

## Zone Change Criteria

For a zone change request, the Planning Commission and City Council base their decision on the extent to which the following criteria have been met:

1. The change of zone promotes the health, safety, and general welfare of the community and will not result in a significant adverse effect on the surrounding area; and
2. Adequate infrastructure/facilities are available to serve the types of uses allowed by the change of zone, or the applicant will upgrade and provide such where they do not exist or are under capacity; and
3. At least one (1) of the following conditions exists:
  - a. The change of zone is in conformance, or will bring the property into conformance with, the City of Wheat Ridge comprehensive plan goals, objectives and policies, and other city-approved policies or plans for the area.
  - b. The existing zone classification currently recorded on the official zoning maps of the City of Wheat Ridge is in error.
  - c. A change of character in the area has occurred or is occurring to such a degree that it is in the public interest to encourage redevelopment of the area or to recognize the changing character of the area.
  - d. The proposed rezoning is necessary in order to provide for a community need that was not anticipated at the time of the adoption of the City of Wheat Ridge comprehensive plan.

## Zone Change Frequently Asked Questions

### What is zoning?

All properties within the City of Wheat Ridge are zoned. Zoning regulates what land uses are allowed and establishes standards for construction including building setbacks, lot coverage, and building height.

There are many different zone districts within the City including residential, commercial, industrial, mixed use, and planned development zoning.

### What is a zone change?

A zone change is the process of changing the current zone district to a different zone district. A property owner may choose to change the zoning to use his property differently from what the existing zoning allows (e.g., residential vs. commercial).

All proposed commercial, industrial and residential applications for property exceeding one acre in size must be rezoned to a planned development district.

### Why is a neighborhood meeting required?

A neighborhood meeting is required for all zone change requests. The purpose of the meeting is to provide the opportunity for citizens to become aware of the proposed development in their neighborhood, and to allow the developer to respond to citizen concerns regarding the proposed project. All residents within 600 feet are notified of the meeting.

### How do I give my opinion on a zone change?

All public hearings for proposed zone changes are open to the public to appear and give testimony. Testimony can include written correspondence or a statement made at the public hearing. Any written correspondence provided to staff will be forwarded to the Planning Commission and City Council as part of the evidence of the case. All pertinent correspondence should be routed through planning staff.

### Can I contact my council representative?

Public hearings for zone changes are quasi-judicial in nature. This means that the deciding body should make a decision only based on testimony presented at public hearings. Please do not contact the Mayor, Planning Commissioners, or City Council representatives to discuss the merits of the case prior to the public hearings; it could jeopardize their ability to hear the case.

### What is a legal protest?

A legal protest is a formal, written protest which can be submitted by adjacent property owners within 100' of a subject property. If 20% of property owners on one side within a 100' radius file a legal protest, it requires a three-fourths vote of City Council (6 out of 8 members present) to approve a zone change instead of a simple majority (5 out of 8 members present). A legal protest is usually filed after the Planning Commission public hearing.