP PROCESS REQUIREMENTS. IT'S BEEN ELIMINATED THROUGHOUT. NOT GOOD IDEAS FOR GOOD GOVERNMENT!**

**B. AMENDMENT TAKING OUT NOTICE TO AFFECTED LANDOWNERS IS ALWAYS A BAD IDEA. LEAVE THIS IN.**

1522.03 Staff shall send a courtesy notice of an application in process and applicable contact information to all abutting landowners and owners of land separated by 300 feet or less from the property by a platted tract. In Nonurban Areas, staff shall send a courtesy notice of an application in process to the entity or entities responsible for ownership and maintenance of a shared private access. The applicant shall reimburse the County for the cost of materials. Errors in the courtesy notice shall not negatively impact the determination of public notice compliance set forth herein. (Amended 4/13/2021)

**C. AMENDMENTS FOR "1514 Administrative Amendment - Approval Criteria"**

LEAVE IN AS IS. THESE ARE IMPORTANT AMENDMENT CRITERIA FOR QUALITY DEVELOPMENTS:

1514 Administrative Amendment - Approval Criteria (Amended 5/13/14)

The following criteria shall be considered by the Director for approval of an administrative amendment:

1514.01 Whether the amendment is consistent with the development standards, commitments, and overall intent of the planned development;

1514.02 (Good catch on capital letter)

1514.03 Whether the amendment will adversely affect the enjoyment of the adjacent land abutting upon or across a street from the planned development in a substantially adverse manner or the public interest.; and

SUPPORT NEW LANGUAGE IN:

1514.03 Whether the amendment will affect the public interest in a substantially adverse manner.; (NOTE: THE INTENT OF THIS AMENDMENT APPEARS TO BE A GOOD ONE, BUT THE LANGUAGE IS VAGUE AND AMBIGUOUS.) and

1514.04 Whether the amendment's sole purpose of the amendment is to confer a special benefit upon an individual.



**HAPPY CANYON HOMEOWNERS' ASSOCIATION**  
**558 Castle Pines Pkwy., B #4, Box 159 - Castle Pines, CO 80108**  
[www.happycanyon.org](http://www.happycanyon.org)  
[happycanyonhoa@gmail.com](mailto:happycanyonhoa@gmail.com)

September 1, 2025

Matt Jakubowski, AICP | Chief Planner  
Douglas County Department of Community Development  
Planning Services Division  
100 Third Street, Castle Rock, CO 80104

**Re: Summary of Amendments to Section 15 of the Douglas County Zoning Resolution – Project File DR2025-005**

Dear Matt,

Thank you for the opportunity for the Happy Canyon Homeowners' Association (HCHOA) to provide comments on the above-referenced matter. As one of Douglas County's oldest and long-established rural, unincorporated communities, the HCHOA has participated for many years in the community development process. Over the last few decades, adjacent and nearby overdevelopment has severely impacted Happy Canyon residents in terms of water, traffic, strain on infrastructure - schools, public safety, road/bridges - wildlife, and much more. Our rising property taxes and property insurance also reflect these negative impacts.

Having the opportunity to ask questions and voice concerns to our Douglas County elected officials and staff during Douglas County's development approval process has been and continues to be critical for our community. Please see our comments below:

1. Per staff's Courtesy/Referral Letter [Community and Resource Services letterhead](#), ***"Synopsis of Regulation Change: Douglas County is proposing revision to Planned Development (PD) Administrative and Major Amendment processing procedures and approval criteria to better align with Colorado Revised Statutes (C.R.S.) Section 24-67-106. Key changes include requiring a pre-submittal meeting, reducing referral radius, eliminating certain mailing and signage requirements, and sending major amendments directly to the Board of County***

***Commissioners for their consideration. New approval criteria also aim to simplify review while meeting C.R.S. requirements."***

[Microsoft Word - p-ZR-Section15-REDLINE-PD-Amd-REFERRAL-DRAFT](#)

2. We believe that if Douglas County's proposed changes for Public Notice Requirements in the Zoning Resolution are approved, Douglas County citizens' right to participate in what should be a **PUBLIC PROCESS** will be all but eliminated. The people most impacted by development decisions should be allowed to discuss concerns and potential problems that the BOCC/staff may not be aware of.
3. What should be an open and mutually-respectful partnership between government and citizens will be reduced to an exclusive process with elected officials, staff, and developers only – not a very transparent nor productive way to conduct the people's business.
4. We note that even the volunteer citizen Planning Commission may be bypassed and approval decisions sent directly to the BOCC without this board's oversight. Why even have a Planning Commission if their input is of so little value to the BOCC/staff?
5. We've already seen the BOCC push public comments to the end of Business/Land Use meetings, and reduce and/or not allow any public comments. BOCC Work Sessions and Administrative Meetings are no longer available to the public online. Further, with the sale of Colorado Community Media newspapers and their undetermined future [National Trust for Local News sells 21 Colorado Community Media publications | Business | denvergazette.com](#), how does Douglas County plan to provide print notice to the general public?

We are seeing a disappointing pattern of shutting out public discussion on Douglas County development decisions. We therefore urge the BOCC and staff to drop the idea of amending (eliminating) Public Notice Requirements and return to the time-honored practice of including citizen participation in government decisions. We believe doing so will help the BOCC and staff make sound decisions and foster more public goodwill and trust, and ultimately underscore the reason why people choose to live and work in Douglas County.

Best regards,

Rich West, President  
Happy Canyon Homeowners' Association  
Cc: HCHOA Board Members  
Commissioners Laydon, Teal, Van Winkle  
Doug DeBord  
Terence Quinn  
Jeff Garcia



August 27, 2025

Carolyn Washee-Freeland, AICP, Senior Planner  
Douglas County Department of Community Development, Planning Services  
100 Third Street  
Castle Rock, CO 80104

Project name: Amendments to Section 15 of the Douglas County Zoning Resolution

Project File #: DR2025-005

Review Date: August 27, 2025

Project Summary: Proposing revision to Planned Development (PD) Administrative and Major Amendment processing procedures

The District appreciated the opportunity to review and comment on the proposed project. District staff have reviewed the proposed application for its impacts on our facilities and have no comments.



September 16, 2025

Carolyn Washee-Freeland, AICP, Senior Planner  
Douglas County Department of Community Development, Planning Services  
100 Third Street  
Castle Rock, CO 80104

Project name: Amendments to Section 15 of the Douglas County Zoning Resolution

Project File #: DR2025-005

Review Date: August 27, 2025

Project Summary: Proposing revision to Planned Development (PD) Administrative and Major Amendment processing procedures

The District appreciates the opportunity to review and comment on the proposed process amendment. District staff have reviewed the proposed amendments to the Major PD Amendment process for its impact on our facilities and offer the following comment.

- 1) If applicants are granted the option to bypass an initial staff review of the application and directly enter the referral period, it is important that the application, and all supporting documents, are complete and have sufficient detail provided to allow for a thorough assessment of potential impacts or concerns by referral agencies.

We appreciate the opportunity to comment on the proposed amendments to the PD Amendment process.

Sincerely,

Highlands Ranch Metro District





August 27, 2025

Carolyn Washee-Freeland, AICP, Senior Planner  
Douglas County Department of Community Development, Planning Services  
100 Third Street  
Castle Rock, CO 80104

Project name: Amendments to Section 15 of the Douglas County Zoning Resolution

Project File #: DR2025-005

Review Date: August 27, 2025

Project Summary: Proposing revision to Planned Development (PD) Administrative and Major Amendment processing procedures

The District appreciated the opportunity to review and comment on the proposed project. District staff have reviewed the proposed application for its impacts on our facilities and have no comments.

## Laura Armstrong

---

**From:** AUTOMAILER@JEFFCO.US  
**Sent:** Friday, September 5, 2025 8:43 AM  
**To:** Laura Armstrong  
**Cc:** Heather Gutherless  
**Subject:** 25 119087 OA - Agency Response

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**Case Number: 25 119087 OA**

Case Type: Outside Agency Referrals

Case Name: Douglas County

Review: Long Range

**Results: Comments Sent (no further review)**

**Review Comments:** In reviewing the changes, they will not impact the ability for Jefferson County to review Douglas County's PD amendments. However, the reduced notification and hearings is a less transparent process and could lead to public trust issues - but that is consideration for the Douglas County decision-makers and does not impact Jefferson County.

**Scheduled End Date:** 11-SEP-25

**Reviewer:** Heather Gutherless

**Description:** Summary of Amendments to Section 15 of the Douglas County Zoning Resolution - Project File DR2025-005

**From:** Randy Johnson

**Sent:** Monday, September 15, 2025 8:44 AM

**To:** Matt Jakubowski

**Subject:** DR2025-005 Louviers Conservation Partnership comments to Proposed amendments to the Douglas County Zoning Resolution (DCZR) for Planned Development Section 15.

Matt,

Below are comments from Louviers Conservation Partnership.

Louviers Conservation Partnership (LCP) has reviewed the documents for the Proposed amendments to the Douglas County Zoning Resolution (DCZR) for Planned Development Section 15 and has the following comments:

The county commissioners state they and the county are/want to be transparent.

All of the proposed changes/updates remove the public & local residents from notifications and the process.

The following changes specifically result in less transparency to the public & local residents who will be impacted the most:

Removing the abutting property notification.

Removing the requirement for posted signage for meetings.

Removing the Planning Commission Meeting from the process.

All the proposed amendments should not be approved.

Randy Johnson

Director

Louviers Conservation Partnership

**From:** Brian Lence  
**Sent:** Monday, September 15, 2025 4:59 PM  
**To:** Matt Jakubowski  
**CC:** Board  
**Subject:** RE: Referral Request - DR2025-005 DCZR Sec. 15

Dear Matt,

Re: DR2025-005

Thank you for the opportunity of commenting on the proposed amendment to the Douglas County Zoning Resolution, Section 15. The Foundation is primarily concerned with the proposed changes to the Major PD Amendment process and Section 1520 and on behalf of the Foundation, I would like to comment on this and other issues as follows.

1. “Pain Points”.

I would like to understand specifically what the “pain points” are, as articulated in the Summary section of the May 17, 2025, Agenda Item.

2. Revision of all PD amendment approval criteria to align with CRS 24-67-106.

I believe Section 15 was last revised on 3/10/99. As such, the County has been following this procedure for over 26 years. To revert to criteria outlined in the PUD Act of 1972 would ignore the additional processes, procedures and higher thresholds demanded of a developer that have evolved and been adopted since that time. The intent of the original PD, as an example, will now not be given any consideration due to the elimination of that word from 1520.01. The elimination of 1520.06 and 1520.07 will ensure that no consideration will be given towards the adequacy of public facilities and roadways which are critical when it comes to major PD changes and could have serious adverse implications for HOAs and their operation.

3. Eliminating courtesy notices and posted hearing notices.

In an era when greater transparency and improved communication is demanded, it seems counter-intuitive to remove methods in which the public might become informed about proposed major changes to their community.

4. Eliminating the Planning Commission hearing for Major PD Amendments.

If one of the purposes of the Planning Commission is to review and make recommendations on land use applications, removal of this hearing suggests that either the Board of County Commissioners don't feel they need this review process or have felt uncomfortable ignoring prior recommendations. The Planning Commission is comprised of Douglas County citizens and homeowners and represents many walks of life and professions, and they provide insightful, independent analysis on applications that come before them. Eliminating the Planning Commission from this process removes an extra layer of examination that might catch issues that could be overlooked by the BOCC.

In summary, if changes to the resolution are adopted by the County, the process and approval criteria which afforded landowners and abutting owners various safeguards over and above those afforded by the PUD Act of 1972, will in large part disappear. As such, the Foundation objects to the proposed changes to Section 1520 as noted.

Thank you.

Brian Lence, CMCA®, AMS®, PCAM®  
General Manager  
Roxborough Park Foundation  
6237 Roxborough Drive  
Roxborough, CO 80125  
Phone 303-979-7860  
Email [blence@roxboroughparkco.com](mailto:blence@roxboroughparkco.com)  
Website [www.roxboroughparkco.com](http://www.roxboroughparkco.com)



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**From:** Matt Jakubowski <mjakubow@douglas.co.us>  
**Sent:** Wednesday, August 13, 2025 3:42 PM  
**To:** Brian Lence <blence@roxboroughparkco.com>  
**Subject:** Referral Request - DR2025-005 DCZR Sec. 15

**Date:** August 14, 2025

**To:** Interested Parties

**From:** Matt Jakubowski, AICP

**RE:** Summary of Amendments to Section 15 of the Douglas County Zoning Resolution – Project File DR2025-005

**Request for Review:**

Please review the following proposed update to the Douglas County Zoning Resolution (Zoning Resolution) Section 15, PD - Planned Development District and forward any comments to me by **September 15, 2025**. The full text of this update can be obtained by contacting this office, or by accessing the Douglas County website at [www.douglas.us/PRO](http://www.douglas.us/PRO) and entering the project file number DR2025-005 in the search tool.

**Synopsis of Regulation Change:**

Douglas County is proposing revision to Planned Development (PD) Administrative and Major Amendment processing procedures and approval criteria to better align with Colorado Revised Statutes (C.R.S.) Section 24-67-106. Key changes include requiring a pre-submittal meeting, reducing referral radius, eliminating certain mailing and signage requirements, and sending major amendments directly to the Board of County Commissioners for their consideration. New approval criteria also aim to simplify review while meeting C.R.S. requirements.

Additional technical text changes to typographical errors are proposed to Section 15.

#### **Amendment Process**

Douglas County staff will conduct a public workshop on September 11, 2025 at 4:00 p.m in the Commissioners' Hearing Room (Phillip S. Miller Building, 1<sup>st</sup> Floor, 100 Third Street, Castle Rock). Please contact Matt Jakubowski ([mjakubow@douglas.co.us](mailto:mjakubow@douglas.co.us)) at 303-660-7460 if you plan to attend the public workshop or if you have any questions.

Once comments from this referral process have been received, a work session will be scheduled with the Board of County Commissioners to review the comments.

Final consideration of the proposed regulations will occur at a public hearing with the Board, following a Planning Commission recommendation. Future hearings date(s) may be obtained by calling 303-660-7460 or by accessing the project information at [www.douglas.us/PRO](http://www.douglas.us/PRO).

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**From:** Brian Lence  
**Sent:** Wednesday, September 17, 2025 9:57 AM  
**To:** Matt Jakubowski  
**CC:** Board  
**Subject:** FW: Referral Request - DR2025-005 DCZR Sec. 15

Good morning, Matt,

I would appreciate it if you would use your discretion to add an additional comment to the Foundation's referral response because I think it is important.

If the goal of the proposed update is to better align with CRS 24-67-106, then in order to be consistent with the exact wording of this statute which seems to have been followed, Section 1519.04 of the proposed approval criteria should read: "Whether the sole purpose of the amendment is to confer a special benefit upon **any person**", rather than "**an individual**". There is an important difference.

Thanks for your consideration.

Brian Lence, CMCA®, AMS®, PCAM®  
General Manager  
Roxborough Park Foundation  
6237 Roxborough Drive  
Roxborough, CO 80125  
Phone 303-979-7860  
Email [blence@roxboroughparkco.com](mailto:blence@roxboroughparkco.com)  
Website [www.roxboroughparkco.com](http://www.roxboroughparkco.com)



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**From:** Brian Lence  
**Sent:** Monday, September 15, 2025 4:59 PM  
**To:** 'Matt Jakubowski' <mjakubow@douglas.co.us>  
**Cc:** Board <board@roxboroughparkco.com>  
**Subject:** RE: Referral Request - DR2025-005 DCZR Sec. 15

Dear Matt,

Re: DR2025-005

Thank you for the opportunity of commenting on the proposed amendment to the Douglas County Zoning Resolution, Section 15. The Foundation is primarily concerned with the proposed changes to the Major PD Amendment process and Section 1520 and on behalf of the Foundation, I would like to comment on this and other issues as follows.

1. “Pain Points”.

I would like to understand specifically what the “pain points” are, as articulated in the Summary section of the May 17, 2025, Agenda Item.

2. Revision of all PD amendment approval criteria to align with CRS 24-67-106.

I believe Section 15 was last revised on 3/10/99. As such, the County has been following this procedure for over 26 years. To revert to criteria outlined in the PUD Act of 1972 would ignore the additional processes, procedures and higher thresholds demanded of a developer that have evolved and been adopted since that time. The intent of the original PD, as an example, will now not be given any consideration due to the elimination of that word from 1520.01. The elimination of 1520.06 and 1520.07 will ensure that no consideration will be given towards the adequacy of public facilities and roadways which are critical when it comes to major PD changes and could have serious adverse implications for HOAs and their operation.

3. Eliminating courtesy notices and posted hearing notices.

In an era when greater transparency and improved communication is demanded, it seems counter-intuitive to remove methods in which the public might become informed about proposed major changes to their community.

4. Eliminating the Planning Commission hearing for Major PD Amendments.

If one of the purposes of the Planning Commission is to review and make recommendations on land use applications, removal of this hearing suggests that either the Board of County Commissioners don't feel they need this review process or have felt uncomfortable ignoring prior recommendations. The Planning Commission is comprised of Douglas County citizens and homeowners and represents many walks of life and professions, and they provide insightful, independent analysis on applications that come before them. Eliminating the Planning Commission from this process removes an extra layer of examination that might catch issues that could be overlooked by the BOCC.

In summary, if changes to the resolution are adopted by the County, the process and approval criteria which afforded landowners and abutting owners various safeguards over and above those afforded by the PUD Act of 1972, will in large part disappear. As such, the Foundation objects to the proposed changes to Section 1520 as noted.

Thank you.

Brian Lence, CMCA®, AMS®, PCAM®  
General Manager  
Roxborough Park Foundation



6237 Roxborough Drive  
Roxborough, CO 80125  
Phone 303-979-7860  
Email [blence@roxboroughparkco.com](mailto:blence@roxboroughparkco.com)  
Website [www.roxboroughparkco.com](http://www.roxboroughparkco.com)



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**From:** Matt Jakubowski <[mjakubow@douglas.co.us](mailto:mjakubow@douglas.co.us)>  
**Sent:** Wednesday, August 13, 2025 3:42 PM  
**To:** Brian Lence <[blence@roxboroughparkco.com](mailto:blence@roxboroughparkco.com)>  
**Subject:** Referral Request - DR2025-005 DCZR Sec. 15

**Date:** August 14, 2025

**To:** Interested Parties

**From:** Matt Jakubowski, AICP

**RE:** Summary of Amendments to Section 15 of the Douglas County Zoning Resolution – Project File DR2025-005

**Request for Review:**

Please review the following proposed update to the Douglas County Zoning Resolution (Zoning Resolution) Section 15, PD - Planned Development District and forward any comments to me by **September 15, 2025**. The full text of this update can be obtained by contacting this office, or by accessing the Douglas County website at [www.douglas.us/PRO](http://www.douglas.us/PRO) and entering the project file number DR2025-005 in the search tool.

**Synopsis of Regulation Change:**

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Once comments from this referral process have been received, a work session will be scheduled with the Board of County Commissioners to review the comments.

Final consideration of the proposed regulations will occur at a public hearing with the Board, following a Planning Commission recommendation. Future hearings date(s) may be obtained by calling 303-660-7460 or by accessing the project information at [www.douglas.us/PRO](http://www.douglas.us/PRO).

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September 15, 2025

To the Honorable Board of County Commissioners

Subject: Referral Request - DR2025-005 DCZR Sec. 15 and the Russellville Homeowners and Property Owners' Association (RHPOA) comments on proposed amendments to Section 15, Planned Development District.

The RHPOA appreciates the opportunity to comment on the proposed amendments to Section 15, Planned Development District proposal. We would however like to re-emphasize comments that follow our belief for the best interest of our homeowners and members. The RHPOA would like to confer with their members on the impact of these changes and provide additional input after soliciting this input. In the meantime, we are confident in stating that these two- (2) items are very relevant to our Association.

***Importance of Notice and the Present Two-Step Planning Process:***

We agree that even though C.R.S 24-67-104 requires only one public hearing, the two-step process in place in Douglas County, the Notice, the Planning Commission hearing and the BOCC hearing, has provided the constituents of this County an outstanding public hearing and input format to their government not matched by many government entities. A principled position to be proud of.

***Please do not delete any of the language throughout the amendment that takes out notice and the two-step process requirements.***

***Importance of leaving 1514 Administrative Amendment Unchanged:***

The Amendment appears to go beyond streamlining at the risk of sidelining the safeguards that ensure responsible and sustainable development in Douglas County. This is especially true in semi-rural areas like ours, where infrastructure, resource, drainage, and wildfire risks demand rigorous review. Reducing public input and advisory oversight may accelerate approvals, but it also undermines transparency and principles of good planning and execution.

We encourage the Planning Department and the BOCC to reconsider this Amendment. Any changes to the development review process should preserve meaningful public engagement, uphold the County's Master Plan, and respect the judgment of planning professionals.

Respectfully Yours,

*ER Hayden*

Edward R. Hayden  
President  
RHPOA

# **SOUTH METRO FIRE RESCUE**

## **FIRE MARSHAL'S OFFICE**

---



Matthew Jakubowski, AICP  
Douglas County Department of Community Development, Community and Resource Services  
100 Third St  
Castle Rock Co 80104  
303.660.7460  
303.660.9550 Fax

Project Name: Amendments to Section 15 of the Douglas County Zoning Resolution  
Project File #: **DR2025-005**  
S Metro Review #: REFOTH25-00179

Review date: August 28, 2025

Plan reviewer: Aaron Miller  
720.989.2246  
[aaron.miller@southmetro.org](mailto:aaron.miller@southmetro.org)

**Project Summary:** Douglas County is proposing revision to Planned Development (PD) Administrative and Major Amendment processing procedures and approval criteria to better align with Colorado Revised Statutes (C.R.S.) Section 24-67-106. Key changes include requiring a pre-submittal meeting, reducing referral radius, eliminating certain mailing and signage requirements, and sending major amendments directly to the Board of County Commissioners for their consideration. New approval criteria also aim to simplify review while meeting C.R.S. requirements.

**Code Reference:** Douglas County Fire Code, 2018 International Fire Code, and 2021 International Building Code with amendments as adopted by Douglas County.

South Metro Fire Rescue (SMFR) has reviewed the provided documents and has no objection to the proposed amendments to the zoning resolution.

---

4810 East County Line Road  
Littleton, CO 80126  
303.483.7026

September 15, 2025

Dear Matt Jakubowski,

Thank you for the opportunity to review and comment on referral **DR2025-005 DCZR Sec. 15**. South Suburban staff have reviewed the materials and have no comments at this time.

Please don't hesitate to reach out if additional information or coordination is needed from South Suburban.  
Sincerely,

AnaClaudia Magalhaes  
Planning Supervisor

Douglas County  
Department of Community Development, Planning Services  
Attn: Matt Jakubowski, AICP  
100 Third Street  
Castle Rock, CO 80104

Project Number: DR2025-005  
Project Name: Proposed amendments to the Douglas County Zoning Resolution (DCZR)  
for Planned Development Section 15

Dear Members of the Planning Commission:

The Sterling Ranch Community Authority Board manages the public improvements, services, and facilities for the Sterling Ranch community, ensuring the well-being of the Districts, residents and property owners. As such, we are directly impacted by the policies and procedures set forth in the Douglas County Zoning Resolution. We are writing to express our support for the proposed amendments.

The amendments are reasonable and will streamline the review process for municipalities and government entities within Douglas County. Thank you for your consideration.

Kind regards,

A handwritten signature in black ink, appearing to read "Gary Debus", with a stylized flourish at the end.

Gary Debus  
General Manager  
Sterling Ranch Community Authority Board



**Right of Way & Permits**

1123 West 3<sup>rd</sup> Avenue  
Denver, Colorado 80223  
Telephone: 303.285.6612  
[violeta.ciocanu@xcelenergy.com](mailto:violeta.ciocanu@xcelenergy.com)

September 9, 2025

Douglas County Planning Services  
100 Third Street  
Castle Rock, CO 80104

Attn: Matt Jakubowski

**Re: Douglas County Zoning Resolution, Section 15, Case # DR2025-005**

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the **Summary of Amendments to Section 15 of the Douglas County Zoning Resolution** and currently has **no apparent conflict**.

Violeta Ciocanu (Chokanu)  
Right of Way and Permits  
Public Service Company of Colorado dba Xcel Energy  
Office: 303-285-6612 – Email: [violeta.ciocanu@xcelenergy.com](mailto:violeta.ciocanu@xcelenergy.com)

**RE: Douglas County Zoning Resolution (DCZR) regarding the Planned Development (PD) Amendment Process, File Number DR2025-005.**

Dear Mr. Jakubowski,

I am writing this letter to express Sterling Ranch's Development Company's support for the proposed amendments to the Douglas County Zoning Resolution (DCZR) regarding the Planned Development (PD) Amendment Process, File Number DR2025-005.

The changes presented represent a thoughtful effort to streamline bureaucratic processes, reduce unnecessary red tape, and align county procedures more closely with Colorado Revised Statutes Section 24-67-106, ultimately benefiting our community by promoting efficient development and addressing affordability challenges.

Sterling Ranch appreciates the identification of key opportunities to streamline the PD Amendment Process, such as requiring Presubmittal meetings, revising approval criteria to match state statutes, allowing regulatory agencies and nearby HOAs to comment on the proposed amendment, eliminating duplicative noticing requirements, assigning hearing dates promptly after referrals, and allowing the amendments to be heard by the Board of County Commissioners in a timely manner.

In particular, we believe these reforms will help streamline and cut red tape and also help lower housing costs in Douglas County.

Sincerely,

Susan Beckman

Zoning and Rezoning Director

Sterling Ranch Development Company



## Comment Summary - September 11, 2025 Public Workshop

- Draft regulations are more transparent than before.
- Need to remove red tape from regulations.
- Posted sign notice is outdated considering current technology, particularly electronic notifications.
- Electronic notifications are in line with modern technology that was not around when current zoning regulations were written.
- Regarding optional staff initial review, concern is that projects going on referral may not be clear or could be missing key information. This could result in referral agencies not understanding the proposal and incomplete comments from referral agencies.
- This is a modernization or a refresh of the regulations for notification. HOA notice provided is adequate and is above what is required by Statute. There are many active HOAs in the County that get the word on proposals out. This does a better job than sending courtesy notices. Assume that many people think courtesy notices are junk mail and don't actually read them.
- Courtesy notices versus mailed notice for hearings are confusing because courtesy notices could cover a wider area than the required "abutting" property owners for mailed hearing notice. Appreciates that mailed notice for abutting property owners is black and white.
- Assigning a public hearing date at the close of referral is a very business friendly addition. A lot of coordination is involved with applicants and consultants, so being able to create a target date is important.
- If a Planning Commission hearing is removed from a Major PD process, it is important that there be a staff report since the Board will have the only review.
- Removal of the PC hearing is a positive for applicants. Developers often require multiple County processes to develop property from CMP amendments and rezoning through subdivisions or site plans. Many of these processes require PC hearings and BCC hearings. It is a duplicative and onerous process. Removing one step out of those processes is a positive for applicants considering the amount of review and process steps required.
- Regarding removal of posted sign notice. Concern is that this takes away the potential for people walking by a property to know that an amendment is proposed. If the amendment concerns a land use or a project on a single property, would like posted sign notice to still be considered. This helps inform residents what is going on a property.

- General comment is it is very important that additional process steps are not required of applicants if the Board considers further amendment of the redlines. Things are already difficult on developers. Developers want to do less, not more, and want clarity.
- Posted sign notice is expensive for many PD amendments due to the number of signs required. The number of signs and the sign locations seems up for staff interpretation.

## C.R.S. 24-67-106(3)(b)

### Enforcement and modification of provisions of the plan

**(3)** All those provisions of the plan authorized to be enforced by the county or municipality may be modified, removed, or released by the county or municipality, subject to the following:

**(b)** Except as otherwise provided in paragraph (b.5) of this subsection (3), no substantial modification, removal, or release of the provisions of the plan by the county or municipality shall be permitted except upon a finding by the county or municipality, following a public hearing called and held in accordance with the provisions of section 24-67-104 (1)(e) that the modification, removal, or release is consistent with the efficient development and preservation of the entire planned unit development, does not affect in a substantially adverse manner either the enjoyment of land abutting upon or across a street from the planned unit development or the public interest, and is not granted solely to confer a special benefit upon any person.

## SECTION 15 PD - PLANNED DEVELOPMENT DISTRICT

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## 1501 Intent

To encourage innovative and creative design and to facilitate a mix of use in the development of a balanced community including residential, business, commercial, recreational, open space, and other selected secondary uses, in accordance with Section 24-67-101, et. seq., C.R.S. Growth should occur in a phased and contiguous manner to save on the costly, premature extension of basic infrastructure.

Development within this district should be designed to:

- ensure that provision is made for ample open space;
- ensure that environmentally and visually sensitive areas are preserved;
- promote layout, design and construction of residential development that is sensitive to the natural land form and environmental conditions of the immediate and surrounding area;
- provide or be located in proximity to employment and activity centers such as shopping, recreational, and community centers, health care facilities, and public transit;
- ensure the adequacy of public facilities to accommodate population growth;
- promote balanced developments of mixed housing types;
- encourage the provision of dwellings with a range of affordability; and
- otherwise implement the stated purpose and intent of this Resolution and the Douglas County Comprehensive Master Plan.

Development in this district is permitted only in accordance with a Development Plan prepared and approved in accordance with the provisions herein.

The PD zone district is characterized by neighborhoods balanced in terms of scale and identity and as a complete community with adequate schools, parks, employment opportunities, convenience retail, health services, and public transit. Pedestrian, bicycle, and automobile circulation should include connections between neighborhoods, community facilities, employment centers, and shopping centers.

## 1502 General Requirements *(Amended 9/27/22)*

Planned Developments may be controlled by one or more owners and shall be developed under unified control or by a unified plan. The owners, successors, heirs, or assigns shall be bound by the approved Development Plan, including any amendments thereto approved by the Planning Director or Board of County Commissioners.

1502.01 In order to provide uniform administrative procedures and quality development standards, Planned Developments shall conform to the following sections of this Resolution, as amended:

Sections: 1 – Administrative Provisions and Procedures  
2 – General Requirements and Exceptions

- 15 – PD – Planned Development District
- 18 – Floodplain Overlay District
- 18A – Water Supply Overlay District
- 19 – Centennial Airport Review Area – Overlay District
- 20 – Nonconforming Uses and ~~Buildings~~Structures
- 21 – Use by Special Review
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- 30 – Lighting Standards
- 31 – Clearing, Grading, and Land Disturbance
- 32 – Location and Extent
- 36 – Definitions

Development Plans may include more restrictive regulations than that which is included in the above listed sections, but standards shall not be established that fall below these minimum standards.

Additionally, Development Plans may include regulations for signs, parking and definitions which are not addressed by this Resolution.

- 1502.02 Mineral extraction operations processed as Planned Developments shall meet all requirements and criteria listed in the Uses Permitted by Special Review Section of this Resolution.
- 1502.03 A portion of the gross site area shall be dedicated to Douglas County for public use, or cash-in-lieu of land as required by the Douglas County Subdivision Resolution.
- 1502.04 All public utility distribution lines shall be placed underground.
- 1502.05 All uses proposed in the Planned Development shall be served by a central water and sanitation facility, unless this Zoning Resolution permits the proposed uses to be served by an individual well and an individual septic system.

### 1503 Approval Criteria for Planned Development Rezoning (Amended 11/18/14)

The following criteria shall be considered by the Planning Commission and Board in the review of planned development rezoning applications:

- 1503.01 whether the application is in compliance with the requirements of this Resolution and the Douglas County Comprehensive Master Plan;
- 1503.02 whether the application is in compliance with all applicable statutory provisions;
- 1503.03 whether there has been a substantial change in the character of the neighborhood, since the land was last zoned;
- 1503.04 whether the application demonstrates public facilities and services necessary to accommodate the proposed development will be available concurrently with the impacts of such development;
- 1503.05 whether the roadway capacity necessary to maintain the adopted roadway level-of-service for the proposed development will be available concurrently with the impacts of such development;
- 1503.06 whether the proposed rezoning is compatible with the surrounding land uses;
- 1503.07 whether the subject land is suitable for the intended use and is compatible with the natural environment;
- 1503.08 whether the proposed Development Plan complies with the general requirements in 1502 herein;
- 1503.09 whether the planned development provides for unified development control under a unified plan; and
- 1503.10 whether the application is in conformance with Section 18A, Water Supply Overlay District, herein. (Amended 5/26/2015)

### 1504 Prerequisite (Amended 8/11/04)

Prior to submittal of a planned development rezoning application, the applicant shall meet with staff to review the proposal and discuss the procedures and submittal requirements.

- 1504.01 The applicant shall contact the Planning Services Division and schedule a presubmittal meeting which may include the Engineering staff and other referral agencies, as deemed necessary. The applicant shall provide the following:

- 1504.01.1 a schematic plan illustrating the location and relationship of proposed uses by planning area, including access, street network, trails, parks, open space, connections to neighborhoods;
- 1504.01.2 preliminary evidence of the availability of services, including schools, fire and sheriff protection, parks, utilities such as water, sanitary sewer, electricity, and gas; and
- 1504.01.3 a description of the site regarding natural and man-made hazards, soils, vegetation, water features, drainages, and wildlife movement areas.
- 1504.02 The staff shall comment on the proposed planned development design; compliance with the intent of the planned development provisions, and the Comprehensive Master Plan, and explain the rezoning process. Additional review may be required at the discretion of the Director due to the size and/or complexity of the proposal.
- 1504.03 A staff comment summary shall be provided to the applicant, and to the Planning Technician for inclusion in the project file.

#### 1505 Rezoning Submittal Process *(Amended 8/11/09)*

The rezoning application shall be submitted only after the presubmittal meeting(s) has been completed and the applicant has received the written staff comment summary from the presubmittal meeting. The submittal is processed as follows:

- 1505.01 The applicant shall submit the required submittal information to the Planning Services Division. The submittal shall be reviewed by staff and a determination of completeness shall be made within 15 calendar days. The applicant shall be notified in writing if the submittal is incomplete, and any inadequacies shall be specifically identified. An incomplete submittal will not be processed. *(Amended 9/27/22)*
- 1505.02 Once the submittal is determined complete, staff will notify the applicant ~~in writing of the number of copies~~ of the submittal information required for distribution to referral agencies. Staff will identify in the written notice which referral agencies are a regulatory referral agency and which referral agencies are an advisory referral agency. ~~The mailing addresses of the referral agencies shall be provided to the applicant.~~ Electronic distribution is preferred. ~~Otherwise, referral packets shall be provided by the applicant in unsealed manila envelopes, without postage, addressed to the appropriate referral agency, with submittal information properly folded and compiled. Staff shall include a referral response sheet and distribute the referral packets to the referral agencies.~~ *(Amended 9/27/22)*



1505.03 Staff shall send a courtesy notice of an application in process and applicable contact information to all abutting landowners and owners of land separated by 300 feet or less from the property by a platted tract. In Nonurban Areas, staff shall send a courtesy notice of an application in process to the entity or entities responsible for ownership and maintenance of a shared private access. The applicant shall reimburse the County for the cost of materials. Errors in the courtesy notice shall not negatively impact the determination of public notice compliance set forth herein. *(Amended 4/13/2021)*

1505.04 If the referral agencies elect to comment, they shall comment within 21 calendar days of the date the referral packets were mailed or electronically distributed, unless the applicant grants, in writing, an extension of no more than 30 calendar days. After the 21 calendar days, if no extension is granted, any referral agency responses received will be accepted for informational purposes only and provided to the applicant, Planning Commission, and the Board. *(Amended 11/12/13)*

All referral agency comments shall be provided by staff to the applicant upon receipt. The applicant shall address the comments of all regulatory referral agencies received within the 21-calendar day referral period, or as extended by the applicant, by identifying in writing the extent to which the project has been revised in response to the comments. The applicant is strongly encouraged to provide staff a written response to timely comments of any and/or all advisory referral agencies. *(Amended 9/27/22)*

The applicant is encouraged to meet with the referral agencies and staff to address any concerns. The applicant is required to pay those fees assessed by regulatory referral agencies. *(Amended 9/27/22)*

1505.05 Staff will review the referral agency comments, discuss the concerns with the applicant, schedule a public hearing before the Planning Commission, notify the applicant in writing of the hearing date and time, and prepare a staff report for the Planning Commission. The applicant is responsible for public notice of the hearing in accordance with Section 1511 herein.

1505.06 The Planning Commission shall evaluate the rezoning request, staff report, referral agency comments, applicant responses, and public comment and testimony, and make a recommendation to the Board to approve, approve with conditions, continue, table for further study, or deny the rezoning request. The Planning Commission's decision shall be based on the evidence presented, compliance with the adopted County standards, regulations, policies, and other guidelines.

1505.07 Following the recommendation by the Planning Commission, staff shall schedule a public hearing before the Board, notify the applicant in writing

of the hearing date and time, and prepare a staff report for the Board. The hearing shall be scheduled for the earliest available time taking into consideration the 14-day public noticing requirement but no later than 120 days after the final Planning Commission hearing. The applicant is responsible for public notice of the hearing in accordance with Section 1511 herein.

1505.08 For applications that propose a water supply from an Existing District, at least 21 days prior to the Board hearing, the applicant shall submit evidence of inclusion of the property into the Existing District. An inclusion agreement may be contingent on approval of the rezoning by the Board.

1505.09 The Board shall evaluate the rezoning request, staff report, referral agency comments, applicant responses, the Planning Commission recommendation, and public comment and testimony, and shall approve, approve with conditions, continue, table for further study, remand to the Planning Commission, or deny the rezoning request. The Board's action shall be based on the evidence presented, compliance with the adopted County standards, regulations, policies, and other guidelines.

1505.10 Upon approval, the Development Plan shall be recorded in accordance with Section 1510 herein.

1505.11 If denied by the Board, a resubmittal of a rezoning request for the same or substantially same request, as determined by the Director, shall not be accepted within 60 days of such denial. The applicant may appeal the decision of the Director, in writing, to the Board of Adjustment pursuant to Section 26A of this Resolution. The submittal of a new application and processing fee shall be required to pursue a proposed rezoning. *(Amended 4/10/12)*

#### 1506 General Submittal Requirements *(Amended 11/18/14)*

1506.01 A completed application form *(available from ~~the Planning~~ Office Services)*

1506.02 Application Fee *(fee schedule available from ~~the Planning~~ Office Services)*

1506.03 Proof of ownership, which may be updated or current title insurance policy or title commitment no more than ~~thirty~~ 30 days old from the date of application.

1506.04 A notarized letter of authorization from the landowner permitting a representative to process the application, as necessary.

1506.05 Project Summary *(per 1507 herein)*

- 1506.06 Plan Exhibit (*per 1508 herein*)  
Plan reductions (11"X17") shall be required for public hearing packets for the Planning Commission and the Board.
- 1506.07 Development Plan (*per 1509 herein*)  
Plan reductions (11"X17") shall be required for public hearing packets for the Planning Commission and the Board.
- 1506.08 A copy of the staff comments from the presubmittal review and any additional information, as requested by staff.
- 1506.09 Water supply documentation in accordance with Section 18A, Water Supply Overlay District, herein. (*Amended 5/26/2015*)
- 1506.10 Documentation of the physical and legal capability to provide sanitation.
- 1506.11 An analysis of the capacity of public facilities and services within the impact area.
- 1506.11.1 A traffic impact study in accordance with the Douglas County Roadway Design and Construction Standards.
- 1506.11.2 Documentation of capacity from the fire protection district in accordance with fire district level of service standards.
- 1506.11.3 Documentation of capacity from the school district in accordance with the school district capacity policy.

1507 Project Summary (*Amended 11/18/14*)

The following information shall be submitted in written narrative form, unless waived by the Director:

- 1507.01 The name and address of:
- landowner/applicant
  - representative, if applicable
  - mineral rights owner
  - water rights owner
- 1507.02 General project concept
- 1507.03 Proposed development staging and time frame.
- 1507.04 Relationship to the existing and adjacent land uses.

- 1507.05 Changes in the character of the neighborhood, since the land was last zoned, to substantiate a rezoning.
- 1507.06 A description of the availability and adequacy of public services and facilities.
- 1507.07 An analysis of the site characteristics related to the proposal, including any environmentally hazardous, sensitive or natural resource areas. Describe any natural or manmade hazards.
- 1507.08 Impacts on existing flora and fauna.
- 1507.09 Compliance with the: *(Amended 5/26/2015)*
- Douglas County Comprehensive Master Plan
  - 1041 Regulations regarding New Communities
- 1507.10 A description of the recreational facilities, including existing and proposed park sites, open space and accessibility to parks and open space areas.
- 1507.11 Any other required information as applicable when other applications are processed in conjunction with the land-use application.
- 1507.12 Comparison Analysis

Provide a chart on 8 1/2" X 11" paper comparing the proposed Development Plan to the zone district requirements of the Zoning Resolution.

<b>e.g.: MULTIFAMILY</b>	<b>Proposed</b>	<b>County</b>
Maximum Height	35'	50'
Front Setback	15'	25'
<b>e.g.: COMMERCIAL – Uses by Right</b>	<b>Proposed</b>	<b>County</b>
Retail Commercial	Yes	Yes
Car Sales/Service	Yes	Yes
Bungee Jumping	Yes	No

## 1508 Plan Exhibit

- 1508.01 The plan shall be submitted on 24" X 36" paper at a scale of 1" = 100', 1" = 200' or another scale approved by the Director. A margin, at least 1" on all sides, shall be provided on each sheet and left entirely blank.
- 1508.02 The name of the proposed planned development shall be placed at the top of each sheet along the long dimension of the sheet. Names shall not duplicate existing planned developments or subdivisions. A general legal description stating the aliquot portion of the section, section, township,

range, 6th P.M., and Douglas County shall be included under the name followed by the total acreage, number of residential units, or square footage of business, commercial, or industrial. For example:

**MEADOWBROOK PLANNED DEVELOPMENT**

A part of the S/2 of Section 9, Township 6 South, Range 67 West  
of the 6<sup>th</sup> P.M., Douglas County, CO  
475 acres – 230 dwellings – ZR\_\_-\_\_\_\_

- 1508.03 A written metes and bounds legal description of the land.
- 1508.04 Two vicinity maps that depict the area to be rezoned and the area which surrounds ~~this~~ the site within a 2 mile radius. One vicinity map shall be superimposed on the Douglas County Zoning Map, and the other vicinity map shall be superimposed on the Douglas County Subdivision map, maintaining the same scale.
- 1508.05 A block in the lower right-hand corner, or along the right-hand margin, which includes the following:
- the preparation date
  - a north arrow designated as true north
  - a written and graphic scale
  - the names and addresses of the applicant, developer, engineer or surveyor who prepared the exhibit
  - the number of the sheet and the total number of sheets
- 1508.06 Indicate existing zoning of the land on the plan exhibit and the existing zoning and land uses of the adjacent land.
- 1508.07 Delineate, to scale, the existing easements or rights-of-way on the site, their use and titleholder or right holder.
- 1508.08 Show all existing structures on the site, their uses and whether they are to remain on the site.
- 1508.09 Show public access to the site and internal circulation, not limited to vehicular.
- 1508.10 Delineate right-of-way dimensions, name and surface materials for all points of access on or adjacent to the site.
- 1508.11 Show topography at 10' contour intervals including high and low spot elevations; and shadow areas of 20% or greater slope, ~~–, –the–The~~ staff planner may request that other significant topographic conditions be depicted at greater or lesser intervals where appropriate.

- 1508.12 Graphically define all natural and man-made watercourses, retention areas, streams and lakes, and any known 100-year floodplains affecting the site.
- 1508.13 Show all adjacent land owned by the applicant, the current or intended use of such land; land not part of the rezoning request shall be noted as such.
- 1508.14 Note any unique features on the site, historical landforms, views, etc.

1509 Development Plan (Amended 8/22/07)

The Development Plan shall be prepared on 24" X 36" sheets. A margin, at least 1" on all sides, shall be provided on each sheet, and left entirely blank. The name of the planned development shall be centered on the upper portion of each sheet and the sheet number in the lower right hand corner of each sheet. Textual information shall be placed in columns 5-8 inches in width. Type style shall be sans serif (*without a fine line finishing off the main strokes of a letter*) at a minimum size of 12 pt. For processing purposes, the textual information may be prepared on 8 1/2" X 11" paper.

1509.01 Sheet 1

The name of the proposed planned development shall be centered at the top of the sheet along the long dimension of the sheet.

1509.01.1 The following wording shall be placed verbatim in columns, 5-8 inches in width, beginning in the upper left-hand column:

#### **GENERAL PROVISIONS**

##### Authority

This Development Plan is authorized by Section 15 – Planned Development District of the Douglas County Zoning Resolution adopted pursuant to the Colorado Planned Unit Development Act of 1972, as amended.

##### Applicability

The provisions of this Development Plan shall run with the land. The landowners, their successors, heirs, or assigns shall be bound by this Development Plan, as amended and approved by the Community Development Director or Board of County Commissioners.

##### Adoption

The adoption of this Development Plan shall evidence the findings and decision of the Douglas County Board of Commissioners that this Development Plan for (*name of development*) is in general conformity with the Douglas County Comprehensive Master Plan; is authorized by the provision of Section 15 of the Douglas County Zoning Resolution; and that such Section 15 and this Development Plan comply with the Colorado Planned Unit Development Act of 1972, as amended.

##### Relationship to County Regulations

The provisions of this Development Plan shall prevail and govern the development of (*name of development*), provided, however, that where the provisions of this Development Plan do not address a particular subject, the relevant provisions of the Douglas County Zoning Resolution, as amended, or any other applicable resolutions or regulations of Douglas County, shall be applicable.

##### Enforcement

To further the mutual interest of the residents, occupants, and owners of the Planned Development and of the public in the preservation of the integrity of the Plan, the provisions of this Plan relating to the use of land and the location of common open space shall run in favor of Douglas County and shall be enforceable at law or in equity by the County without limitation on any power or regulation otherwise granted by law.

##### Conflict

Where there is more than one provision within the Development Plan that covers the same subject matter, the provision which is most restrictive or imposes higher standards or requirements shall govern unless determined otherwise by the Director of Community Development.

##### Maximum Level of Development

The total number of dwellings or the total commercial, business, or industrial intensity approved for development within the Planning Areas is the maximum development requested for platting or construction (plus approved density transfers, if any). The actual number of dwellings or level of development for commercial, business, or industrial properties may be less due to subdivision or site improvement plan requirements, land carrying capacity, or other requirements of the Board of County Commissioners.

##### Project Tracking

At the time of subdivision final plat, the applicant shall provide a summary of the development, to date, along with the final plat submittal to the Planning Services Division, in order to assure maximum development limits are not exceeded.



1509.01.2 The statement of commitments shall follow the above in the identical format, with the following heading:

**“STATEMENT OF COMMITMENTS”**

The statement of commitments shall, in all cases, describe the development commitments including a method for assigning responsibility to heirs, successors, or assigns, and timing of the fulfillment of these commitments for the following:

- (1) Dedication: Public dedication for parks, schools, libraries, roads, drainage, etc., either in specific acreage dedication (referenced by symbol) or specific cash-in-lieu of land or facilities. Describe the proposed ownership, utility provision, improvement schedule, and maintenance provision. A provision for on-demand dedication for regional parks and trails and school sites should be stated. The applicant shall provide title insurance for County-dedicated land. In all cases, dedicated land shall be conveyed to Douglas County and the County may further convey the land to the appropriate agency.
- (2) On- or off-site improvements: Provision shall be made for the construction of, or payment of fees for, county or off-site improvements through bonding or the imposition of pro rata fees.
- (3) Wildlife preservation plan
- (4) Wetlands/riparian preservation plan
- (5) Project phasing restrictions
- (6) Fire protection
- (7) Payment of taxes on land to be dedicated for public use
- (8) Other commitments imposed by the Board

**Parks/Trails/Open Space Commitments Matrix**

Area	Plan Preparation and Approval	Construction Timing	Construction Responsibility	Maintenance Responsibility	Ownership
Park A					
Park B					
Trail					

(Amended 3/28/01)

1509.01.3 For applications where the applicant proposes creation of a New Special District to provide water service as described in Section 18A, Water Supply Overlay District, of this Resolution, the statement of commitments shall include a commitment to submit evidence of the creation of the New Special District and of execution of all intergovernmental agreements necessary for water service, prior to submittal of the first preliminary plan, minor development final plat, or site improvement plan. (Amended 9/27/22)



## 1509.01.4 OWNERSHIP CERTIFICATION

Name of Landowner \_\_\_\_\_

(Landowner's Signature – notarized)

I/we \_\_\_\_\_, (one of the following: qualified title insurance company, title company, title attorney, or attorney at law), duly qualified, insured or licensed by the State of Colorado, do hereby certify that I/we have examined the title of all lands depicted and described hereon and that title to such land is owned in fee simple by \_\_\_\_\_ at the time of this application.

(Notarized Signature)

Name of Authorized Official \_\_\_\_\_

(date) \_\_\_\_\_

Name of Company: \_\_\_\_\_

OR

(Signature) (Registration No.) \_\_\_\_\_

Name of Attorney \_\_\_\_\_

(date) \_\_\_\_\_

## 1509.01.5 COUNTY CERTIFICATION

This rezoning request to Planned Development has been reviewed and found to be complete and in accordance with the (Board Resolution or Motion Number and Date) approving the Planned Development and all applicable Douglas County Regulations.

(Signature) \_\_\_\_\_

Chairman, Board of County Commissioners (date) \_\_\_\_\_

(Signature) \_\_\_\_\_

Director, Community Development \_\_\_\_\_

(date) \_\_\_\_\_

~~1509.01.6 CLERK AND RECORDER CERTIFICATION~~

~~I hereby certify that this Plan was filed in my office on this (day) of (month), 20\_\_\_\_, A.D. at \_\_\_\_ o'clock a.m./p.m., and was recorded per Reception No. \_\_\_\_\_.~~

~~\_\_\_\_\_  
Douglas County Clerk and Recorder~~

1509.01.~~76~~ INDEX

i.e.: *Sheet 1 General Provisions/Requirements*  
*Sheet 2 Development Standards*  
*Sheet 3 Development Plan*

## 1509.02 Sheet 2

The name of the proposed planned development shall be centered at the top of the sheet along the long dimension of the sheet. Beginning in the upper left-hand column of the sheet, state the following for each planning area category, e.g., single family:

### 1509.02.1 Principal Uses

### 1509.02.2 Uses Permitted by Special Review

### 1509.02.3 Accessory Uses/Structures

### 1509.02.4 Standards for Principal and Accessory Uses:

- (1) minimum lot area
- (2) minimum front, side and rear setbacks. Include a graphic representation or footprint of all typical residential structures other than single family detached, i.e., zero lot line, patio, etc. In order to provide for sufficient parking in all residential development where the garage door directly faces and is accessed by a public street, a minimum setback of 20 feet shall be required from the garage to the edge of the sidewalk nearest the garage, or, where sidewalks are not required, from the garage to the edge of the pavement
- (3) maximum building heights

### 1509.02.5 Other standards or requirements provided in 1502.01 herein

### 1509.02.6 Complete legal description - the staff planner may allow this to be provided on a separate sheet, if lengthy

## 1509.03 Sheet 3

The name of the proposed planned development shall be centered at the top of the sheet along the long dimension of the sheet. This sheet shall graphically depict the site and include the following:

### 1509.03.1 A block in the lower right-hand corner, or along the right-hand margin, which includes the following:

- North Arrow
- Graphic and written scale at 1" = 100' or 1" = 200' or as otherwise approved by the Director or staff planner
- Date of Preparation

- 1509.03.2 Two vicinity maps that depict the relationship to the surrounding area within a 2-mile radius.
- One vicinity map shall be superimposed on a current Douglas County Subdivision Map,
  - The other shall be superimposed on a current Douglas County Zoning Map, maintaining the same scale.
- 1509.03.3 Dimensions, bearings, and control points along all exterior property lines
- 1509.03.4 Topography at 10' contour intervals, including high and low spot elevations; and shadow areas of 20% or greater slope. ~~the~~ The staff planner may request that other significant topographic conditions be depicted at greater or lesser intervals where appropriate.
- 1509.03.5 Access
- (1) Arterials and collectors - In all cases, access shall be depicted to all planning areas, include right-of-way dimensions and surface width. *(Refer to the Douglas County Roadway Design and Construction Standards, the Douglas County Storm Drainage Design and Technical Criteria manual, and the Subdivision Resolution Design Guidelines).*
  - (2) Trails
  - (3) Existing Easements - The staff planner may allow them to be provided on a separate plan
- 1509.03.6 100-year floodplains - Depending upon the extent of floodplain area, the Director may permit this information to be provided on a separate sheet.
- 1509.03.7 Land Dedication
- Public or private, regional and community parks, open space and trails shall be depicted and referenced by number, letter or symbol. Local park dedication shall be determined at the time of platting.
  - All other land dedication including school, library, fire station, or sheriff substations as needed or required.
- 1509.03.8 Planning Areas
- All planning areas and open space areas shall be shown overlaid on topography at a scale that clearly delineates the planning area boundaries so that they can be located on the site.

- For each planning area shown on the Development Plan or within a separate table, indicate the following:
  - acreage
  - number of dwelling units
  - land use designation
  - residential density
  - nonresidential square footage

**NOTE:** *The number of dwellings indicated in the planning areas is the maximum number of dwellings requested, the total of which cannot exceed the total number approved for the proposed PD. The density range for each planning area, when calculated to the maximum proposed, shall not exceed the total number of dwellings for the entire PD. The actual number of dwellings approved by the Board may be less than shown on the plan due to subdivision or site improvement plan requirements or other requirements of the Board.*

#### 1509.03.9 Land Use Table

A separate land-use table, which indicates the total land use for the planned development, shall be prepared as follows:

PARTIAL EXAMPLE					
SYMBOL	LAND USE	GROSS DENSITY	UNITS	ACRES	%
SF	Single Family	3	120	40.0	26%
MF	Multi Family	9	765	35.0	23%
DP	Dedicated Parks	-	-	42.5	28%
<b>SUBTOTAL</b>		<b>8.38</b>	<b>985</b>	<b>117.5</b>	<b>77%</b>
C	Commercial	566,280 sq. ft.		25.0	17%
I	Industrial	217,800 sq. ft.		9.0	6%
<b>SUBTOTAL</b>		<b>784,080 sq. ft.</b>		<b>34.0</b>	<b>23%</b>

#### 1510 Recordation of Development Plan

- 1510.01 Upon approval by the Board, the applicant shall have six (6) months to submit one (1)~~2~~ sets of the approved amended Development Plan on 24" X 36" tapeless, spliceless and creaseless original film mylar, 3 millimeters thick, using only permanent black ink that will adhere to drafting films (*no ball point, transfer type or stickybacks*); or an acceptable "fix-line" photographic reproduction or computer generated reproduction (*emulsion up*) of the original drawings, ready for recordation, including the recordation fees, to the staff planner. In addition, the applicant shall submit one 11" X 17" mylar reduction (*as specified above*) of the Development Plan to the Planning Services Division.

If the documents are not submitted within said time period, the PD zoning and Development Plan will be void and of no force or effect.

- 1510.02 Within 30 days of receipt of the Development Plan, the staff planner shall review the documents for compliance with the Board approval, obtain the County Official's signatures and submit to the Clerk and Recorder's Office for recordation.
- 1510.03 The Director may grant no more than one extension of time, of not more than six (6) months, upon a written request by the applicant prior to the expiration of the six (6)-month period. An extension request shall include a fee and a narrative stating the reasons for the applicant's inability to comply with the deadline, listing any changes in the character of the neighborhood, any changes in the County Comprehensive Master Plan, Subdivision Resolution, or this Resolution that have occurred since approval of the plan. Additional review of the plan may occur resulting in additional conditions, as applicable. Further extensions may be granted by the Board at a public meeting, upon written request by the applicant or staff. *(Amended 4/10/12)*
- 1510.04 If the request for an extension of time for recordation of the plan is denied by the Director, the applicant may appeal the denial in writing to the Board of Adjustment pursuant to Section 26A of this Resolution. *(Amended 4/10/12)*

#### 1511 Notice Requirements – Rezoning

The applicant shall be responsible for public notification. In calculating the time period for public notification the day of publishing, posting, or mailing shall be counted toward the total number of days required. The day of the hearing shall not be counted toward this total.

The degree of accuracy required for the information contained in these public notices shall be that of substantial compliance with the provisions of this section. Substantial compliance for these public notices shall be determined by the Planning Commission and the Board of County Commissioners for their respective public hearings. *(Amended 3/28/01)*

##### 1511.01 WRITTEN NOTICE *(Amended 11/18/14)*

At least 15 days prior to the Planning Commission hearing and the Board hearing, the applicant shall mail a written notice of the hearing by first-class mail to the address of each abutting landowner as such address is shown in the records of the Douglas County Assessor's Office. The notice shall read substantially the same as the published notice also required by this section.

At least seven (7) days prior to the public hearing, the applicant shall submit the following to Douglas County Planning Services:

- alphabetical list of the abutting landowners;
- map showing the site and the location of the abutting landowners;
- copy of the notice sent to the landowners; and
- certificate of mailing

The person completing the mailing of the written notice shall execute a certificate of mailing. Such certificate shall read as follows:

**CERTIFICATE OF MAILING**

I hereby certify that a true and correct copy of the attached written notice was placed in the U.S. mail, first-class, postage prepaid this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and addressed as follows:

(list of addresses)

\_\_\_\_\_  
(signature of person completing the mailing)

In the event the applicant fails to mail a notice to an abutting landowner or otherwise fails to comply with the written notice required in this section, the landowner who did not receive such complying notice may waive such notice by submitting a written waiver to Douglas County Planning prior to the hearing.

**1511.02 POSTED NOTICE** *(Amended 5/13/14)*

At least 14 days prior to the Planning Commission hearing and 14 days prior to the Board hearing, the applicant shall post a notice on the land under consideration. The notice shall consist of at least one sign facing each abutting public or private street open for travel, within 10 feet of the property line abutting such street, placed on posts at least four feet above ground level. In the event the staff planner determines a sign cannot be placed abutting such street and be visible from such street or that there is no abutting public or private street open for travel, the staff planner may require an alternate location for a sign. Additional signs may be required by the staff planner. Each sign shall measure not less than 3' x 4'. Letter size shall be a minimum of three inches high, and a minimum of six inches high for the sentence that reads, "For more information call Douglas County Planning at 303.660.7460." *(Amended 11/6/2018)*. Such notice shall read:

**NOTICE OF PUBLIC HEARING BEFORE THE**  
(PLANNING COMMISSION OR BOARD OF COUNTY COMMISSIONERS)

This land shall be considered for a change in zoning from (zone district) to PD – Planned Development. The public hearing is (date), in the Commissioners' Hearing Room, 100 Third Street, Castle Rock, CO at (time). For more information call Douglas County Planning at 303-660-7460.

File No./Name: \_\_\_\_\_

- 1511.02.1 An affidavit of sign posting shall be submitted for the file to Douglas County Planning at least 7 days prior to the hearings. The sign(s) shall be photographed by the applicant and attached to the affidavit as follows:

(attach photo here)  
(Sign lettering must be legible in photo)

I, (print name of applicant/representative/person posting sign), attest that the above sign was posted on (date) abutting (name of street).

(signature) File No./Name \_\_\_\_\_

STATE OF COLORADO     )  
  ) ss.

COUNTY OF \_\_\_\_\_)

Acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ by \_\_\_\_\_ as \_\_\_\_\_.

My commission expires: \_\_\_\_\_

Witness my hand and official seal \_\_\_\_\_  
Notary Public

- 1511.02.2 The sign shall be removed by the applicant within 2 weeks following the final decision by the Board.

1511.03 PUBLISHED NOTICE *(Amended 5/13/14)*

At least 14 days prior to the Planning Commission hearing and 14 days prior to the Board hearing, the applicant shall:

- publish a notice in at least one publication of a daily or a weekly legal newspaper of general circulation, printed or published in whole or in part in Douglas County; and
- provide a publisher's affidavit of said published notice to Douglas County Planning at least 7 days prior to the public hearing.

The Board may direct that the notice be published in one or more additional newspapers of general circulation in Douglas County. Such notice shall read:

**NOTICE OF PUBLIC HEARING BEFORE**  
(PLANNING COMMISSION OR BOARD OF COUNTY COMMISSIONERS)

A public hearing will be held on (date), at (time), in the Commissioners' Hearing Room, 100 Third Street, Castle Rock, CO, for a change in zoning from (zone district) to PD – Planned Development. The subject property is located approximately (distance and direction from nearest major intersection). For more information call Douglas County Planning at 303-660-7460.

File No./Name: \_\_\_\_\_

## 1512 Amendments to the Development Plan

The Director shall determine whether an amendment request shall be considered an administrative amendment or a major amendment based on the criteria established herein.

Requests for a decrease of the setback, minimum lot size, or increase of the maximum building height for individual lots within the Planned Development shall be processed as a variance in accordance with Section 26 of this Resolution.

## 1513 Administrative Amendment - Process Eligibility Criteria (Amended 5/13/14)

The applicant shall attend a presubmittal meeting with the Planning Services Division to discuss the procedures and submittal requirements for an administrative amendment to an approved planned development. An amendment request may be considered administrative if it meets the following criteria, as determined by the Director:

- 1513.01 Setbacks - A decrease of the required setback when such decrease is no more than a 20% change to the originally approved setback. (Amended 9/27/22)
- 1513.02 Minimum Lot Size - A decrease of the minimum lot size when such decrease is no more than a 20% change to the originally approved minimum lot size. (Amended 9/27/22)
- 1513.03 Maximum Building Height - An increase of the maximum building height when such increase is no more than a 20% change to the originally approved maximum building height. (Amended 9/27/22)
- 1513.04 Increased Number of Dwelling Units - An increase of the number of dwelling units in a planning area of 20% or less provided:
  - the change is compatible with the density range of the affected planning area of the Development Plan,



- the service providers are able to serve the additional units, and
- the proposed increase meets the overall intent of the Development Plan.

1513.05 Text Changes - Changes to the text when such changes do not alter the intent of the planned development or the commitments.

1513.06 Street Alignment - The Director, upon consultation with the County Engineer, shall determine whether a minor shift in the alignment of an arterial or collector road impacts abutting planning areas or traffic patterns such that an administrative amendment is required.

1513.07 Planning Area Boundary - Whenever a planning area boundary abuts an arterial or collector as shown on the Development Plan, the planning area boundary is the abutting right-of-way. Whenever a planning area boundary abuts either another planning area or open space, the planning area boundary is as shown on the Development Plan. A planning area boundary may be changed as noted below:

1513.07.1 the total acreage of the planning area(s) is increased by no more than 20%

1513.07.2 such change does not alter the intent of the planned development

1513.07.3 the total acreage of affected open space area(s) is not decreased; open space area(s) proposed to be reconfigured is of equal or higher value. Such factors as location, accessibility, slope and views shall be considered

1513.07.4 the proposed change to the planning area boundary does not include an inclusion or exclusion of land to the planned development

#### 1514 Administrative Amendment - Approval Criteria (Amended 5/13/14)

The following criteria shall be considered by the Director for approval of an administrative amendment:

~~1514.01 whether the amendment is consistent with the development standards, commitments, and overall intent of the planned development;~~

1514.0201 ~~whether~~ Whether the amendment is consistent with the efficient development and preservation of the entire planned development.;

1514.0302 ~~whether~~ Whether the amendment will ~~adversely~~ affect the enjoyment of ~~the adjacent land~~ abutting upon or across a street from the planned development in a substantially adverse manner or the public interest.;

1514.03 Whether the amendment will affect the public interest in a substantially adverse manner.;~~and~~

1514.04 ~~whether~~ Whether the ~~amendment's~~ sole purpose of the amendment is to confer a special benefit upon an individual.

1515 Administrative Amendment - Submittal Process (Amended 5/13/14)

1515.01 The applicant shall submit the required submittal information to Planning Services. The submittal shall be reviewed by staff and a determination of completeness shall be made within 15 calendar days. The applicant shall be notified in writing if the submittal is incomplete, and any inadequacies shall be specifically identified. An incomplete submittal will not be processed.

1515.02 Once the submittal is determined complete, the applicant shall have the option of an initial staff review of the application, or direct entry into the referral period. Prior to the referral period, staff will notify the applicant of the regulatory referral agencies and homeowners associations within 1,000 feet of the subject property to receive referral packets. number of copies of the amendment required for distribution to referral agencies. Referral packets shall be provided by the applicant in unsealed manila envelopes, addressed to the appropriate referral agency, with all submittal information properly folded and compiled. The staff shall mail the packets.

~~1515.03 Staff shall send a courtesy notice of an application in process and applicable contact information to all abutting landowners and owners of land separated by 300 feet or less from the property by a platted tract. The applicant shall reimburse the County for the cost of materials. Errors in the courtesy notice shall not negatively impact the determination of public notice compliance set forth herein. (Amended 4/13/2021)~~

1515.0403 ~~If the referral~~ Referral agencies ~~elect to comment, they~~ shall comment within 21 calendar days of the date the referral packets were ~~mailed or electronically~~ distributed, unless the applicant grants, in writing, an extension of no more than 30 calendar days. After the 21 calendar days, if no extension is granted, any referral agency responses received will be accepted for informational purposes only and provided to the applicant.

All referral agency comments shall be provided by staff to the applicant upon receipt. The applicant shall address the comments of all regulatory referral agencies received within the 21-calendar day referral period, or as extended by the applicant, by identifying in writing the extent to which the project has been revised in response to the comments. ~~The applicant~~

~~is strongly encouraged to provide staff a written response to timely comments of any and/or all advisory referral agencies. (Amended 9/27/22)~~

~~The applicant is encouraged to meet with the referral agencies and staff to address any concerns.~~

1515.0504 Within thirty 30 calendar days of the close of the referral period, the Director shall approve, or deny the request.

1515.0605 An appeal of the Director's decision regarding an administrative amendment may be submitted to the Board of Adjustment pursuant to Section 26A of this Resolution.

~~1516 — Administrative Amendment — Public Notice Requirements (Amended 5/13/14)~~

~~1516.01 — The Director shall determine whether the applicant must provide public notice. When public notice is required, the applicant shall provide notice as set forth in this section. The degree of accuracy required for the information contained in these public notices shall be that of substantial compliance with the provisions of this section. Substantial compliance for these public notices shall be determined by the Director.~~

~~1516.02 — At least 15 calendar days prior to the Director's decision, the applicant shall mail, by first class, a written notice of the proposed amendment to each homeowners' association within and abutting the planned development, and shall submit a certificate of mailing to Douglas County Planning Services seven (7) days prior to the date of the Director's decision. The notice shall read substantially the same as the published notice also required by this section. The person completing the mailing of the written notice shall execute a certificate of mailing. Such certificate shall read as follows:~~

**CERTIFICATE OF MAILING**

~~I hereby certify that a true and correct copy of the attached written notice was placed in the U.S. mail, first-class, postage prepaid this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and addressed as follows:~~

~~(list of addresses)~~

~~(signature of person completing the mailing)~~

~~In the event the applicant fails to mail a notice to a homeowners' association or otherwise fails to comply with the written notice required in this section, the homeowners' association that did not receive such complying notice may waive such notice by submitting a written waiver to Douglas County Planning Services prior to the Director's decision.~~



~~1516.03~~ At least 15 calendar days prior to the Director's decision, the applicant shall:

- ~~• publish a notice in at least one publication of a daily or a weekly legal newspaper of general circulation, printed or published in whole or in part in Douglas County; and~~
- ~~• provide a publisher's affidavit of said published notice seven (7) days prior to the Director's decision, to Planning Services. The notice shall read:~~

**NOTICE OF PROPOSED ADMINISTRATIVE AMENDMENT TO**  
(Name of Development Plan)

On (date) action will be taken on an administrative amendment to (name specific element and general location proposed for amendment, e.g., increase building heights by 10% in planning area C-2 located at the northeast corner of ...). Address all comments to Douglas County Planning Services, 100 Third Street, Castle Rock, CO 80104.

~~1517~~1516 Administrative Amendment – Post Approval Procedures (Amended 5/13/14)

~~1517~~1516.01 Within 60 calendar days of receiving approval, the applicant shall submit the amended Development Plan to Planning Services for recordation.

~~1517~~1516.01.1 ~~Two~~One (21) ~~copies~~copy of the approved amended Development Plan shall be submitted on a 24" inches by ~~36" inches~~ tapeless, spliceless and creaseless original mylar using only permanent black ink.

~~1517~~1516.01.2 If the amended documents are not submitted within said time period, the amendment shall be void and of no force or effect.

~~1517~~1516.02 Within 30 calendar days of submittal of the amended Development Plan to Planning Services, the staff planner shall review the documents for compliance with the Director's approval, obtain county officials' signatures, as necessary, and submit the document to the Clerk and Recorder's Office for recordation.

~~1517~~1516.03 The Director may grant no more than one (1) extension of time, of not more than six (6) months, upon a written request by the applicant prior to the expiration of the 30-day period. Further extensions may be granted by the Board at a public meeting, upon a written request by the applicant or staff.

~~1517~~1516.04 An extension request shall include a fee and a narrative stating the reasons for the applicant's inability to comply with the deadline, and any

changes in the County Comprehensive Master Plan, Subdivision Resolution, or this Resolution that have occurred since approval of the amendment. Additional review of the plan may occur resulting in additional conditions, as applicable.

~~4517~~1516.05 If the request for an extension of time for recordation of the amended plan is denied by the Director, the applicant may appeal the denial, in writing, to the Board of Adjustment pursuant to Section 26A of this Resolution.

~~4518~~1517 Administrative Amendment - Submittal Requirements (*Amended 5/13/14*)

~~4518~~1517.01 Completed land use application

~~4518~~1517.02 Application fee

~~4518~~1517.03 Proof of ownership which includes an updated or current title insurance policy or title commitment no more than 30 days old.

~~4518~~1517.04 A notarized letter of authorization from the landowner permitting a representative to process the application.

~~4518~~1517.05 A written narrative describing the request

~~4518~~1517.06 A written explanation of the eligibility of the request for processing as an administrative amendment in accordance with Section 1513.

~~4518~~1517.07 ~~Three~~One (~~31~~)~~-copies~~ copy of the appropriate portions of the Development Plan retitled with all amendments, including major amendments, numbered consecutively, and containing the required certificates. For example:

**MEADOWBROOK PLANNED DEVELOPMENT, 1ST AMENDMENT**

An administrative amendment to (specific element or planning area)

~~4518~~1517.07.1 County Certification

An administrative amendment is signed by the Director. The signature block shall read:

ADMINISTRATIVE AMENDMENT OF THE (name of PD) DEVELOPMENT PLAN AMENDING (specify element i.e., boundary of Planning Area 43) AS DEPICTED HEREON PURSUANT TO SECTION (specific section of the Development Plan).

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY THE DIRECTOR OF COMMUNITY DEVELOPMENT. THIS AMENDMENT NO. \_\_\_\_ AFFECTS ONLY (i.e., Planning Area 43) AS DESCRIBED IN FILE NO. \_\_\_\_\_.

\_\_\_\_\_  
Director of Community Development

### ~~1518.07.2 Clerk and Recorder Certification~~

~~State of Colorado \_\_\_\_\_ )  
\_\_\_\_\_) ss.  
County of Douglas \_\_\_\_\_ )~~

~~I hereby certify that this Plan was filed in my office on this (day) of (month), 20\_\_\_\_, A.D. at \_\_\_\_\_ o'clock a.m./p.m., and was recorded per Reception No. \_\_\_\_\_~~

~~\_\_\_\_\_  
Douglas County Clerk and Recorder~~

~~1518~~1517.08 The applicant may be required to submit a subdivision application in accordance with the Douglas County Subdivision Resolution concurrent with the administrative amendment application if the proposed change impacts platted land.

### ~~1519~~1518 Major Amendment - Process Eligibility Criteria *(Amended 5/13/14)*

The applicant shall attend a presubmittal meeting with the Planning Services Division to discuss the procedures and submittal requirements for a major amendment to an approved planned development. An amendment request shall be considered a major amendment if it meets one or more of the following criteria:

~~1519~~1518.01 Setbacks - A decrease of the required setback when such decrease is greater than a 20% change to the originally approved setback. *(Amended 9/27/22)*

~~1519~~1518.02 Minimum Lot Size - A decrease of the minimum lot size which is greater than 20% of the minimum lot size originally approved. *(Amended 9/27/22)*

~~1519~~1518.03 Maximum Building Height - An increase of the maximum building height when such increase is greater than a 20% change to the originally approved maximum building height. *(Amended 9/27/22)*

~~1519~~1518.04 Increased Number of Dwelling Units - An increase of the number of dwelling units in a planning area greater than 20%.

~~1519~~1518.05 Text Changes - Substantial changes to the development standards or commitments.

~~1519~~1518.06 Street Alignment - A significant shift in the alignment of an arterial or collector, as determined by the Director.

~~1519~~1518.07 Planning Area Boundary - Whenever a planning area boundary abuts an arterial or collector as shown on the Development Plan, the planning area boundary is the abutting right-of-way. Whenever a planning area boundary abuts either another planning area or open space, the planning area boundary is as shown on the Development Plan. This planning area boundary may be changed when:

~~1519~~1518.07.1 The total acreage of the planning area is increased by more than 20%.

~~1519~~1518.07.2 The open space area is proposed to be decreased. Such factors as location, accessibility, slope and views shall be considered.

~~1519~~1518.07.3 The park and school land dedication have been approved by the County Parks, Trails and Building Grounds and the School District. *(Amended 5/26/15)*

~~1519~~1518.08 Planned Development Boundary - Any proposed increase or decrease to the perimeter boundaries that results in a change in the overall size or acreage of the Planned Development shall be subject to the rezoning process unless the land to be added is already zoned planned development.

~~1519~~1518.09 Land Use - Any change in the allowed land-use categories, including changes in densities, such as from single-family to multi-family residential.

~~1520~~1519 Major Amendment - Approval Criteria *(Amended 5/26/15)*

The following criteria shall be considered by the Board for approval of the major amendment:

~~1520.01~~ ~~Whether the amendment is consistent with the development standards, commitments, and overall intent of the planned development.~~

~~1520.02~~1519.01 Whether the amendment is consistent with the ~~intent~~, efficient development and preservation of the entire planned development.



~~1520.03~~1519.02 Whether the amendment will ~~adversely~~ affect the ~~public interest or~~ enjoyment of ~~the adjacent land~~ abutting upon or across a street from the planned development in a substantially adverse manner.;

1519.03 Whether the amendment will affect the public interest in a substantially adverse manner, considering water supply standards, transportation, and public services.; ~~and~~

~~1520.1519.04~~ Whether the sole purpose of the amendment is to confer a special benefit upon an individual.

~~1520.05~~ For applications proposing an increase in the intensity of allowed land uses, including changes in densities, whether the amendment is consistent with the water supply standards in Section 18A, Water Supply Overlay District, of this Resolution.

~~1520.06~~ Whether the public facilities and services necessary to accommodate the proposed development will be available concurrently with the impacts of such development.

~~1520.07~~ Whether the roadway capacity necessary to maintain the adopted roadway level of service for the proposed development will be available concurrently with the impacts of such development.

#### 1524.1520 Major Amendment - Submittal Requirements *(Amended 5/26/15)*

~~1524.1520.01~~ Completed land use application *(available from Planning Services)*

~~1524.1520.02~~ Application fee *(fee schedule available from Planning Services)*

~~1524.1520.03~~ Proof of ownership, which includes an updated or current title insurance policy or title commitment no more than 30 days old.

~~1524.1520.04~~ A notarized letter or authorization from the landowner permitting a representative to process the application.

~~1524.1520.05~~ A written explanation of the request.

~~1524.1520.06~~ ~~Three~~One (31) ~~copies~~ copy of the appropriate portions of the Development Plan retitled with all amendments including administrative amendments, numbered consecutively. For example:

**MEADOWBROOK PLANNED DEVELOPMENT, (i.e., 1st) AMENDMENT**  
A major amendment to (specific element and/or planning area)

~~1521~~1520.07 The applicant may be required to submit a subdivision application in accordance with the Douglas County Subdivision Resolution concurrent with the major amendment application showing the acreage affected and compliance with the provisions herein.

~~1522~~1520.08 For applications proposing an increase in the intensity of allowed land-uses, including changes in densities, ~~an analysis~~documentation of the capacity of public facilities and services within the impact area to accommodate the demands generated by the increased intensity of allowed land uses proposed.

~~1521~~1520.08.1 A traffic impact study in accordance with the Douglas County Roadway Design and Construction Standards.

~~1521~~1520.08.2 Documentation of capacity from the fire protection district in accordance with fire district level of service standards.

~~1521~~1520.08.3 Documentation of capacity from the school district in accordance with the school district capacity policy. *(Amended 11/18/14)*

#### ~~1522~~1521 Major Amendment - Submittal Process *(Amended 5/26/15)*

~~1522~~1521.01 The submittal shall be reviewed for completeness and the applicant shall be notified of any inadequacies. An incomplete submittal shall not be processed.

~~1522~~1521.02 Once the submittal is determined complete, the applicant shall have the option of an initial staff review of the application, or direct entry into the referral period. Prior to the referral period, staff will notify the applicant of the regulatory referral agencies and homeowners associations within 1,000 feet of the subject property to receive referral packets. number of copies of the amendment required for distribution to referral agencies. Referral packets shall be provided by the applicant in unsealed manila envelopes, addressed to the appropriate referral agency, with all submittal information properly folded and compiled. The staff shall mail the packets.

~~1522.03~~ ~~Staff shall send a courtesy notice of an application in process and applicable contact information to all abutting landowners and owners of land separated by 300 feet or less from the property by a platted tract. In Nonurban Areas, staff shall send a courtesy notice of an application in process to the entity or entities responsible for ownership and maintenance of a shared private access. The applicant shall reimburse the County for the cost of materials. Errors in the courtesy notice shall not negatively impact the determination of public notice compliance set forth herein. *(Amended 4/13/2021)*~~

~~1522.04~~1521.04 ~~The referral~~ Referral agencies shall comment within 21 calendar days of the date referral packets were ~~mailed or electronically~~ distributed, unless the applicant grants, in writing, an extension of no more than 30 calendar days. After the 21 calendar days, if no extension is granted, any referral agency responses received will be accepted for informational purposes only and provided to the applicant, ~~Planning Commission~~, and the Board of County Commissioners.

~~1522.05~~1521.04 The staff planner will review the referral comments, discuss the concerns with the applicant, schedule a public hearing before the ~~Planning Commission~~, Board of County Commissioners at the conclusion of the referral period, notify the applicant of the hearing date and time, and prepare a staff report. The applicant shall be responsible for public notice, in accordance with Section 1522, herein.

~~1522.06~~ ~~The Planning Commission shall evaluate the application, referral comments, staff report, and public testimony, and make a recommendation to the Board to approve, approve with conditions, table for further study, or deny the amendment request. The Planning Commission's comments shall be based on the evidence presented, compliance with the adopted standards, regulations, policies and other guidelines.~~

~~1522.07~~ ~~Following the recommendation by the Planning Commission, the staff planner will schedule a public hearing with the Board, and notify the applicant of the hearing date and time. The applicant shall be responsible for public notice, in accordance with Section 1523, herein.~~

~~1522.08~~1521.05 The Board shall evaluate the major amendment, referral agency comments, staff report, ~~the Planning Commission recommendation~~ and public testimony, and shall approve, conditionally approve, table for further study, ~~remand to the Planning Commission~~ or deny the amendment. The Board's comments shall be based on the evidence presented, compliance with the adopted standards, regulations, policies and other guidelines.

~~1522.09~~1521.06 Within 30 days of receiving approval, the applicant shall submit the amended Development Plan to Planning Services for recordation as follows:

~~1522.09~~1521.06.1 ~~Two~~ One (1) copies ~~copy~~ of the approved amended Development Plan shall be submitted on a 24" X 36" tapeless, spliceless and creaseless original paper mylar using only permanent black ink.

~~1522.09~~ 1521.06.2 County Certification

THIS MAJOR AMENDMENT OF THE (name of PD) DEVELOPMENT PLAN AMENDING THE (specific element, e.g., the setbacks for Planning Area 62) AS DEPICTED HEREON PURSUANT TO (specific section of Development Plan) HAS BEEN APPROVED BY BOARD RESOLUTION NO. \_\_\_\_\_ ON (month/day/year).

THIS AMENDMENT NO. \_\_\_\_\_ AFFECTS ONLY (e.g., Planning Area 62) AS DESCRIBED IN FILE NO. \_\_\_\_\_

\_\_\_\_\_  
(Signature)  
Chair, Board of Douglas County Commissioners (Date) \_\_\_\_\_

\_\_\_\_\_  
(Signature)  
Director of Community Development (Date) \_\_\_\_\_

~~1522.09.3~~ ~~Clerk and Recorder Certification~~

~~I hereby certify that this Plan was filed in my office on this (day) of (month), 20\_\_\_\_, A.D. at \_\_\_\_\_ o'clock a.m./p.m., and was recorded per Reception No. \_\_\_\_\_.~~

~~\_\_\_\_\_  
Douglas County Clerk and Recorder~~

~~1522.09.4~~ 1521.06.3 If the amended documents are not submitted within said time period, the amendment shall be void and of no force or effect.

~~1522.10~~ 1521.07 Within 30 days the staff planner shall review the documents for compliance with the Board's approval, obtain County Officials' signatures, as necessary, and submit the document to the Clerk and Recorder for recordation.

~~1522.11~~ 1521.08 The Director may grant no more than one extension of time, of not more than six (6) months, upon a written request by the applicant prior to the expiration of the 30-day period. An extension request shall include a fee and a narrative stating the reasons for the applicant's inability to comply with the deadline, and any changes in the County Comprehensive Master Plan, Subdivision Resolution, or this Resolution that have occurred since approval of the amendment. Additional review of the plan may occur resulting in additional conditions, as applicable. Further extensions may be granted by the Board at a public meeting, upon a written request by the applicant or staff. *(Amended 4/10/12)*

~~1522.12~~ 1521.09 If the request for an extension of time for recordation of the amended plan is denied by the Director, the applicant may appeal the denial, in writing, to the Board of Adjustment pursuant to Section 26A of this Resolution. *(Amended 4/10/12)*

~~1523~~1522 Major Amendment – Public Notice Requirements *(Amended 5/26/15)*

The applicant is responsible for public notification. In calculating the time period for public notification, the day of publishing, ~~posting, or~~ and mailing shall be counted toward the total number of days required. The day of the hearing shall not be counted toward this total.

The degree of accuracy required for the information contained in these public notices shall be that of substantial compliance with the provisions of this section. Substantial compliance for these public notices shall be determined by ~~the Planning Commission or~~ the Board of County Commissioners ~~for their at the respective~~ public hearings.

~~1523~~1522.01 Written Notice

At least 15 days prior to the ~~Planning Commission hearing and the~~ Board hearing, the applicant shall mail a written notice of the hearing by first-class mail to the address of each abutting landowner as such address is shown in the records of the Douglas County Assessor's Office. The notice shall read substantially the same as the published notice also required by this section.

At least seven (7) days prior to the public hearing, the applicant shall submit the following to Planning Services:

- alphabetical list of the abutting landowners;
- map showing the site and the location of the abutting landowners;
- copy of the notice sent to the landowners; and
- certificate of mailing

The person completing the mailing of the written notice shall execute a certificate of mailing. Such certificate shall read as follows:

**CERTIFICATE OF MAILING**

I hereby certify that a true and correct copy of the attached written notice was placed in the U.S. mail, first-class, postage prepaid this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and addressed as follows:

*(list of addresses)*

\_\_\_\_\_  
*(signature of person completing the mailing)*

In the event the applicant fails to mail a notice to an abutting landowner or otherwise fails to comply with the written notice required in this section, the landowner who did not receive such complying notice may waive such

notice by submitting a written waiver to Douglas County Planning Services prior to the hearing.

### ~~1523.02 — Posted Notice~~

~~At least 14 days prior to the Planning Commission hearing and 14 days prior to the Board hearing, the applicant shall post a notice on the land under consideration. The notice shall consist of at least one (1) sign facing each abutting public or private street open for travel, within 10 feet of the property line abutting such street, placed on posts at least 4 feet above ground level. In the event the staff planner determines a sign cannot be placed abutting such street and be visible from such street or that there is no abutting public or private street open for travel, the staff planner may require an alternate location for a sign. Additional signs may be required by the staff planner. Each sign shall measure not less than 3' X 4'. Letter size shall be a minimum of three inches high, and a minimum of six inches high for the sentence that reads, "For more information call Douglas County Planning at 303-660-7460." (Amended 11/6/2018). Said notice shall read:~~

**~~NOTICE OF PUBLIC HEARING BEFORE THE  
(PLANNING COMMISSION OR BOARD OF COUNTY COMMISSIONERS)~~**

~~This land shall be considered for a major amendment to the (name) Development Plan. The public hearing is (date) in the Commissioners' Hearing Room, 100 Third Street, Castle Rock, CO at (time). For more information call Douglas County Planning Services at 303-660-7460.  
File No./Name: \_\_\_\_\_~~

~~1523.02.1 — An affidavit of sign posting shall be submitted for the file in Planning Services at least seven (7) days prior to the hearings. The sign(s) shall be photographed by the applicant and attached to the affidavit as follows:~~

~~(attach photo here)  
(sign lettering must be legible in photo)~~

~~I, (print name of applicant/representative/person posting sign), attest that the above sign was posted on (date), abutting (name of street).~~

~~\_\_\_\_\_(signature)\_\_\_\_\_ File No./Name \_\_\_\_\_~~

~~STATE OF COLORADO \_\_\_\_\_)  
\_\_\_\_\_ ) ss.~~

~~COUNTY OF \_\_\_\_\_)~~

~~\_\_\_\_\_ Acknowledged before me \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_ as \_\_\_\_\_.~~

~~My commission expires: \_\_\_\_\_~~

~~Witness my hand and official seal~~

~~Notary Public~~

~~1523.02.2 The sign shall be removed by the applicant within two (2) weeks following the final decision by the Board~~

#### ~~1523.03~~1522.02 Published Notice

At least ~~14 days prior to the Planning Commission and~~ 14 days prior to the Board hearing, the applicant shall:

- publish a notice in at least one publication of a daily or a weekly legal newspaper of general circulation, printed or published at least in part in Douglas County; and
- provide a publisher's affidavit of said published notice seven (7) days prior to the public hearing, to Planning Services. The notice shall read:

#### **NOTICE OF PUBLIC HEARING BEFORE THE**

~~(PLANNING COMMISSION OR~~ **BOARD OF COUNTY COMMISSIONERS)**

A public hearing will be held on (date), at (time), in the Commissioners' Hearing Room, 100 Third Street, Castle Rock, CO, to consider a major amendment to the (name) Development Plan. The proposed amendment is to (name specific element and general location proposed for amendment, e.g., increase building heights by 10% in planning area C-2 located at the northeast corner of...). For more information call Douglas County Planning Services at 303-660-7460.

File No./Name: \_\_\_\_\_

#### ~~1524~~1523 Withdrawal of an Application

The applicant may withdraw an application at any time during the process upon submittal of a written request to Planning Services.

#### ~~1525~~1524 Inactive Files

Files that become inactive, whereby the applicant is required to submit additional information or request a hearing date and has failed to do so, for a period of more than six (6) months, shall become void and the resubmittal of a new application and fees shall be required to pursue the request. The Director may grant no more than two (2) extensions of time, of no more than six (6) months each, upon a written request by the applicant. After five (5) months, the staff planner shall notify the applicant, in writing, that the application will become void within 30 days. After 30 days, provided that the applicant has not submitted the required additional information or requested a hearing date, the staff planner shall notify the applicant, in writing, that the application is void. This provision shall apply to all applications on file with the County upon the effective date of adoption and any application thereafter. (*Amended 4/10/12*)





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# Agenda Item

**Date:** October 13, 2025 at 1:30 p.m.  
**To:** Douglas County Board of County Commissioners  
**From:** Douglas J. DeBord, County Manager  
**Subject:** Executive Session - Legal Updates

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## Legal Updates

- Environmental Regulation