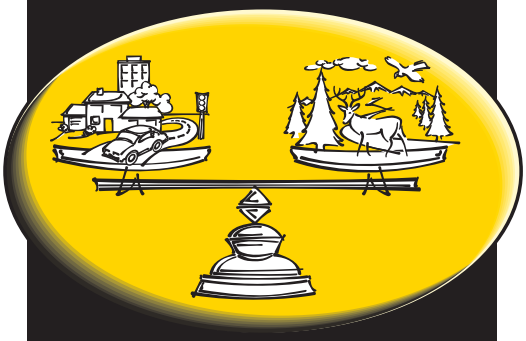
Jefferson County
Planning & Zoning



Application Process
GUIDES

100 Jefferson County Parkway, Suite 3550
Golden, Colorado 80419-3550
Phone(303)271-8700 • Fax(303)271-8744
http://planning.jeffco.us

This guide describes the highlighted process in the graphic below. Additional process guides are available for the other application types listed.

Exemption Process

This guide describes the Exemption Process. Users should utilize this guide in conjunction with the Land Development Regulation.

Divisions of land in Jefferson County are governed by the provisions of the Land Development Regulation. Adopted in accordance with State Statutes, the Land Development Regulation provides several processes for dividing land that may be applicable based on the circumstances of the specific property. The Board of County Commissioners created the Exemption process based on the statutory provision that allows certain activities to be exempted from the definition of "subdivision".

The use of the Exemption process is limited to the following:

The correction of an improper division of land, where the applicant demonstrates compliance with the following limitations:

- The correction is not eligible for the Residential Structure Exclusion.
- The applicant swears that he or she was unaware of the improper division at the time of transfer of the ownership.
- The applicant wishes to correct the improper division of a single parcel, regardless of the number of improperly created parcels acquired in the sale.
- The applicant has demonstrated a diligent and unsuccessful attempt to obtain relief from the sale of the improperly divided parcel.
- The applicant has not used the Exemption process in the past to correct an improper division.

The division of residential property, where the applicant demonstrates compliance with the following limitations:

- The original parcel was created on or before May 5, 1972.
- Legal and equitable title was vested in the applicant on or before May 5, 1972 and the property has been owned continuously by the applicant since that date.
- The property has not been previously platted.
- The property will be divided into three or fewer lots.
- No lot will be created which is less than 10 acres.

Exemption from Subdivision
Residential Structure Exclusion
Exemption
Minor Adjustment
Multi-Family (see SDP)

Entitlement
Rezoning
Site Approvals
Special Use
Telecommunication Special Use
Certificate of Designation

An Exemption is a process that may, under certain circumstances, allow the correction of an improper division of land or for the division of land if owned continuously since May 5, 1972.

Miscellaneous
Vacation
Special District Service Plan
Deeds

Subdivision
Preliminary and Final Plat
Preliminary Plat
Final Plat
Rural Cluster

Development
Site Development Plan (SDP)
Land Disturbance
Floodplain
Telecommunications Permit
Building Permit

Optional Pre-Application

The Pre-Application process was created to provide applicants with a quick review of development proposals based on limited information. The review is intended to provide information about the regulations and process that will assist an applicant in making key decisions about the development proposal prior to making a formal application. Refer to the Land Development Regulation and the Pre-Application Guide for additional details.

Submittal Requirements

The submittal documents required for an application will vary based on the specifics of each unique application. Prior to the Formal Application, the case manager will provide the applicant with information identifying the type and number of required documents for the application. A complete explanation of the submittal requirements can be found in the Submittal Requirement Section of the Land Development Regulation.

Exemption Process

The information provided below is intended to be a brief overview of the Exemption process. For a complete explanation of the Exemption requirements, please refer to the Land Development Regulation.

Step 1

Sufficiency Review

The applicant will submit one copy of each document required for the formal application. The assigned Case Manager will review the documents to determine if they are complete. The Case manager will then prepare a letter explaining the results of the sufficiency review. The letter will include a referral matrix that identifies County divisions and other agencies that will receive submittal documents. The applicant shall revise the submittal information as may be required to comply with County standards.

Step 2

Formal Application Submittal

The applicant shall submit all documents identified in the Case Manager's response to the Sufficiency Review.

Step 3

Referral Process

The Land Development Regulation anticipates that an application will be sent out on two referrals before it is ready for the hearing process; however, at any time after the 1st Referral the Case Manager may decide that the application is in substantial conformance with all applicable regulations and is ready for hearing. Additional fees will be incurred for a third referral and any subsequent referral there after. The general referral steps are as follows:

1. *The Case Manager will refer the application and supporting documents to County divisions and other agencies.*
2. *After the referral, the Case Manager will provide the applicant with a Staff response inclusive of referral agency responses, and will include a referral matrix for the next referral, if applicable.*
3. *The applicant will address, in writing, any issues identified by the Case Manager or any referral agency and resubmit revised documents for the next referral.*

Step4

Hearing Documents

The hearing documents shall be identified by the Case Manager.

Step 5

Board of County Commissioners Hearing

The application will be presented to the Board of County Commissioners in a public hearing. The Board of County Commissioners will approve or deny the application.

Step 6

Post Hearing Review

When the applicant complies with any approval conditions, and submits the executed mylar and other final documents, Staff will obtain the required County approval signatures and have the documents recorded.

Evaluation/Decision

Evaluation: The evaluation of the Exemption is predicated on compliance with the Land Development Regulation and the requirements of the underlying Zone District.

Decision: The Exemption is presented to the Board of County Commissioners in a public hearing. The Board of County Commissioners will review the application and the Staff recommendation, receive testimony and evidence on the application, and will approve, conditionally approve or deny the application.

Note: During the hearing process, the Board of County Commissioners may vote to continue the application to a subsequent public hearing. The most common reasons for a continuance are: 1) to provide for additional public testimony, 2) to allow for the applicant or Staff to address concerns related to an application, 3) at the request of the applicant.

Community Involvement

Keeping the public informed of development applications is a high priority in Jefferson County. Notification requirements for an Exemption application include community mailing and sign posting. The following summarizes the notification required at different stages of the application and the method by which the public may provide input:

Formal Application – The notification at the time of Formal Application is by community mailing. This mailing notifies the public that an application has been submitted and that documents related to the application are available for review. Any comments submitted by the public will be provided to the applicant and will also be included as a part of the staff report prepared for the public hearing. The applicant may choose to amend the application request based on the comments received.

Public Hearing – Notification for the Public Hearing will be through community mailing and sign posting. Any member of the public may testify on an application in a Public Hearing. The public may also send in letters or comments to the Case Manager. All comments received throughout the application process will be included as a part of the staff report prepared for the Public Hearing.

Note: The notification requirements are explained in detail in the Land Development Regulation and the Notification Guide.

What role do public comments play in the process?

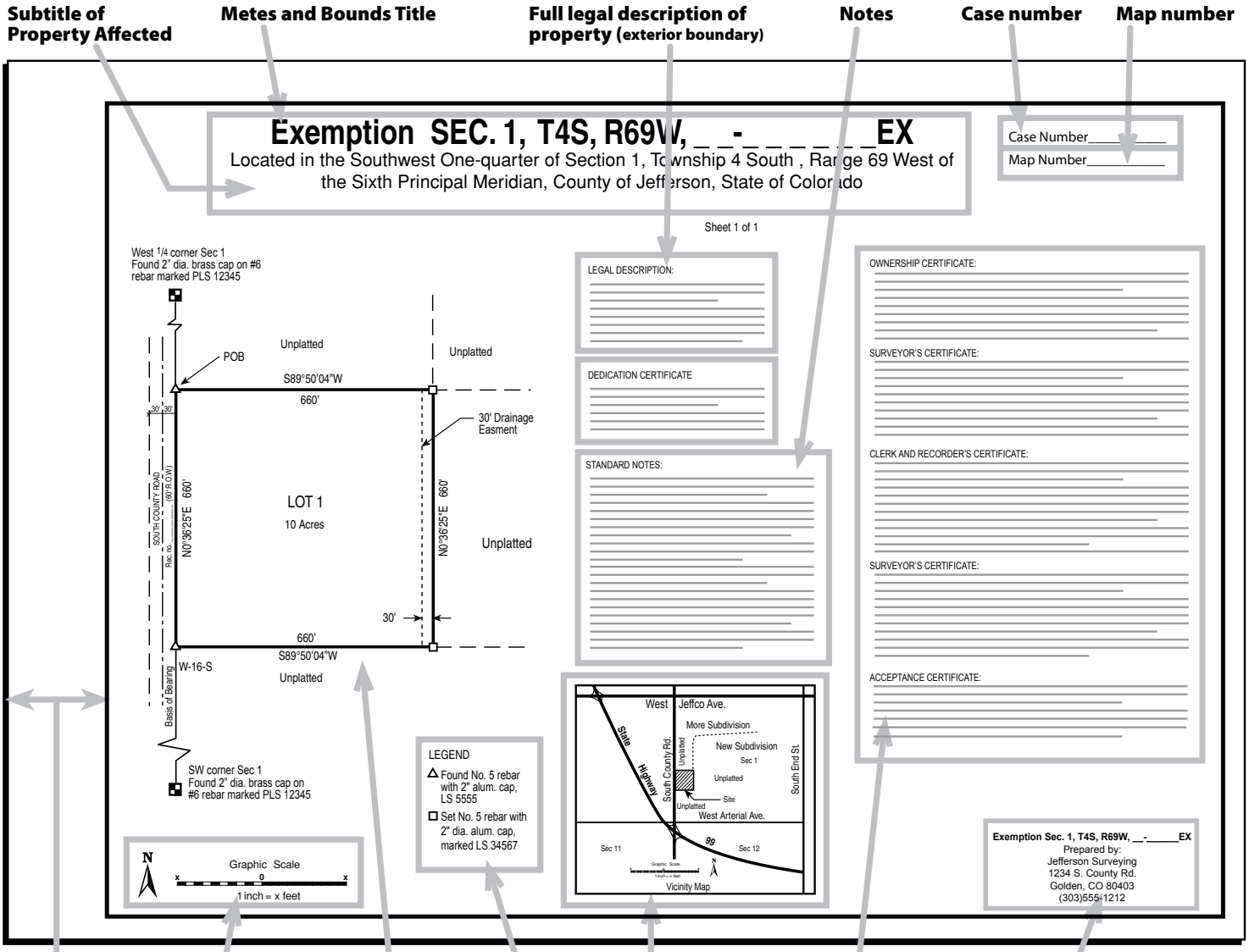
Applicant: The applicant may choose to amend the application request based on the comments received by the public.

Staff: Staff will review the comments and may provide suggestions to the applicant in order to address the public comments; however, the basis for a recommendation by Staff on the application is limited to the criteria identified above in the Evaluation/Decision section.

The Board of County Commissioners: The Board of County Commissioners will consider public comments, and may use those comments as a factor in their decision on an application; however, the basis for a decision by the Board of County Commissioners on the application is limited to the criteria identified above in the Evaluation/Decision section.

Exemption Format

The graphic shown below indicates the preferred layout of an Exemption document. This example is provided for general reference only and should not be duplicated. The applicant should refer to the Exemption Section of the Land Development Regulation for specific format requirements.



Fees Fees are on-line at our web site or call 303-271-8700. Make checks payable to Jefferson County Treasurer.