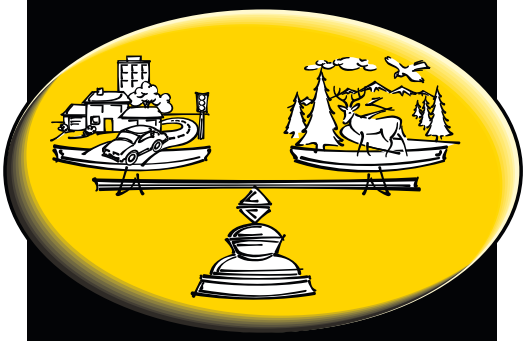
Jefferson County
Planning & Zoning



Application Process
GUIDES

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

Minor Adjustment Process

This guide describes the Minor Adjustment 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 Minor Adjustment process, based on the statutory provision that allows certain activities to be exempted from the definition of "subdivision".

The use of the Minor Adjustment is limited to the following:

- Creation of additional non-residential lots from a platted superlot.
- Adjustments to and the elimination of interior property lines.
- Adjustments to Plats, Exemptions, Minor Amendments Minor Adjustments and Rural Clusters to correct errors.
- Adjustments to previously established building envelopes with regards to location and configuration.
- Adjustments to previously established non-buildable areas and non-disturbance areas with regard to size, location and configuration.
- Adjustments to development agreements to change the name of the subdivider or owner and to correct errors.
- Adjustments to the previously approved development agreements to revise standards that are overly restrictive due to subsequent regulation revisions, to correct errors in the quantity/cost estimates and to modify the quantity/cost estimates as a result of the approval of revised plans for the development.
- Creation of lot lines within a lot/parcel where a multi-family dwelling (duplex or townhome) has been constructed (or building permit) subject to compliance with applicable codes.
- Creation of non-buildable tracts.
- Changes to or elimination notes, restrictions and certificates which do not adversely affect traffic safety, visual impact, wildlife, drainage, soil erosion, wildfire hazard, noise or the provision of open space, unless it can be shown that the effect can be adequately mitigated.

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

A Minor Adjustment process allows certain adjustments, modifications and/or corrections to recorded surveys and other documents subject to the limitations identified in the Land Development Regulation.

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.

Minor Adjustment Process

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

Step 1

Sufficiency Review/Formal Application Submittal

The applicant will submit all of the documents required for the formal application. The assigned Case Manager will review the documents to determine if they are complete. Following this review, the Case Manager will either send the documents out on the 1st Referral or prepare a letter explaining the deficiencies in the submittal documents. If revisions to the documents are required, the applicant shall revise the documents to comply with County standards, and then resubmit the documents for the 1st Referral.

Step 2

Referral Process

The Land Development Regulation anticipates that an application will be sent out on two referrals before it is ready for decision; 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 decision. Additional fees will be incurred for a third referral and any subsequent referral thereafter. 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.*

Step3

Final Documents

The final documents shall be comprised of the executed Minor Adjustment document (on mylar if applicable), the executed improvement agreement (if applicable) and any other documents identified by the Case Manager.

Step 4

Determination

The application will be presented to the Director of Planning and Zoning. The Director of Planning and Zoning will approve or deny the application.

Step 5

Recordation

After approval of an application, Staff will obtain the required County approval signatures and have the documents recorded.

Evaluation/Decision

Evaluation: The evaluation of the Minor Adjustment is predicated on compliance with the Land Development Regulation, the requirements of the underlying Zone District and the following limitations:

1. The request must not conflict with any County regulations unless relief is granted through the appropriate County process.
2. The request does not create any additional lots, unless specifically listed as an allowed development activity.
3. The exterior boundary must be comprised of property lines that have been properly subdivided.
4. The resulting property boundaries or building sites must meet all State Engineer and Public Health requirements for issuance of a well permit and approval of an individual sewage disposal system (if applicable).
5. The adjustment shall not create a larger lot, parcel or tract that could be further subdivided outside of a County subdivision process.
6. A reconfiguration of lot lines in a residential development may only include minor alterations to the existing streets or roads designated on the Plat. A replat for a residential subdivision is required if the platted streets or roads will not be utilized, if the alignment will be substantially altered, or if the Plat does not have an access system.
7. A reconfiguration of a non-residential development or development with non-residential uses may include alterations to the existing streets or roads system.
8. Lots or parcels with nonconforming lot sizes (not meeting the minimum lot size requirements of the underlying zone district) may be altered only if the non-conforming lots or parcels are either eliminated or the lot or parcel area is increased so that it becomes conforming, or relief is granted through the appropriate County process.

Decision: After review by Staff, a Minor Adjustment application is presented to the Director of Planning and Zoning for final decision. The Director of Planning and Zoning may ask for additional documents before making a final determination.

Community Involvement

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

Formal Application: The notification at the time of Formal Application is by community mailing and sign posting. The mailing and sign posting 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 Determination by the Director of Planning and Zoning. The applicant may choose to amend the application request based on the comments received.

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

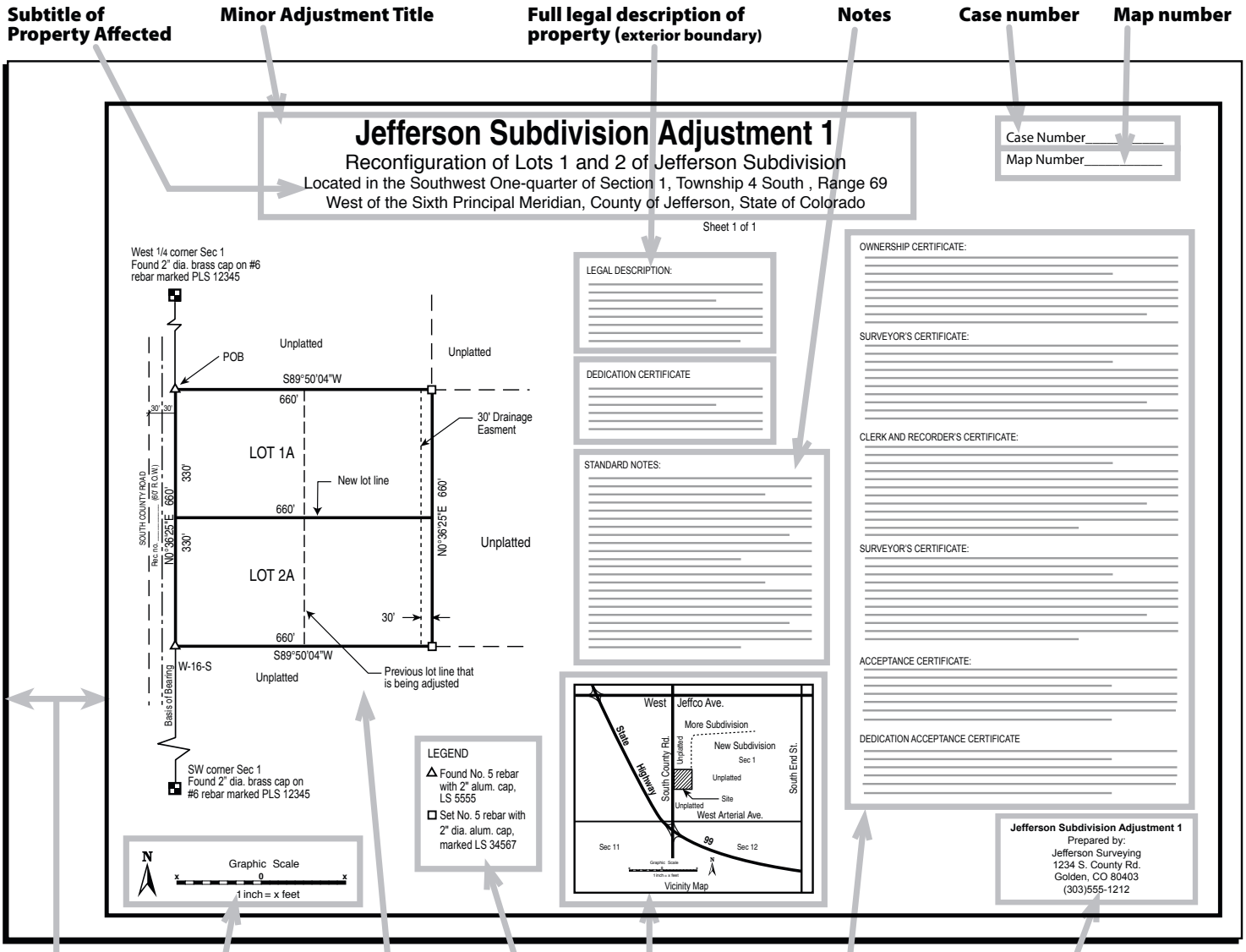
What role do public comments play in the process?

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

Minor Adjustment Format (Survey)

The graphics shown below indicate the preferred layout of Minor Adjustment documents. These examples are provided for general reference only and should not be duplicated. The applicant should refer to the Minor Adjustment Section of the Land Development Regulation for specific format requirements.

The first graphic shows a Minor Adjustment survey which is typically used when the proposal will be changing legal descriptions. The second graphic shows an 8 ½" x 11" Minor Adjustment that is used to correct errors and/or make technical modifications. This reduced sized document can be allowed by Planning and Zoning when it is determined that survey graphic is not required. A third type of Minor Adjustment format will be used when the proposal is to adjust an improvement agreement (not shown within this guide). An example of the improvement agreement format will be provided by Planning and Zoning upon request.



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

Minor Adjustment Format (8.5"x11")

Jefferson Subdivision Adjustment 1
Minor Adjustment Case No._____

Plat Note Correction Block

-
-
-

Owner _____ *Signature* _____

Owner _____ *Signature* _____

Acknowledgement

Acceptance Certificate