

## **Section 8 - Final Plat Process**

### **A. Intent and Purpose**

The Final Plat Process was adopted at the inception of the Land Development Regulation in order to comply with State Statute requirements related to subdivisions of land. The process is the final step in the subdivision process and follows the approval of the Preliminary Plat. The process includes a review of final detailed documents with the ultimate goal of approval by the Board of County Commissioners. The Final Plat process outlines time frames and expectations, providing the applicant with a clear understanding of the steps involved prior to being scheduled for hearing before the Board of County Commissioners. The Planning Director may waive the time frames included in this process depending on Planning and Zoning staffing levels and the complexity of the proposal. (am. 7-12-05; am. 5-20-08)

### **B. Application**

1. The Final Plat process shall apply to all subdivisions of land, except those that have been exempted from the subdivision process. The applicant may choose go through the Preliminary and Final Plat process in lieu of the separate Preliminary Plat process and Final Plat process. (orig. 5-20-08)
2. The Final Plat application, or the first phase of the Final Plat, shall be made within 24 months of the Preliminary Plat approval by the Planning Commission, or approval of a an appeal by the Board of County Commissioners. If the Final Plat is submitted in phases of the Preliminary Plat, the approval of Preliminary Plat is extended for 24 months from the date of the formal application of the previous phase. In the event that the Final Plat is not submitted within 24 months, then the approval of the Preliminary Plat is considered rescinded. The applicant will be required to submit a new Preliminary Plat application, with the required fee, and all support documentation as specified in this Regulation. The Planning Director may extend this 24 month deadline for an additional 12 month period if, in his/her opinion, the delay is for good cause. (am. 7-12-05; am. 5-20-08)
3. The Final Plat shall be in substantial conformance with the approved Preliminary Plat and any conditions placed on Preliminary Plat approval by the Planning Commission.
4. Concurrent processing of the Preliminary Plat and the Final Plat is permitted at the applicant's option, however, the Board of County Commissioners shall not hear, or take any action on the Final Plat prior to the Preliminary Plat approval by the Planning Commission, or approval of a an appeal by the Board of County Commissioners. (am. 7-12-05; am. 5-20-08)
5. A nonrefundable processing fee in an amount established by the Board of County Commissioners is required for this process. (orig. 5-20-08)
6. Notification is required in accordance with the Notification Section. (orig. 10-13-09)
7. The following procedure and requirements shall apply to Final Plat applications. (orig. 7-12-05)

### **C. Procedure**

If the applicant complies with all given time frames, submits a complete application, and complies with all requirements of this Regulation, the estimated time to reach the public hearing phase of the process is 100 calendar days from the date of the 1<sup>st</sup> referral. (am. 7-12-05; am. 5-20-08; am. 10-13-09)

Process Steps	Processing Time Frames	
Optional Meeting with Staff	Prior to Process	
<b>Steps prior to 1<sup>st</sup> Referral</b>		
Sufficiency Review	7 calendar days	
Formal Application	3 calendar days	
<b>Process from 1<sup>st</sup> Referral to Public Hearing</b>		
1st Referral	21 calendar days	100 Days to tentatively scheduled hearing if processing time frames are met.
Forwarding 1 <sup>st</sup> Referral Comments	5 calendar days	
Response 1st Referral	21 calendar days	
Submittal of Revised Documents	3 calendar days	
2 <sup>nd</sup> Referral	14 calendar days	
Forwarding 2 <sup>nd</sup> Referral Comments	5 calendar days	
Hearing Documents	10 calendar days	
Hearing Preparation	21 calendar days	
<b>Public Hearing and Post Hearing Review</b>		
Board of County Commissioners Hearing	Time varies based on BCC actions; and applicant meeting approval conditions	
Post Hearing Review		

Prior to submitting an application for this process, it is recommended that the applicant set up a meeting with Staff to discuss the proposal. The meeting with Staff will help identify the key issues that will need to be addressed during the platting process and will also help to establish the specific submittal requirements. (am. 5-20-08; am. 10-13-09)

**Steps Prior to 1<sup>st</sup> Referral**

1. Sufficiency Review: The applicant shall submit all documents as identified in the Submittal Requirements Section of this Regulation for review by Staff. (am. 5-20-08; am. 10-13-09)

Staff shall have 7 calendar days to review this submittal. (am. 5-20-08)

Staff will review the sufficiency application to determine if the submittal documents are complete. Following this review, Staff will prepare a letter explaining any deficiencies in the submittal documents. The letter will include a referral matrix that identifies the referral agencies that will require referral documents. The response from Staff will also include a request for the applicant to submit the notification documents that are required to be mailed when the case is sent out on the 1<sup>st</sup> Referral. The applicant shall revise the submittal information as may be required to comply with County standards and then submit the Formal Application. (am. 5-20-08; am. 10-13-09)

2. Formal Application: The applicant shall submit all documents as identified in the Staff response to the Sufficiency Review. (am. 5-20-08; am. 10-13-09)

The Case Manager shall have 3 calendar days to refer the application and referral fees to County divisions/departments and other agencies. A submittal package that is not complete in terms of the type and quantity of documents required will not be sent out on referral. (am. 5-20-08)

**Process from 1<sup>st</sup> Referral to Public Hearing**

3. 1<sup>st</sup> Referral: The referral agencies shall have 21 calendar days to respond in writing to the application. An extension of no more than 30 calendar days may be agreed to by the applicant. (am. 7-12-05; am. 5-20-08)

Notification is required at the time of the 1<sup>st</sup> referral in accordance with the Notification Section. (orig. 10-13-09)

The Case Manager will tentatively schedule the Board of County Commissioners hearing when the application is sent out on the 1<sup>st</sup> referral. The Board of County Commissioners hearing will be tentatively set to the first available hearing date after 100 calendar days from the date of the 1<sup>st</sup> referral. [30-28-136(2) C.R.S.]. (am. 5-20-08)

4. Forwarding 1<sup>st</sup> Referral Comments: The Case Manager shall have 5 calendar days, after the end of the referral period, to provide the applicant with a Staff response inclusive of other referral agency responses. If the Case Manager indicates that the application is in substantial conformance with all applicable regulations and that only minor revisions to the documents are required, the application may proceed directly to the Hearing Documents phase of the process. Under this circumstance, the application will be scheduled for a hearing date earlier than that tentatively scheduled at the time of the 1<sup>st</sup> referral. (am. 5-20-08)
5. Response to 1<sup>st</sup> Referral: The applicant shall have 21 calendar days to address, in writing, any issues identified by the Case Manager or any referral agency and resubmit revised documents for the 2<sup>nd</sup> referral. The applicant will be deemed to have consented to a later hearing date, than the tentatively scheduled hearing date, if the resubmittal is not received within the 21 calendar day period. (am. 5-20-08)

The applicant shall have a maximum of 120 calendar days to respond to the referral comments, or the application will be considered withdrawn. The applicant will then have to file a new application with the required fee and documents. The Planning Director may extend this 120 calendar day maximum response deadline for additional 120 calendar day periods if, in his/her opinion, the delay in response is for good cause. (am. 5-20-08)

6. Submittal of Revised Documents: The Case Manager shall have 3 calendar days to refer the revised documents and referral fees to County divisions/departments and other agencies. A submittal package that is not complete in terms of the type and quantity of documents required will not be sent out on referral. (orig. 5-20-08)
7. 2<sup>nd</sup> Referral: The referral agencies shall have 14 calendar days to respond in writing to the 2<sup>nd</sup> referral. (am. 5-20-08)
8. Forwarding 2<sup>nd</sup> Referral Comments: The Case Manager shall have 5 calendar days after the end of the referral period to provide the applicant with a Staff response inclusive of referral agency responses. The response from the Case Manager will include an opinion as to whether or not the case should proceed forward to hearing or if revised documents should be submitted for a subsequent referral process. (am. 5-20-08)

If the applicant has not consented to a later hearing date based on the time frames of this Regulation and chooses to move forward to the tentatively scheduled hearing, the applicant shall submit the hearing documents as requested by the Case Manager in accordance with the Hearing Documents phase of the process. (am. 5-20-08)

9. Response to 2<sup>nd</sup> Referral Comments: The applicant shall have a maximum of 120 calendar days to respond to the referral comments, or the application will be considered withdrawn. The applicant will then have to file a new application with the required fees and documents. The Planning Director may extend this 120 calendar day maximum response deadline for additional 120 calendar day periods if, in his/her opinion, the delay in response is for good cause. (orig. 5-20-08)
10. Additional Changes: For the 3<sup>rd</sup> referral, and for any subsequent referrals thereafter, the Case Manager shall have 3 calendar days to refer the revised documents and referral fees to County divisions/departments and other agencies. A submittal package that is not complete in terms of the type and quantity of documents required will not be sent out on referral. (am. 5-20-08)

The referral agencies shall have 7 calendar days to respond in writing to the 3<sup>rd</sup> referral, and for any subsequent referrals thereafter. (am. 5-20-08)

The Case Manager shall have 5 calendar days after the end of the 3<sup>rd</sup> referral, and for any subsequent referrals thereafter, to provide the applicant with a full Staff response inclusive of referral agency responses. The response from the Case Manager will include an opinion as to whether or not the case should proceed forward to hearing or if revised documents should be submitted for a subsequent referral process. (am. 5-20-08)

The applicant shall have a maximum of 120 calendar days to respond to the referral comments, or the application will be considered withdrawn. The applicant will then have to file a new application with the required fees and documents. The Planning Director may extend this 120 calendar day maximum response deadline for additional 120 calendar day periods if, in his/her opinion, the delay in response is for good cause. (am. 5-20-08)

11. Hearing Documents: The hearing documents shall be comprised of the revised Plat Document and other final documents as identified by the Case Manager. (am. 5-20-08)

If the applicant has not consented to a later hearing date based on the time constraints of this process, the applicant shall have 10 calendar days to address, in writing, any issues identified by the Case Manager or any referral agency and submit the hearing documents for the tentatively scheduled hearing. The applicant will be deemed to have consented to a later hearing date if the hearing documents are not received within the 10 calendar day period. (am. 5-20-08)

The applicant shall have a maximum of 120 calendar days to respond to the referral comments or to submit the hearing documents, or the application will be considered withdrawn. The applicant will then have to file a new application with the required fee and documents. The Planning Director may extend this 120 calendar day maximum response deadline additional 120 calendar days periods if, in his/her opinion, the delay in response is for good cause. (am. 5-20-08)

12. Hearing Scheduled: If the applicant has consented to a later hearing date based on the time frames of this Regulation, the Board of County Commissioners hearing will be scheduled for the first available hearing date after 21 calendar days from the submittal of the Hearing Documents. (am. 5-20-08)

13. Hearing Preparation:

- a. Revisions to Documents Prior to Hearing: To ensure completeness and to allow adequate public review, no substantial revisions or additions, except in response to a Staff request, or those specifically requested by the Board of County Commissioners, may be made to any application or supporting documents within 21 days prior to any hearing. (am. 5-20-08)
- b. Notification: Notification of the scheduled hearing is required in accordance with the Notification Section. (am. 5-20-08; am. 10-13-09)

#### **Public Hearing and Post Hearing Review**

14. Board of County Commissioners Hearing: The Board of County Commissioners shall review the application, the Staff report and the Planning Commission approval conditions (if any), receive testimony and evidence on the application, and shall approve, conditionally approve or deny the application. The Board of County Commissioners may continue the request for no more than 40 calendar days without the consent of the applicant; but in no event shall the case be continued for more than 180 calendar days. The continuance of a request shall be to a date certain. (am. 5-20-08)

15. Post Hearing Review:

The applicant shall comply with all conditions of approval within 180 calendar days from the approval date by the Board of County Commissioners. If the applicant does not comply with the conditions within this timeframe, the approval shall be automatically rescinded. The Planning Director may extend this 180 calendar day recordation deadline for additional 180 calendar day periods if, in his/her opinion, the delay is for good cause. (orig. 5-20-08)

The Case Manager shall have 7 calendar days to review all documents submitted by the applicant for compliance with the approval conditions. If the revisions have been made in accordance with the approval conditions, the Case Manager will authorize the preparation of the plat mylar and final documents. If additional revisions are required to meet the approval conditions, the Case Manager will return a letter to the applicant identifying the revisions that must be made in order to comply with the approval conditions. (orig. 5-20-08)

At such time as the applicant complies with the approval conditions, submits the executed plat mylar and other final documents, and pays the recordation fees, Staff will obtain the required County approval signatures on the plat mylar and final documents, and have the documents recorded, as appropriate. (am. 5-20-08)

#### **D. Format**

All Final Plats shall be prepared in accordance with the preliminary plat approved or conditionally approved by the Planning Commission, or the Board of County Commissioners if the Planning Commission's decision was successfully appealed. The format of the Final Plat shall comply with the following: (am. 7-12-05)

1. The dimensions of each sheet of the Final Plat shall be 24x36 inches. A margin line shall be drawn completely around each sheet, leaving an entirely blank margin of one inch on top, 2 inches on the left, and 1/2 inch on all other sides. The minimum scale of the maps shall be 1 inch to 100 feet or larger. Enough sheets shall be used to accomplish this end. Acceptable larger scales are 1 inch to 20 feet, 30 feet, 40 feet, 50 feet or 60 feet. (reloc. 7-12-05)
2. The sheet number and the relation of each adjoining sheet clearly shown by a small key map on each sheet. (am. 7-12-05)
3. The date of the survey, north point, and written and graphic scale on each sheet of the Final Plat. (am. 7-12-05)
4. A form in the upper right hand corner of each sheet of the Final Plat for the entry of the plat case number. (am. 7-12-05)
5. A vicinity map on the first page of the Final Plat showing the general location of the subdivision in relation to nearby primary streets/roads and section lines. The vicinity map shall include: The streets/roads leading to and within the subdivision; the outline of the subdivision shown by a heavy discernable line and labeled with the name of said subdivision; and an acceptable scale at 1 inch to 500 feet, 1 inch to 1,000 feet or 1 inch to 2,000 feet. (orig. 7-12-05)
6. The approved Title of the Subdivision located at the top of each sheet. The title shall be the approved name of the subdivision. A subtitle in smaller lettering shall indicate the quarter-section(s), section(s), township(s) and range(s) in which the subdivision is located and/or a statement that the subdivision is a resubdivision or further subdivision of a previously approved subdivision. (am. 7-12-05)
7. The boundary of the subdivision, clearly indicated by a heavy continuous line. (am. 7-12-05)
8. Tracts designated by letter and disposition thereof indicated in the Final Plat Note section. All lots shall be numbered systematically and, whenever practicable, shall be shown entirely on one (1) sheet. Areas of all lots and tracts shall be shown to the nearest 0.01 of an acre. If the lots are less than 0.5 of an acre in size, the area may be designated in square feet. The area size may be shown within the lot or tract. Except for single-family developments, the maximum number of units, the maximum height of the structure, the maximum gross area of nonresidential total floor space, and the maximum square footage of the ground floor shall be placed within the lot or a separate table of data that cross-references the specific lot. (am. 7-12-05)

9. The right-of-way width of each existing and proposed street/road. Existing streets/roads shall bear notations of dedication by recordation information. Private streets/roads and private drives shall be shown and labeled as "Utility and Drainage Easement and Private Access Drive." (am. 7-12-05)
  - a. Jefferson County shall assign all house numbers and street/road names. (reloc. 7-12-05)
  - b. There shall not be abbreviations of street/road names on the plat document. (reloc. 7-12-05)
10. Land uses adjoining the subdivision delineated and shown by dashed lines. Any area enclosed by the subdivision, but not a part thereof, shall be labeled "Not a Part of This Subdivision." (am. 7-12-05)
11. All easements clearly labeled, identified, dimensioned and tied to reference points within the subdivision and shown by fine dashed lines. Existing easements shall bear notation of dedication of conveyance by recordation information. If any easement already of record cannot be definitely located, a statement of the existence, the nature thereof and its recorded reference shall be placed in the note section. Easements shall be designated and the disposition thereof indicated in the note section. (am. 7-12-05)
12. Non-buildable areas, if any, pursuant to the Lot and Tract Standards section delineated on the Final Plat unless the Planning Director waives such requirement after making a finding that visual impact, geologic hazards, soil erosion, or wildfire hazard potential are nominal. The non-buildable areas shall be fully dimensioned and tied to reference points and be shown by a fine, continuous line. Setbacks pursuant to the Lot and Tract Standards section shall not be delineated for the lots on the Final Plat. (am. 7-12-05)
13. A note limiting or prohibiting ingress and egress for Final Plats having lots bordering a collector or larger street/road places in the note section, if applicable. (am. 7-12-05)
14. Existing and proposed 100-year storm flooding limits shown and labeled by a fine, continuous line. Where no such body of water or water course exists, a statement to that effect shall be placed in the note section. (am. 7-12-05)
15. The recordation information of the approved and recorded Official Development Plan placed in the note section, if applicable. (reloc. 7-12-05)

#### **E. Survey and Monumentation**

1. The subdivision shall be monumented pursuant to Title 38, Articles 50 – 53, C.R.S. and the Colorado State Board of Licensure for Professional Engineers and Professional Land Surveyors policies, bylaws and rules and the following: (am. 7-12-05)
2. Subdivision monumentation shall be tied to 2 or more section and/or quarter section corners. (reloc. 7-12-05)
3. A traverse of boundaries when computed from field measurements on the ground must have a minimum unadjusted ratio of closure of 1(one) part in 15,000 or shall not exceed a maximum positional tolerance per point, between adjusted and unadjusted positions, of plus or minus 0.15 of a foot. (reloc. 7-12-05)
4. Whenever a public land survey section corner or quarter section corner falls within the boundaries of the plat: (reloc. 7-12-05)
  - a. The corner(s) shall be located, when possible, within street/road rights-of-way to minimize potential destruction and facilitate surveyor access. (reloc. 7-12-05)
  - b. The corner shall be tied to 2 or more adjoining lot or boundary corners. (reloc. 7-12-05)

5. The Final Plat shall show the following additional information: (reloc. 7-12-05)
  - a. Distances and bearings. (reloc. 7-12-05)
  - b. The point of beginning with ties to 2 or more section and quarter section corners. (reloc. 7-12-05)
  - c. A note identifying the monument(s) used in platting the subdivision. (reloc. 7-12-05)
  - d. Where the exterior boundary lines of the Final Plat show bearings and distances which vary from those recorded in adjoining plats, deeds, or surveys, a note shall be placed along those, in parenthesis, stating the recorded bearing and distance and the reception number or plat book and page of the adjoining plat or survey as shown in the following form: (Recorded as N 40° 27' 29" E in plat book 1234 at page 5678). (reloc. 7-12-05)
6. Whenever a public land survey section corner or quarter section corner falls within the boundaries of a plat: (reloc. 7-12-05)
  - a. A complete description of the corner monument as found or set. (reloc. 7-12-05)
  - b. Where it is impractical to locate a corner within street or road rights-of-way, a 10 foot square area around the monument and a 10 foot wide area for reasonable access shall be designated as easements and a note shall be placed on the plat stating that no structures, fencing, or other obstructions are allowed. (reloc. 7-12-05)
7. Offsets that are to be set on the extension of any lot, tract, or parcel boundary line stating the standard offset distance and any nonstandard distances in the following form: (reloc. 7-12-05)
  - a. All offsets are 1 (one) inch metal disks embedded in concrete sidewalks set on the line extended, 5 feet from platted lot corner locations along all streets, except as follows: (reloc. 7-12-05)
    - (1) Non-standard offset for lot lines between Lots 2 and 3, Block 10 is 5.2 feet; Lots 10 and 11, Block 6 is 4.75 feet; Lots 6 and 7, Block 6 is 4.75 feet; Lots 7 and 8, Block 6 is 4.5 feet; and, Lots 1 and 2, Block 2 is 5.26 feet. (reloc. 7-12-05)
8. The following survey documentation shall also be provided: (reloc. 7-12-05)
  - a. A boundary closure sheet with bearings and distances, area, precision and closure. (reloc. 7-12-05)
  - b. A Colorado land survey monument record for each land corner used in platting the subdivision. The monument record shall describe both supporting and contradicting evidence, as well as the monument found and accepted, established, restored or rehabilitated, and at least 2 accessories or reference points. (reloc. 7-12-05)

#### **F. Plat Certificates**

1. The following certificates, acknowledgments, restrictions and notes shall be placed, when applicable, and appropriately signed and sealed on the Final Plat, and when applicable, in the Subdivision Improvements Agreement. With the approval of the Attorney's Office, the language of these certificates, restrictions and notes may be modified based on unique situations provided such modification protects the interests of Jefferson County. (am. 7-12-05)
2. Dedication Certificate: The dedication of parcels and tracts of land to be utilized for public use shall be in accordance with the following dedication certificates. (reloc. 7-12-05; am. 5-20-08)

a. General Dedication:

KNOW ALL MEN BY THESE PRESENTS: THAT (WE), the undersigned, being the owner(s) (and the holder(s) of deed of trust, liens, mortgages, if applicable) of those lands described below, (have) (has) laid out, subdivided and platted the same into lots, tracts, parcels, blocks, streets/roads and easements, as shown hereon under the name and style of \_\_\_(Name)\_\_\_, and (do) (does), by these presents, of (our) (my) (its) own free will and voluntarily, without coercion, threat or business compulsion, grant, dedicate and convey to the County of Jefferson, State of Colorado, in fee simple, tract(s) \_\_\_\_\_, (and) all streets/roads (and) parcel(s) \_\_\_\_\_ together with all appurtenances thereto for public use and grant and convey to the County of Jefferson all easements, except those of prior record, as shown hereon or as described in note(s) \_\_\_\_\_ and \_\_\_\_\_.

b. Temporary Cul-de-Sac Dedication: (Add to General Dedication in case of temporary cul-de-sac). (reloc. 7-12-05)

Parcels \_\_\_\_\_ and \_\_\_\_\_ are dedicated and conveyed to Jefferson County, in fee simple, until such time that the respective street/road is extended beyond the point shown on the plat as the temporary end thereof and such extension is constructed, dedicated to and accepted by the Jefferson County, at which time title to said parcels \_\_\_\_\_ and \_\_\_\_\_ will automatically vest in fee simple in the respective lot owners.

c. Private Access Drive Dedication: (Add to General Dedication in case of private street/road system.) (reloc. 7-12-05)

....and grant and convey to the County of Jefferson all easements as shown hereon, and grant and convey to the County of Jefferson an easement over any and all private access drives and rights-of-way for the purpose of passage of service vehicles and passage of all vehicles and pedestrians during an emergency situation. It is expressly understood that the acceptance of the dedication of this easement is not to be construed as an acceptance by the county of said private access drives and rights-of-way for any other purpose including maintenance purposes.

3. Legal Description of Property: The boundary survey shall be an accurate reflection of the legal description. The method of description shall be by use of metes and bounds, except that in resubdivision, the subdivision, block, tract, and/or lot shall also be described. The legal description shall be in the following form. (reloc. 7-12-05)

DESCRIPTION: A parcel of land in the \_\_\_\_\_ 1/4 of Section \_\_\_\_\_ Township \_\_\_\_\_ South, Range \_\_\_\_\_ West of the Sixth Principal Meridian, County of Jefferson, State of Colorado, more particularly described as follows:

Note: The description that follows may be by one or more of the following means.

a. By land description such as: (reloc. 7-12-05)

\_\_\_\_\_ feet of the \_\_\_\_\_ 1/2 of the \_\_\_\_\_ 1/4 of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ West, County of Jefferson, State of Colorado.

- b. By subdivision, block and lot numbers. Pertains only to resubdivisions of previously recorded plats. (reloc. 7-12-05)
  - c. By metes and bounds, incorporating a complete closed traverse meeting the conditions and accuracy as specified in the Final Plat Survey and Monumentation provisions. Show the area in acres to the nearest 0.1 acre, more or less, involved in the subdivision. (reloc. 7-12-05)
4. After the description, all owners and holders of Deeds of Trust, mortgages, liens, etc., shall sign the plat as follows: (reloc. 7-12-05)
- a. All individuals shall sign their names as shown on the Deed of Ownership, or as shown on Deeds of Trust, mortgages, liens, etc. (reloc. 7-12-05)
  - b. Corporation ownership or interest shall be shown by the official signatures of the necessary officers of the Corporation. The full name of the Corporation shall be shown above their signatures and the seal affixed. (reloc. 7-12-05)
5. Acknowledgment: The Acknowledgment form shall read as follows, with the Notary Seal affixed as near as practicable to the acknowledgment: (reloc. 7-12-05)

COUNTY OF _____ ) ) ss: STATE OF _____ )  <i>The foregoing dedication and the foregoing covenant and plat restriction on conveyance, sale or transfer were acknowledged before me this _____ day of _____ 20____, by</i> <u>*(name-printed)_____.</u>	<i>WITNESS my hand and official seal.</i>  _____ NOTARY PUBLIC
SEAL My Commission expires: 20 _____	

\* Officers signing for Corporation shall be acknowledged as follows: (reloc. 7-12-05)

<u>(name-printed)_____</u> , as President (or Vice-President) and <u>(name-printed)_____</u> , as Secretary (or Treasurer) of <u>(name of corporation)_____</u> , a <u>(name of state)_____</u> Corporation.
--

\* Partners signing for a general partnership shall be acknowledged as follows (note that all partners must sign plat unless the partnership agreement authorizes otherwise): (reloc. 7-12-05)

<u>(name-printed)_____</u> , as partner and <u>(name-printed)_____</u> , as partner of <u>(name of partnership)_____</u> , a <u>(name of state)_____</u> partnership.
---

\* General partners signing for a limited partnership shall be acknowledged as follows (note that all general partners must sign the plat unless the limited partnership agreement authorizes otherwise): (reloc. 7-12-05)

<u>(name-printed)_____</u> , as general partner and <u>(name-printed)_____</u> , as general partner of <u>(name of general partnership)_____</u> , a <u>(name of state)_____</u> general partnership.
---

\* Members signing for a limited liability company shall be acknowledged as follows (note that all members must sign plat unless the Articles of Organization authorizes otherwise): (reloc. 7-12-05)

(name-printed), as a member and (name-printed), as a member of (name of limited liability company), a (name of state) limited liability company.

\* Joint venturers signing for a joint venture shall be acknowledged as follows (note that all joint venturers must sign the plat unless the document that established the joint venture authorizes otherwise): (reloc. 7-12-05)

(name-printed), as a joint venturer and (name-printed), as a joint venturer of (name of joint venture), a (name of state) joint venture.

6. Attorney's Certificate and Title Company Certificate: Either the Attorney's Certificate or the Title Company Certificate shall be placed on the first sheet of the Final Plat: (reloc. 7-12-05; am. 5-20-08)

ATTORNEY'S CERTIFICATE:  
  
*I, (name-printed), an Attorney at Law duly licensed to practice before Courts of Record of the State of Colorado, do hereby certify that I have examined the title of lands herein dedicated and shown upon the within plat as public lands, public ways and easements, and the title of such lands is in the dedicator(s), free and clear of all liens and encumbrances.*

\_\_\_\_\_  
Attorney at Law

\_\_\_\_\_  
Registration Number

TITLE COMPANY CERTIFICATE:  
  
*I, (name-printed), as authorized agent of the undersigned tile company, do hereby certify that I have examined the title of lands herein dedicated and shown upon the within plat as public lands, public ways and easements, and the title of such lands is in the dedicator(s), free and clear of all liens and encumbrances, except as shown in Title Commitment No. \_\_\_\_\_, issued by \_\_\_\_\_ Title Company, with an effective date of \_\_\_\_\_.*

\_\_\_\_\_  
as authorized agent of  
\_\_\_\_\_ Title Company

7. Surveyor's Certificate: The Surveyor's Certificate shall read as follows: (reloc. 7-12-05)

*I, (name-printed), a Registered Land Surveyor in the State of Colorado, do hereby certify that the survey of (subdivision name) was made by me or directly under my supervision on or about the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_, and that the accompanying plat accurately and properly shows said subdivision and the survey thereof.*

\_\_\_\_\_  
Registered Colorado Land Surveyor

SEAL

Number \_\_\_\_\_

Date \_\_\_\_\_

The Surveyor's Seal shall be affixed as near as practicable to this Certificate.

8. Review Certificate: The Review Certificate shall read as follows: (reloc. 7-12-05; am. 10-13-09)

<p><i>Reviewed by Jefferson County Public Health this ____ day of _____, 20 ____</i></p> <p style="text-align: center;">_____</p> <p style="text-align: center;"><i>Public Health</i></p> <p><i>Reviewed by the Jefferson County Planning Commission this ____ day of _____, 20 ____.</i></p> <p>_____</p> <p style="text-align: center;"><i>Chairman</i></p>
---

9. Vacation Certificate: The Vacation Certificate, if applicable, shall read as follows: (reloc. 7-12-05)

<p><i>Streets/Roads, Lots, Tracts, Parcels and Easements (delete any that are not applicable) as superseded by this plat and as shown on the plat of ____ (subdivision name) ____, recorded in Jefferson County records at Book _____, Page _____, are hereby vacated this ____ day of _____, 20 ____.</i></p>	
<p>_____</p> <p><i>Chairman, Board of County Commissioners</i></p>	<p>_____</p> <p><i>Clerk</i></p>

10. Acceptance Certificate: The Acceptance Certificate shall read as follows: (reloc. 7-12-05)

<p><i>The foregoing plat is approved for filing; and conveyance of the streets/roads, tracts, parcels and easements (delete any that are not applicable) is accepted by the County of Jefferson, State of Colorado, this ____ day of _____, 20 ____.</i> <i>The county shall undertake maintenance of any such streets/roads and public ways only after construction thereof has been satisfactorily completed by the developer and accepted by the county.</i></p>	
<p>_____</p> <p><i>Clerk</i></p>	<p>_____</p> <p><i>Chairman, Board of County Commissioners</i></p>

11. Clerk and Recorder's Certificate: The Clerk and Recorder's Certificate shall read as follows: (reloc. 7-12-05)

<p><i>Accepted for filing in the Office of the County Clerk and Recorder of Jefferson County at Golden, Colorado, this ____ day of _____, 20 ____.</i></p>	
<p>_____</p> <p><i>County Clerk and Recorder</i></p>	
<p>_____</p> <p><i>By: Deputy Clerk</i></p>	

**G. Notes**

1. The following notes shall be placed in the note section: (reloc. 7-12-05)
2. The total number of lots and/or dwelling units in the proposed subdivision. (reloc. 7-12-05)
3. When ditches will be provided along streets. (reloc. 7-12-05; am 5-20-08)

<p><i>Roadside ditch surface treatments other than grass are prohibited. No portion of a landscape irrigation system shall be located within the street right-of-way without prior license agreement with the county. Ditches along the streets shall be constructed by the developer in accordance with the approved street construction plans on file with Planning and Zoning. Except for driveway construction and for routine and regular maintenance activities by the adjoining lot owner, no other alteration or modification to any such ditches shall be made without prior approval by Planning and Zoning. Property owners are to construct driveways per the standard detail provided with the approved street construction plans on file with Planning and Zoning. Only 1 (one) driveway may be permitted to access each lot unless otherwise approved by Planning and Zoning.</i></p>
--

4. When right-of-way width will be 30 or 36 feet. (reloc. 7-12-05)

*Front, rear and side setback lines shall be measured from the easement line.*

5. When subsurface groundwater collection systems exist or are proposed, a note which specifies the entity responsible for maintenance of collection systems and the reception number for the maintenance plans which are recorded with the Jefferson County Clerk and Recorder. The note shall be in a form acceptable to the Case Manager. (am. 7-12-05)
6. Where arterial streets are adjoining or within a subdivision, the following statements shall be placed in the note section. (reloc. 7-12-05)
  - a. Landscaping shall be in accordance with the landscape plan approved by and on file with Planning and Zoning. No alterations or modifications to the landscaping shall be made without prior approval by Planning and Zoning. (am. 7-12-05; am 5-20-08)
  - b. Landscape materials located within 5 feet of the back of curb shall not exceed 24 inches at mature height. Trees and any other landscape materials shall not cause sight distance problems with vehicles entering the adjoining street from driveways or nearby intersections. In case of future disputes regarding sight distance, the County's sight distance table shall be used to determine the outcome. (reloc. 7-12-05)
7. When detached sidewalks will be provided along collector streets, the areas between the back of curb and adjoining lot line shall be shown as tracts which comply with the requirements of D.8 of this section. Ownership and maintenance responsibility for said tract(s) shall be identified in the note section. Additionally, the following statements shall be provided in the note section. (am. 7-12-05)
  - a. Landscaping shall be in accordance with the landscape plan approved by and on file with Jefferson County Planning and Zoning. No alterations or modifications to the landscaping shall be made without prior approval by Planning and Zoning. (am. 7-12-05; am. 5-20-08)
  - b. Landscape materials located within 5 feet of the back of curb shall not exceed 24 inches at mature height. Trees and any other landscape materials shall not cause sight distance problems with vehicles entering the adjoining street from driveways or nearby intersections. In case of future disputes regarding sight distance, the County's sight distance table shall be used to determine the outcome. (reloc. 7-12-05)
8. When detached sidewalks will be provided along local streets, the following statements shall be placed in the note section. (reloc. 7-12-05)
  - a. Landscaping shall be in accordance with the landscape plan approved by and on file with Jefferson County Planning and Zoning. No alterations or modifications to the landscaping shall be made without prior approval by Planning and Zoning. (am. 7-12-05; am. 5-20-08)
  - b. Landscape materials located within 5 feet of the back of curb shall not exceed 24 inches at mature height. Trees and any other landscape materials shall not cause sight distance problems with vehicles entering the adjoining street from driveways or nearby intersections. In case of future disputes regarding sight distance, the County's sight distance table shall be used to determine the outcome. (reloc. 7-12-05)

#### **H. Restrictions**

1. The following plat restriction shall be placed on the first sheet of the Final Plat whenever any alterations to the floodplain boundaries, flood elevations or flood depths as shown on the Flood Insurance Rate Maps or in the Flood Insurance Study are proposed. (reloc. 7-12-05)

*As a condition of approval of this plat by the Board of County Commissioners of Jefferson County, no conveyance, sale or transfer of title of lots (insert lot numbers) or tracts (insert tract names) identified hereon, shall be made, nor any building permit or certificate of occupancy be issued by the County of Jefferson, State of Colorado, until such time as the following has been accomplished.*

- 1. A letter of map revision from the Federal Emergency Management Agency has been submitted to Jefferson County.*
- 2. A Certificate of Compliance has been issued by the County of Jefferson, signifying that the letter of map revision is consistent with the floodplain report as approved by the Board of County Commissioners in conjunction with this plat of (insert subdivision name).*

*A conveyance, sale or transfer of a specific lot or lots or tract or tracts of land identified hereon may be made prior to compliance with the provisions of this paragraph where the subdividers and the proposed transferee, who must also qualify as a "subdivider" under the provisions of Section 30-28-137, C.R.S., as defined in Section 30-28-101(9), C.R.S., have been granted an exemption from platting from the Board of County Commissioners of Jefferson County, expressly conditioned upon execution of an Exemption Agreement between the Board and the subdividers whereby the transferee subdivider agrees in writing to compliance with the same requirements and restrictions of this paragraph and all pertinent provisions related thereto.*

2. The following plat restriction shall be placed on the first sheet of the Final Plat where the presence of steep and potentially unstable sites has been identified. These sites typically include buildable areas with slopes of 30% or greater, but may also include areas where slope stability concerns are prevalent due to the underlying geologic conditions that are identified during the platting process. (reloc. 7-12-05; am. 10-13-09)

#### STEEP SITE PLAT RESTRICTION

Prior to the issuance of each building permit, an engineer, licensed in the State of Colorado and experienced in evaluating slope stability in mountainous terrain, shall certify to the county the following:

- 1. That a geotechnical study, including a test boring or excavation within the proposed building footprint has been conducted on the specific lot to which the building permit references. A formal slope stability analysis, evaluating the impacts of the proposed site grading and physical improvements, has been performed as part of the geotechnical study. A determination has been made as to the design criteria for structure foundations, retaining walls, site grading, and subsurface drainage necessary to assure the safety and structural integrity for all buildings and structures as defined in Section 1 of the Jefferson County Zoning Resolution.*
- 2. That the proposed site grading, building envelope and location of individual sewage disposal system components are configured such that adequate long-term slope stability is provided.*
- 3. That the plans submitted to Building Safety have been reviewed and/or prepared by the subject engineer and that he has verified that said plans meet or exceed the criteria set forth in paragraphs 1. and 2. above.*

Before the county performs a final inspection pursuant to the County Building Code, an engineer, licensed in the State of Colorado and experienced in evaluating slope stability in mountainous terrain, shall verify and certify that the actual construction of the foundation and subsurface drainage system meets the specification in the plans as submitted in the building permit application.

3. The following plat restriction shall be placed on the first sheet of the Final Plat where the presence of expansive soils has been identified in site specific soils reports or in publications from the United States Geological Survey or Colorado Geological Survey. (reloc. 7-12-05; am. 5-20-08)

#### EXPANSIVE SOILS PLAT RESTRICTION

*Prior to the issuance of each building permit, an engineer, licensed in the State of Colorado and experienced in design and construction of structures on expansive soils, shall certify to the county the following.*

1. *That a subsurface soils investigation, including a test boring, has been conducted on the specific lot to which the building permit references and that a determination has been made as to the design criteria necessary to assure the safety and structural integrity for all buildings and structures as defined in Section 1 of the Jefferson County Zoning Resolution.*
2. *That proper subsurface drainage has been designed for the specific lot to which the building permit references and that a determination has been made as to the design criteria necessary to assure the safety and structural integrity for all buildings and structures as defined in Section 1 of the Jefferson County Zoning Resolution.*
3. *That the plans submitted to Building Safety have been reviewed and/or prepared by the subject engineer and that he has verified that said plans meet or exceed the criteria set forth in paragraphs 1. and 2. above.*

*Before the county performs a final inspection pursuant to the Jefferson County Building Code, an engineer, licensed in the State of Colorado and experienced in the field of design and construction of structures on expansive soils, shall verify and certify that the actual construction of the foundation and subsurface drainage system meets the specification in the plans as submitted in the building permit application.*

4. The following plat restriction shall be placed on the first sheet of the Final Plat when structures are proposed on slopes less than 30% in the Mountains, unless Planning and Zoning substitutes this restriction with the Steep Site Plat Restriction. (orig. 5-20-08; am. 10-13-09)

MOUNTAINOUS TERRAIN PLAT RESTRICTION

*Prior to the issuance of each building permit, an engineer, licensed in the State of Colorado and experienced in design and construction in mountainous terrain, shall certify to the County the following:*

1. *That a geotechnical study, including a test boring or excavation has been conducted on the specific lot to which the building permit references. A determination has been made as to the design criteria for structure foundations, retaining walls, site grading, and subsurface drainage necessary to assure the safety and structural integrity for all buildings and structures as defined in Section 1 of the Jefferson County Zoning Resolution.*
2. *That the proposed site grading, building footprint and location of individual sewage disposal system components are configured such that adequate long-term slope stability is provided.*
3. *That the plans submitted to the Building Safety have been reviewed and/or prepared by the subject engineer and that he has verified that said plans meet or exceed the criteria set forth in paragraphs 1. and 2. above.*

*Before the County performs a final inspection pursuant to the County Building Code, an engineer, licensed in the State of Colorado and experienced in evaluating slope stability in mountainous terrain, shall verify and certify that the actual construction of the foundation and subsurface drainage system meets the specification in the plans as submitted in the building permit application.*

5. The following plat restriction shall be placed on the first sheet of the Final Plat whenever thinning of forest cover are necessary to help reduce the hazards and risks of wildfire. (reloc. 7-12-05)

WILDFIRE PLAT RESTRICTION

As a condition of approval of this plat by the Board of County Commissioners of Jefferson County, no conveyance, sale or transfer of title of lots (insert lot numbers) or tracts (insert tract names) identified hereon, shall be made, nor any building permit or certificate of occupancy be issued by the County of Jefferson, State of Colorado, until such times as the following has been accomplished by the developer. A letter of compliance has been received from the Colorado State Forest Service stating practices designed to reduce wildfire hazards have been completed. Such work may include, but is not necessarily limited to the following:

Forest-wide thinnings

Fuelbreak thinnings

Prunings

Debris disposal

6. Public Improvements: The following plat restriction shall be placed on the first sheet of all plats to prevent the conveyance, sale, or transfer of title of the subdivision or lot(s) within the subdivision and to prevent the issuance of a building permit prior to issuance of a Certificate of Compliance, or to prevent the issuance of a Certificate of Compliance prior to the completion of all public improvements and certification of water taps. Note that the restriction in paragraph (b) below applies only for those developments within a water district. (reloc. 7-12-05)

COVENANT AND PLAT RESTRICTION ON CONVEYANCE, SALE OR TRANSFER

As a condition of approval of this plat by the Board of County Commissioners of Jefferson County and to meet the requirements of Section 30-28-137, C.R.S., as amended, no conveyance, sale, or transfer of title of this entire subdivision, or of any lot, lots, tract, or tracts of land identified hereon, shall be made, nor shall any building permit or certificate of occupancy be issued until a CERTIFICATE OF COMPLIANCE has been granted by the County of Jefferson, State of Colorado, duly recorded by the Clerk and Recorder of said same county, certifying that:

(a) Those public improvements as set forth in Exhibit "A" of the Subdivision Improvements Agreement, recorded under Reception Number \_\_\_\_\_ of the records of the Jefferson County Clerk and Recorder, or that portion of said improvements as shall be necessary to totally serve specific lot(s) or tract(s) covered by a particular Certificate of Compliance, have been properly designed, engineered, constructed and accepted as meeting the standards of the County of Jefferson, applicable special districts, and applicable servicing authorities, or, that a substituted security or collateral authorized pursuant to Section 30-28-101, C.R.S., as amended, has been submitted to and accepted by the County of Jefferson, which is sufficient in the judgment of the county to assure completion of all public improvements as set forth in Exhibit "A" of said Subdivision Improvements Agreement recorded under Reception Number \_\_\_\_\_ or any portion thereof necessary to serve the specific lot(s) or tracts(s) to be covered by a particular Certificate of Compliance and to assure said improvements are completed in accordance with reasonable design and time specification; and

(b) The applicable special district or servicing authority has certified in writing to the County of Jefferson that all necessary water taps needed to serve the specific lot(s) or tract(s) to be covered by a particular Certificate of Compliance have or will in fact be issued by such district or authority.

(c) A compaction report has been submitted to and accepted by the County of Jefferson which shows conformance to the applicable grading requirements in accordance with the Jefferson County Land Development Regulation.

Provided, however that a conveyance, sale, or transfer of a specific lot(s) or tract(s) of land identified hereon may be made prior to compliance with the above provisions where the Subdivider(s) and the proposed transferee, who must also qualify as a "Subdivider" under the provisions of Section 30-28-137, C.R.S., as defined in Section 30-28-101 (9), C.R.S., and the Board of County Commissioners of Jefferson County have executed an amendment to the Subdivision Improvements Agreement whereby the transferee Subdivider agrees to comply with the same requirements and restrictions of this COVENANT AND PLAT RESTRICTION ON CONVEYANCE, SALE OR TRANSFER.

These restrictions on conveyance, sale or transfer of title of this entire subdivision or any lot(s) or tract(s) of land identified hereon shall run with the land and shall extend to and be binding upon the heirs, executors, legal representatives and assigns of the Subdivider and shall be enforceable pursuant to the provisions of Section 30-28-137, C.R.S., as amended.

Approved, covenanted, and agreed to as consideration for Final Plat approval by the Board of County Commissioners this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

7. Show Homes: For any development within a water district, the following plat restriction shall be placed on the first sheet of the Final Plat to allow for the issuance of a building permit(s) prior to issuance of a Certificate of Compliance for show homes: (reloc. 7-12-05)

*A Building Permit may be issued for up to 5 homes to be designated as "Show Homes" without completing public improvements or obtaining the necessary water taps provided neither the Subdivider, any Holders of Deeds of Trust nor any other person shall be permitted to sell, offer to sell, lease, rent, convey, transfer, or assign any such home(s), lot(s), or tract(s) or to occupy as a dwelling or a permanent office any portion of such home(s) prior to the granting by the county of a Certificate of Compliance for such lot(s) or tract(s). All final inspections by Building Safety must be completed and a compaction report submitted by the Subdivider prior to any use of a Show Home and prior to issuance of a Building Permit. In addition, as part of Building Safety's final inspection, the Subdivider shall demonstrate that all required fire hydrants have been installed and are operational. The Subdivider and Holders of Deeds of Trust agree and promise to forever release, hold harmless, and indemnify the County of Jefferson, State of Colorado, its elected officials, employees and agents, from any suit, claim, damages or other legal liability, including costs and attorneys fees, arising either directly or indirectly out of, the construction of any such home(s) or the use of any such home(s). The Subdivider hereby acknowledges and agrees that a document will be recorded in Jefferson County upon issuance of a Building Permit for a Show Home(s) that will contain the restrictions set forth herein.*

8. Landscape Maintenance: The following plat restriction shall be placed on the first sheet of the Final Plat whenever a landscape plan is approved as part of the plat: (reloc. 7-12-05)

LANDSCAPE MAINTENANCE

- a. Maintenance of required landscaping, including irrigation systems, fences, walls, sidewalks, and other landscape structures where they exist, is the ongoing responsibility of the landowner.
- b. Plant materials required as part of a county-approved landscape plan shall be continuously maintained in a healthy, growing, and orderly condition. This shall include proper pruning, mowing of turf areas, fertilization, the regular application of appropriate quantities of water, and the regular treatment and repair of all diseased or insect ridden materials. All unhealthy, damaged, destroyed, irreparable, removed, or dead plant materials shall be replaced within one (1) growing season (where a growing season is defined as the days between April 15 and October 15) with plant materials of similar variety and size. In all cases, the replacement plant material shall preserve the intent and purpose of the original plant material and the county-approved landscape plan.
- c. Structures required as part of the county-approved landscape plan, such as irrigation systems, fences, walls, sidewalks, and other landscape elements, shall be continuously maintained in a structurally sound, and orderly condition. All damaged, destroyed, irreparable, or removed landscape structures shall be replaced within one (1) year with similar structures. In all cases, the replacement structure shall preserve the intent and purpose of the original structure and the county-approved landscape plan.
- d. Required landscape areas, as delineated in the county-approved landscape plan, shall be kept free of trash, litter, weeds, pests, and other such elements not part of the county-approved landscape plan.
- e. Entrance onto the property and periodic inspections of landscaping by personnel from the county shall be allowed by the landowner.
- f. Any deviation from the provisions and terms of the county-approved landscape plan is prohibited without the approval of the Board of County Commissioners or staff approval pursuant to the provisions of the Land Development Regulation.

9. Dipping Bedrock: The following plat note shall be placed on the first sheet of the Final Plat when the property is wholly or partially within the Designated Dipping Bedrock Areas as defined by the Zoning Resolution: (reloc. 7-12-05)

DIPPING BEDROCK

*Public notice is hereby given that a portion or all of this site is located within the Dipping Bedrock Overlay District as defined in the Jefferson County Zoning Resolution. This district contains an unusual geologic hazard with the potential for severe differential heaving of bedrock that can result in*

*foundation, buried utility and concrete flatwork movement. This site was platted in accordance with the regulations contained in the Jefferson County Zoning Resolution and Land Development Regulation in effect at the time of platting.*

10. Underdrain Connection Restriction: The following restriction shall be placed on the first sheet of the Final Plat when a connection to an underground drain system is required prior to building permit issuance: (orig. 5-20-08)

*UNDERDRAIN RESTRICTION*

*Prior to the rough framing inspection, a completed Form Letter U is required to verify a physical connection between the perimeter drain and main subsurface groundwater collection system.*