



Zone Map Amendment Process Guide

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This guide was printed from <http://www.denvergov.org/rezoning>

This procedural guide is based on the legal requirements for map and language amendments to the Denver Zoning Code, found in Denver Municipal Code, Chapter 59, Article X (Amendment Procedure), Section 59-646, et seq.

Available online at:

http://library1.municode.com:80/mcc/home.htm?view=home&doc_action=setdoc&doc_keytype=to_cid&doc_key=2c8537b5cb4188f0046871242639bcb4&infobase=10257

Process Summary Checklist

Step 1: Pre-Application Review

- Research current property zoning
- Submit Pre-Application Review Request

Step 2: Public Outreach

- Informal contact with neighborhood and city councilperson
- Continue public outreach throughout the process

Step 3: Submit Complete Application

- Submit complete application; two signed hard copies and an electronic version
- Submit required fees

Step 4: Preliminary Review and Applicant Response

- Receive preliminary review comment letter
- Submit revised application, two signed hard copies and an electronic version, and existing conditions maps

Step 5: Final Review and Applicant Response

- Receive final review comment letter
- Submit revised application, as necessary

Step 6: Planning Board Public Hearing and Public Notice

- Planning Board hearing date scheduled
- Post sign on property per case manager instructions 15 calendar days prior to hearing date
- Submit 19 copies of application to plans review technician at least 10 calendar days prior to hearing date
- Attend Planning Board hearing

Step 7: Blueprint Denver Committee Meeting and Public Notice

- Blueprint Denver Committee meeting scheduled
- Submit 10 copies of application to plans review technician at least one week prior to meeting date

Step 10: City Council Public Hearing and Public Notice

- City Council hearing scheduled
- Post sign on property per case manager instructions 21 calendar days prior to hearing date
- Submit 19 copies of application to plans review technician at least one week prior to the hearing date
- Attend City Council hearing

Step 1: Pre-Application Review

What is a Pre-application Review?

Zone Map Amendment pre-application review is the first step in the formal Zone Map Amendment (rezoning) process. The pre-application review is a *required* step that must be completed *prior* to submitting your formal rezoning application. No fee is charged for pre-application review. The review typically includes a meeting between the pre-applicant, project representatives if any (e.g., a project manager, engineer, attorney, or architect), and a staff planner. The meeting may also include representatives from other city agencies and stakeholders, at the staff planner's discretion.

Pre-application review does not guarantee CPD support, Planning Board support, or the ultimate approval of your application. The City Council is the final decision-making body on all zone map amendments.

Why is a pre-application review important?

Pre-application review provides an opportunity to meet directly with the case manager and discuss the zone map amendment process. Pre-application review helps ensure that a proposed amendment will likely meet city requirements and avoid costly delays. Working together, you and the case manager will review the subject property in light of:

- Applicable and proposed zone district requirements.
- Consistency with Comprehensive Plan 2000, Blueprint Denver, and any applicable small area (neighborhood) plans.

How do I request a pre-application review?

1. Determine who the case manager will be by referring to the contact map: <http://www.denvergov.org/rezoning>
2. Submit a Pre-Application Review Request Form available online: <http://www.denvergov.org/rezoning>. Submit the form by mail or e-mail directly to the case manager.
3. The case manager will contact you to schedule a meeting date and time.

At the pre-application meeting, you will receive the following:

- Applications: Application form, submittal requirements and fee schedule.
- Process: Zone map amendment process steps and target timeline.
- Public Outreach: Registered Neighborhood Organization contact information.

How do I prepare for the pre-application review meeting?

Prior to the pre-application review meeting, CPD expects all pre-applicants will investigate the property's current zoning and requirements, and be ready to discuss any specific development concepts for the property.

Step 2: Public Outreach

The city is responsible for formal notification throughout the approval process. The applicant should make informal contact to familiarize the community (e.g., adjacent property owners, registered neighborhood organizations, and other stakeholders) with the proposal and to identify potential issues. These meetings should occur prior to submitting an application. If it appears that your proposal is controversial, contact the case manager to discuss approach.

You will also find it beneficial to touch base with the district Councilperson prior to submitting an application. The Councilperson is in a "quasi-judicial" role in the zoning process, therefore the Councilperson can advise you on process but not content.

It is important for the applicant to continue public outreach throughout the entire process.

Step 3: Submit Complete Application

Submit the completed application form, two signed hard copies and an electronic version, including required fees to the Plans Review Technician (PRT). The application form and fee schedule is available at <http://www.denvergov.org/rezoning>. *PUD zone map amendment applications must also include the PUD Supplement Form, available online.

The PRT will review the application for completeness; if not complete, the plans review technician will contact the applicant. If complete, the application will be assigned to a case manager and continue to step 4.

Step 4: Preliminary Review and Applicant Response

The application is referred to various City Agencies and any other agency (public or private) affected by the zone change request, for review and comment. The reviewing agencies have 15 days from the date forwarded to provide comments.

The case manager will provide the applicant with a preliminary review letter incorporating CPD's review comments and other agency comments. The case manager will request a revised application as necessary. It is the applicant's responsibility to make revisions and resubmit the application in a timely manner. The revised application should be submitted in a hard and electronic copy to the PRT. If the case manager finds the revised application does not adequately address the review comments, the case manager may request additional revisions before Step 5.

Step 5: Final Review and Applicant Response

The revised application is referred to various City Agencies and any other agency (public or private) affected by the zone change request, for review and comment. The reviewing agencies have 15 days from the date forwarded to provide comments.

The case manager will contact the applicant with a request for either further revisions or notification that the public hearing process can begin.

Step 6: Planning Board Public Hearing and Public Notice

1st and 3rd Wednesday of every month
3:00-5:00 p.m.

Webb Municipal Building, Room 4.F.6
201 W Colfax Ave

<http://www.denvergov.org/TabId/392084/default.aspx>

*Zone map amendments from one mixed-use district to another mixed-use district are not required to be heard by the Planning Board.

The case manager will schedule the Planning Board Public Hearing and notify the applicant of the hearing date and the required public notification. The applicant must submit 19 copies of the final application to the plans review technician at least 10 calendar days before the scheduled meeting date.

RNO Notification and Official Position Request

The PRT will notify Registered Neighborhood Organizations within 200' of the property's boundaries via e-mail 15 calendar days prior to the scheduled Planning Board hearing date. RNOs are requested to provide their official position by taking a vote and submitting the official position statement. The official position statement form is available at <http://www.denvergov.org/rezoning>

Property Posting

The applicant is required to post sign(s) on the subject property to provide public notice of the Planning Board public hearing date. The case manager will notify the applicant of the posting dates, as well as forward the sign posting template and specific posting instructions. **It is the applicant's responsibility to print and post the sign(s) on the property a minimum of 15 calendar days prior to the Planning Board public hearing date.** The applicant must submit a signed affidavit attesting to proper posting before the public hearing date to the case manager.

At the Hearing

Applicants may use PowerPoint when presenting to the Denver Planning Board. If you choose to present using PowerPoint, please choose one of the following options:

- A. Deliver your PowerPoint to the case manager by noon the day of the hearing
- B. Arrive to the Planning Board meeting at 2:30 p.m., with the PowerPoint saved on a CD or zip drive, so it can be uploaded to the presentation laptop.

General Procedures for an Agenda Item

1. Staff Presentation: case manager will present the application and CPD staff recommendation
2. Applicant Presentation (optional): If an applicant chooses to present, please be brief and limit presentation to items not covered by the case manager (e.g. property location).
3. Planning Board questions (as needed)
4. Public Testimony (as required)
5. Planning Board questions
6. Public Hearing is closed
7. Planning Board deliberation
8. Planning Board motion

The Planning Board will make a recommendation to City Council. The Board may continue an item to a later date if members believe it is necessary.

Step 7: Blueprint Denver Committee Meeting and Public Notice

2nd and 4th Wednesdays of the month
1:30 p.m.

City and County Building, Room 391
1437 Bannock Street

<http://www.denvergov.org/CityCouncil/Committees/BlueprintDenver/tabid/423887/Default.aspx>

The Blueprint Denver Committee meeting is scheduled after the Planning Board action. The case manager will notify the applicant of the Blueprint Denver Committee meeting date. The applicant must submit 10 copies of the final application to the plans review technician at least one week before the scheduled meeting date.

RNO Notification

The PRT will notify Registered Neighborhood Organizations within 200' of the property's boundaries via e-mail 10 calendar days prior to the scheduled Blueprint Denver Committee meeting date.

At the Meeting

The case manager will present the application and CPD staff and Planning Board recommendations. The applicant should attend the meeting to answer any questions.

The Blueprint Denver Committee will decide whether the application is ready for full City Council hearing and action. The committee may move the application forward or hold it for further review and consideration.

Step 8: Mayor-Council Meeting

Every Tuesday

10:00 a.m.

City and County Building, Room 350
1437 Bannock Street

The case manager will present the application and CPD staff and Planning Board recommendations to the Mayor and City Council members. The applicant is not expected to attend this meeting.

Step 9: City Council First Reading

The Council Bill will have a first reading before City Council on the Monday following the Mayor-Council meeting. If the Council Bill is ordered published at the first reading, City Council will set the date of a Public Hearing four weeks later.

The case manager does not provide a presentation and the applicant is not required to attend.

Step 10: City Council Public Hearing and Public Notice

Every Monday at 5:30 p.m.
City and County Building, Room 450
1437 Bannock Street

<http://www.denvergov.org/CityCouncil/Homepage/tabid/381050/Default.aspx>

The applicant must submit 19 copies of the final application to the plans review technician at least one week before the scheduled hearing date.

Property Posting

The applicant is required to post sign(s) on the subject property to provide public notice of the City Council public hearing date. The case manager will notify the applicant of the posting dates, as well as forward the sign posting template and specific posting instructions. **It is the applicant's responsibility to print and post the sign(s) on the property a minimum of 21 calendar days prior to the City Council public hearing date.** The applicant must submit a signed affidavit attesting to proper posting before the public hearing date.

Published Notification

Clerk and Recorder Office arranges publishing of legal notice for the City Council Public Hearing in The Daily Journal. This notice is verified by the PRT.

RNO notification

The PRT will notify Registered Neighborhood Organizations within 200' of the property's boundaries via e-mail 21 calendar days prior to the scheduled City Council hearing date.

Legal Protest

If neighbors oppose the zone map amendment application, they may submit a formal petition of protest. Special petition forms can be obtained from the case manager. The petition may only be circulated after First Reading. All petitions of protest or withdrawals from the petition of protest must be filed in the City Council Office before noon, seven days prior to the Public Hearing. If the protest contains property owners signatures of twenty percent (20%) or more of the land area within two hundred feet of the subject property boundaries, at least ten affirmative votes from the City Council will be required to pass the Council Bill.

At the Hearing

Case manager presents the application and all recommendations. Applicants must attend the Public Hearing. City Council meetings begin at 5:30p.m., with a recess generally occurring somewhere between 5:45 – 6:00 p.m. for consideration of committee reports. Applicants must sign up with the council secretary during this recess in order to speak at the Public Hearing. Public Hearings begin immediately following the recess. All speakers have three minutes to speak and members of the public may sign up to speak or cede time to another speaker.

Approval

If the Council Bill is passed by the City Council, it will be forwarded to the Mayor for signature. Once signed, the zone map amendment ordinance becomes effective, generally the Friday after the Public Hearing.

*PUD zone map amendments are subject to vesting notification. The PRT will prepare and record the Vesting of Property Rights document with the Clerk and Recorder's Office within 14 days of the signing of the ordinance.

Denial

If the application is denied by City Council, a new application for the same zone district designation on the same land cannot be filed for one year.