

## Guidelines for Reconsideration of BVCP Decisions on Public Requests for Land Use Changes

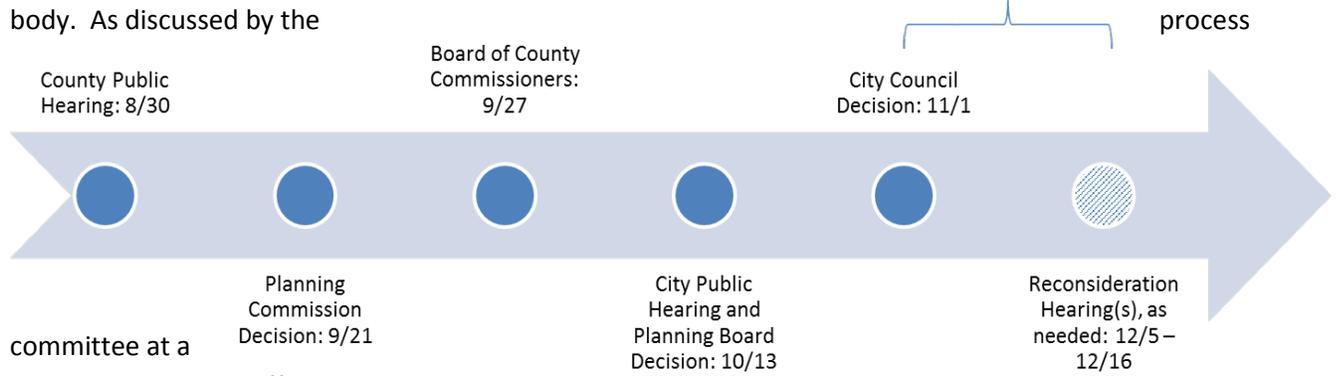
The following is the established sequence of hearings and consideration:

- **County PC and BOCC** will hold a joint Public Hearing on 4-body requests for land use changes on **Aug. 30**; PC will deliberate on **Sept. 21**; BOCC on **Sept. 27**.
- **City PB and CC** will hold a joint Public Hearing on 2-body and 4-body requests of land use changes on **Oct. 13**; PB will deliberate on **Oct. 13** and CC will deliberate on **Nov. 1**.

PC = County Planning Commission  
 BOCC = Boulder County Board of County Commissioners  
 PB = City Planning Board  
 CC = Boulder City Council

In prior processes, if any of the bodies denied a land use change, the request would not be considered by any subsequent body. As discussed by the

Timeframe for any additional requests for reconsideration of decisions: 1 month following CC decision, to allow for request motions to be put forth at regular monthly meetings of the four bodies



committee at a

previous meeting, staff has proposed

clarification below that would allow for public request land use changes to be considered by all approval bodies and any of the four bodies may request reconsideration of a decision. The sequence of consideration requires clarification of possible options if a proposed land use change is denied. For example:

- Since any proposed change could ultimately undergo reconsideration, all four bodies will receive public testimony on all requests at the initial public hearings. City hearing will include items that may not have been approved by county bodies.

Possible options if a proposed land use change is **denied**:

- Each subsequent body may decide to take a different action on the previously denied requested change or they may not take action on the requested change effectively denying the change.
- If County PC first denies a proposed change, BOCC may still consider the item.
  - Regardless if BOCC agrees or disagrees with PC, city bodies still receive information about the requested change and hold a public hearing on the proposed change. City PB and CC can decide to take action or let the denial stand. If they consider the change and approve, CC would request one or both county bodies to reconsider the item.
- If BOCC denies a proposed change, city bodies may still consider the item, and if approved, CC requests reconsideration by BOCC.
- If PB denies a proposed change that has been approved by both county bodies, CC may consider the proposed change and if approved, ask city PB to reconsider.

All bodies may ask for reconsideration. Any requests for consideration made by Planning Board (PB) or Planning Commission (PC) will be routed through the appropriate governing body (BOCC or CC) in the form of a motion. If approved, the governing body would then make the request for reconsideration to the other governing body. For example, if PB wishes to request reconsideration of a decision by PC or BOCC, PB would need to first make the request to CC, which would then make the request to BOCC.

When making a request, the requesting body shall state the grounds for the request for reconsideration; the grounds should be information that was not previously considered by the body of which the request is made. Each body can only make one request for reconsideration of a particular decision

If there is a requested reconsideration, it would be considered as a continuation of the earlier item and not open a new public hearing.

### **Order of Items**

It is anticipated that there will be many members of the public who will speak about the Twin Lakes proposed change. Therefore, the order in which requests will be addressed at the public hearings is as follows:

Order for County Hearing on Four Body Requests:

1. 3261 3<sup>rd</sup> Street
2. 2801 Jay Road
3. 6655 and 6500 Twin Lakes Road

Order for City Hearing on Two- and Four-Body Requests:

1. 365 Broadway
2. Table Mesa Shopping Center
3. 3485 Stanford Court

*v. Aug. 29, 2016*

4. 3261 3<sup>rd</sup> Street
5. 2801 Jay Road
6. 6655 and 6500 Twin Lakes Road

Order of activity for a particular agenda item:

1. Request #A – staff presentation
2. Request #A – requestor presentation
3. Request #A – public