

POSTING LOG
 PLANNING COMMISSION/CITY COUNCIL PUBLIC HEARING

In accordance with Section 3.3.3 of the Arvada Land Development Code, signs shall be posted on the property by the applicant, at least fifteen (15) days prior to, but not including, the public hearing date. (See attached notice or Section 3.3.3 of Code for specific requirements as to the siting of such signs)

The applicant will be responsible for checking the signs each day of the required posting period and keeping an accurate log. If a sign has been moved, destroyed, or fallen, the sign must be replaced by the applicant within forty-eight (48) hours.

Applicants must sign the log which states he/she has checked the signs daily and followed the procedures outlined in Section 3.3.3 of the Land Development Code and present it at the time of the Public Hearing. **Failure to comply with the required posting procedure shall require the Public Hearing to be rescheduled.**

POSTING LOG FOR:

DATE	TIME	CONDITION OF SIGNS			
		North	South	East	West
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					
15.					

Signature of Applicant _____ Date _____

NOTIFICATION OF PROPERTY OWNERS

Written notice to property owners is required by Section 3.3.2 of the Land Development Code prior to all public hearings before Planning Commission and City Council.

Preparation/Timing of Notice -

When the provisions of this Code require that written or mailed notice be provided, the Applicant shall be responsible for preparing the written notice, and for mailing the notice at the Applicant's expense. All written notice shall be mailed at least twelve (12) days prior to the public hearing.

Letter to Property Owners (see attached sample) -

All notices shall:

1. Indicate the time and place of the public hearing;
2. Sufficiently describe the property involved; for example, by legal description, general vicinity, street address, size, and/or nearest cross street;
3. Describe the nature, scope, and purpose of the application or proposal being advertised;
4. Indicate that interested parties may appear at the public hearing and speak on the matter or may file written comments with Community Development Staff; and
5. Indicate where additional information can be obtained.

Area of Notification -

1. For purposes of public hearings before City Council or the Planning Commission, notice shall be mailed to all property owners within 400 feet of the boundary of the property that is the subject of the application, except as otherwise provided herein. Ownership information shall be obtained from the applicable County Assessor's Office(s). Where an adjacent property is owned by a subdivision or condominium association, notification shall be to the board of directors of such association, and in addition, to the owners of all units immediately adjacent to the subject property.
2. Written notice shall also be mailed to any Home Owners Associations and other Neighborhood Associations with a known interest in the subject area, or to others who have filed a timely request to receive written notice.
3. The Community Development Director shall have the sole discretion to increase the notification area based on a consideration of the complexity of the project, the geographic reach of potential adverse impacts, the extent of neighborhood compatibility issues, and similar factors.

Affidavit of Mailing –

Once the mailing has been completed, an affidavit of mailing will need to be completed confirming that all notices have been given to the property owners. Attached to the affidavit shall be a list of names and addresses of all persons sent such notification and the date the notice was mailed along with a copy of the letter sent. This affidavit shall be returned to city staff on or before the public hearing date. The Affidavit of Mailing form is included in this packet of information.

NOTICE OF PUBLIC HEARING

RE: _____
(Name of Development)

ADDRESS: _____
(Location of Project)

The (Planning Commission/City Council) (choose one) for the City of Arvada will hold a public hearing on (month) (day), (year), at 7:00pm, to consider: (Examples)

- Annexation and Rezoning from _____ zone district in Jefferson / Adams County to _____ zone district in the City of Arvada.
- Rezoning from _____ zone district to _____ zone district in the City of Arvada.
- Preliminary Development Plan / Plat
- Conditional Use Permit
- Vacation Request

The public hearing will be held in the City Council chambers of the Arvada Municipal Building located at 8101 Ralston Road, Arvada, Colorado. All interested parties may appear at the public hearing for this request and speak on the matter or may file written comments with the Community Development Department no later than 8 days prior to the hearing. All written comments received by the specified deadline are forwarded to the appropriate authority. Written comments should be addressed to, and any additional information can be obtained from

**Community Development Department
Arvada Municipal Building
8101 Ralston Road
Arvada, CO. 80001-8101
Telephone 720-898-7435**

The development review process includes a public hearing before Planning Commission and before City Council and is designed to provide opportunities for citizen involvement and comment. Prior to the public hearings, neighboring landowners are notified of the applicant's request by way of this notice.

PUBLIC HEARING PRESENTATION

A public hearing is a formal process. As such, the Planning Commission has established a procedure in receiving testimony and evidence from the applicant and from the public in favor or in opposition to the proposal. The Chairman opens the public hearing by entering the name of the proposal and its case number into the public record. The Chairman instructs everyone who intends to speak in any capacity during the public hearing to stand up and be sworn in. The Chairman then enters into the official record the staff report, the slides or photographs and other related material, such as exhibits of the proposed development.

The applicant or the applicant's appointed representative is then asked to go to the speaker's podium and state their full name and address for the record. The applicant is then requested to make a presentation. The applicant must provide sufficient evidence in order for the Planning Commission to deliberate and determine that sufficient evidence has been presented for a finding of fact.

In order to give the applicant an opportunity to present its case fully before the Planning Commission, the applicant's testimony must justify certain findings of fact and approval criteria (see attached).

You must be able to clearly and articulately present information and justification that applies to your request in addition to any other item(s) that appropriately justify your request. If you do not feel comfortable presenting the information, you should contact a person you feel capable of presenting your case. If you wish, the Community Development Department staff is available prior to the public hearing to assist you with any questions you may have. Please note that the planner does not make a presentation of your proposal.

After your presentation, the Chairman will ask if there is any one else present that would like to speak in favor of your proposal to be followed by those in opposition to the proposal. Following testimony from those opposing, the Chairman will give the applicant an opportunity for rebuttal of the opposition evidence.

The Chairman then closes the public hearing and opens the meeting for discussion by the members of the Planning Commission. The Planning Commission may ask questions for clarification of specific points prior to making a motion for a vote. In order to make a motion for a vote, the Planning Commission determines whether or not there has been sufficient evidence presented for a finding of fact. If so, the Planning Commission will vote on the proposal and will send its recommendation to the City Council for final action. An affirmative vote requires a minimum of four votes from the appointed Planning Commissioners and not just a majority of those members present.

CITY COUNCIL HEARING

A procedure similar to the Planning Commission hearing describe above is also conducted by the City Council at their public hearing. Note that the City Council conducts large number of business items that affect the entire City at the meetings. With that in mind, your presentation should be brief and concise before the City Council. The City Council is provided with minutes of the Planning Commission, which includes a summary of the testimony, the Planning Commission motion, the conditions applied to the proposal (if any) and the findings of fact recommended by the Planning Commission.

For an annexation request, the petitioners/property owner(s) are required to sign the annexation agreement prior to the City Council public hearing. All documents, development agreements

and subdivision maps must also have all applicable signatures prior to the City Council public hearing. Failure to do so may result in the vacation of the application and require a resubmittal of the entire application.

AUDIO VISUAL PRESENTATIONS

Members of the public who wish to make a presentation before the Planning Commission and City Council must work with the KATV and staff for proper setup. The following procedure must be adhered to.

1. Members of the public who wish to make a presentation before the Planning Commission and City Council involving slides, video tapes, or computer presentations, must work with KATV and staff for proper setup.
 - a. Contact KATV at (720) 898-7520 no later than the Wednesday prior to the meeting in question.
 - b. Members of the public who do not contact KATV staff prior to Thursday may not be allowed to use slides, video tapes, or computer presentation as part of their comments before the Planning Commission and City Council.
 - c. Members of the public must take the responsibility of working with KATV and staff to ensure compatibility of visual presentations with regards to slides, video tapes, and or/computer presentations. KATV and staff cannot accept visual presentations at Planning Commission and Council meetings for which no prior notice has been given.