



PLANNED DEVELOPMENTS

WHAT IS A PLANNED DEVELOPMENT?

All properties within the City of Wheat Ridge are zoned. Zoning regulates what land uses are allowed and establishes rules for how property can be developed (i.e., setbacks, height restrictions, etc.).

The City's zoning code includes two types of zone districts: standard zone districts and planned development zone district. Standard zone districts—such as residential, commercial, industrial, and mixed-use—all have prescribed uses and development standards. Planned development (PD) zone districts are more flexible and can accommodate unique development proposals which may not be feasible under a standard zone district.

The intent of the planned development zone district is to promote innovative developments, flexible site design, and efficient use of land. Planned developments are typically under unified control and are developed according to approved plans which have their own list of permitted uses, development standards, and design requirements.

In addition to being well-suited for unique development proposals, planned developments are required for zone change requests that meet one of the following conditions:

- A zone change application to a commercial district—other than to a mixed use district—must be to a planned development for properties of any size.
- A zone change application to any industrial, residential, or agricultural district for properties over one (1) acre in size must be to a planned development district.

THE PLANNED DEVELOPMENT REVIEW PROCESS

There are two distinct steps in establishing a planned development:

Step 1. Approval of an outline development plan (ODP) that establishes the planned development zoning designation, permitted uses, underlying development parameters, and general design concepts; and

Step 2. Approval of a specific development plan (SDP) to provide specific site plans, building elevations, and civil documents.

The SDP and ODP are both approved at public hearings; however, applicants have two options for review, including concurrent and subsequent submittal of the ODP and SDP.

Option 1: An applicant may concurrently submit an outline development plan and a specific development plan to seek approval of a zone change and approval of specific site layout and architectural design. A neighborhood meeting is required for the zone change (ODP) component.

Both documents are approved by city council, but the zone change (ODP) is approved by ordinance; the SDP is approved by resolution.

Option 2: The two-step process includes two subsequent applications. First the outline development plan is approved to establish the planned development zoning designation, and then a specific development plan is reviewed to establish site layout and architecture. Under this two-step procedure, only the ODP application requires a neighborhood meeting; it is processed as a zone change to a planned development district, and the ODP is approved by ordinance by city council. In the second step, the SDP is approved by resolution by planning commission.

If platting is required, subdivision or plat review may be carried out simultaneously with the review of the specific development plan.

Prior to application for a planned development, the applicant will need to schedule a pre-application meeting. Staff has initiated this meeting as a means of reviewing the proposal and to provide input on the amendment process and requirements. There is a \$200 fee for the pre-application meeting.

For Outline Development Plan applications only:

After the pre-application meeting, but prior to application, the applicant will need to hold an informal neighborhood meeting. The purpose of the meeting is to provide the opportunity for citizens to become aware of the proposed use in their neighborhood, and to allow the applicant to respond to citizen concerns regarding the proposed project. All residents and property owners within 600 feet will need to be notified of the meeting. Staff will provide the applicant with the notification list of all properties and property owners within the 600 foot radius. It will be the responsibility of the applicant to coordinate with staff to notify area residents of the date, time, and location of the meeting. There is a \$100 fee for the neighborhood meeting. This is not required for a Specific Development Plan application.

OUTLINE DEVELOPMENT PLAN (ODP)

Submittal Requirements. Once the neighborhood meeting is held, a formal application may be submitted. Please refer to the ODP Checklist for all submittal requirements; staff is unable to accept incomplete applications.

Applications must be submitted BY APPOINTMENT with a planner.

Review & Referral. When the application is submitted, a staff planner will be assigned to handle the case. This person is the project manager for the case and will be the contact at the City throughout the entire zone change process.

The case manager will review the submittal application for content. If all submittal requirements have been met, the proposal will be referred to outside service agencies (Xcel Energy, water district, fire district, etc.) and other City agencies (Public Works, Economic Development, etc.) for their review and comment, generally for a period of 15 days. After all comments have been received, the case manager will forward those to the applicant. Modifications to the Outline Development Plan document may be required as a result of these comments.

Planning Commission Hearing. Once all comments and requirements have been met, the ODP application can be scheduled for public hearing in front of Planning Commission.

The Planning Commission is a body of appointed Wheat Ridge citizens that reviews various land use proposals and makes a recommendation to City Council. Publication in the Wheat Ridge

Transcript, notice to adjacent landowners within 600 feet, and posting of the property with signs are required prior to the Planning Commission hearing. The City will coordinate the publication, will mail the notices of the hearing, and will provide the applicant with the posting signs. The notifications and postings must occur at least 15 days prior to the public hearing.

The case manager will prepare a staff report which will be presented at the Planning Commission public hearing. There is a specific set of criteria used to evaluate a zone change to a planned development (see section 26-303.D. of the zoning and development code). A recommendation to Planning Commission will be made in the staff report based on these criteria.

At the hearing, after the staff report is given, the applicant and members of the audience will be given a chance to give testimony regarding the application. Generally, a decision for recommendation will be made that same night. Sometimes a case will be continued to another hearing date for further study and input.

City Council Hearing. Regardless of the Planning Commission recommendation, the case is automatically scheduled for public hearing in front of City Council.

A zone change to a planned development district must be approved by ordinance by the City Council which requires two readings. The first reading of the ordinance is not a public hearing and no testimony is given regarding the case. The first reading date is solely for the purpose of publicly setting the public hearing date.

The second reading of the ordinance is a public hearing. The same requirements for adjacent landowner notification and posting will be followed as for the Planning Commission public hearing. A staff report with recommendations will be presented at the public hearing. However, the ordinance approving the zone change does not go into effect until 15 days following the final publication of the ordinance.

Recording. Within 60 days of zoning approval, a blackline mylar of the ODP with original signatures must be provided to the City for recording with the Jefferson County Clerk & Recorder's office.

SPECIFIC DEVELOPMENT PLAN (SDP)

After the approval of the outline development plan, a specific development plan must be approved before right-of-way or building permit applications may be submitted. The purpose of the specific development plan is to establish a site layout, architectural standards, and building elevations for one (1) or more phases of development and to demonstrate feasibility through preliminary or final engineering.

If the SDP is submitted subsequent to the ODP, a second pre-application meeting may be required to discuss the SDP application. There is a \$200 fee for the pre-application meeting.

Submittal Requirements. After the pre-application meeting, a formal application may be submitted. Please refer to the SDP Checklist for all submittal requirements; staff is unable to accept incomplete applications.

Applications must be submitted BY APPOINTMENT with a planner.

Review & Referral. When the application is submitted, a staff planner will be assigned to handle the case. This person is the project manager for the case and will be the contact at the City throughout the entire zone change process.

The case manager will review the submittal application for content. If all submittal requirements have been met, the proposal will be referred to outside service agencies (Xcel Energy, water district, fire district, etc.) and other City agencies (Public Works, Economic Development, etc.) for their review and comment, generally for a period of 15 days. After all comments have been received, the case manager will forward those to the applicant. Modifications to the Outline Development Plan document may be required as a result of these comments.

Planning Commission Hearing. Once all comments and requirements have been met, the SDP application can be scheduled for public hearing in front of Planning Commission.

The same requirements for adjacent landowner notification and posting will be followed as for the ODP public hearings.

The case manager will prepare a staff report which will be presented at the Planning Commission public hearing. There is a specific set of criteria used to evaluate a specific development plan (see Section 26-305.D. of the zoning and development code). A recommendation to Planning Commission will be made in the staff report based on these criteria, and the staff report with recommendations will be presented at the public hearing.

Subsequent review. Planning Commission is the final authority for an SDP submitted separate from and subsequent to an approved ODP.

Concurrent review. If the outline development plan and specific development plan applications are submitted concurrently, Planning Commission will make a recommendation to City Council, and City Council will review the SDP and ODP. The ODP is approved by ordinance, but the SDP is approved by resolution.

Recording: Within 60 days of approval, a blackline mylar of the SDP with original signatures must be provided to the City for recording with the Jefferson County Clerk & Recorder's office.

ODP/SDP AMENDMENT REVIEW PROCESS

Amendments are required when an applicant wishes to develop or redevelop a property in a way that varies from the originally approved documents for a planned development. Proposed changes that affect the character of a development, the underlying development standards, or the permitted land uses often require an amendment to the approved outline development plan. These types of amendments are generally subject to the same approval procedure described above for the original ODP.

A specific development plan may vary from the approved outline development plan so long as the variations are within the parameters of the ODP. Minor amendments to an approved SDP may be approved administratively. More extensive amendments may require review by the Planning Commission subject to the same SDP approval process described above.

For planned developments approved prior to July 23, 2012, amendments may be reviewed based on the provisions of the current code or based on the regulations under which the planned development was originally approved. The procedure for processing amendments will be determined on a case-by-case basis by the community development director and communicated to the applicant at the pre-application meeting. In most cases, for the purpose of amendments, an existing outline development plan will be treated as an outline development plan under these regulations; an existing final development plan will be treated as a specific development plan.

A pre-application meeting is required for all amendments. See Section 26-307 of the city code for more information regarding amendments to approved ODP and SDP documents.

CONSIDERATIONS

Keep in mind that all public hearings for planned developments are quasi-judicial in nature. Please do not contact Planning Commissioners or City Council representatives to discuss the merits of the case prior to the public hearing. It could jeopardize their ability to hear the case.

Please be aware that this information is only a general overview of the process and submittal requirements for planned development district zone changes. There may be additional requirements specific to each case, and the overall length of the process can vary greatly depending on the circumstances of the case. As each zone change request is different, the purpose of the aforementioned pre-application meeting is for staff to review conceptual plans and give the applicant more information specific to his or her proposal.

QUESTIONS?

Contact the Community Development Department at 303-235-2846.