

LAND DEVELOPMENT

REGULATION

Originally adopted by the
Board of
County Commissioners
of Jefferson County, Colorado
on July 24, 1978



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REVISION DATES

The Land Development Regulation, adopted by the Board of County Commissioners of Jefferson County, Colorado, on July 24, 1978, has since been amended on the following dates:

March 13, 1979	December 16, 1980	February 24, 1981
November 10, 1981	September 12, 1983	February 24, 1986
May 13, 1986	April 21, 1987	May 31, 1988
June 2, 1988	January 31, 1989	May, 12, 1989
November 28, 1989	July 3, 1990	July 30, 1991
February 23, 1993	April 19, 1994	May 3, 1994
June 28, 1994	December 6, 1994	March 21, 1995
April 11, 1995	July 11, 1995	August 1, 1995
August 29, 1995	December 5, 1995	January 30, 1996
October 29, 1996	January 7, 1997	July 22, 1997
April 21, 1998	May 12, 1998	October 13, 1998
March 23, 1999	August 17, 1999	December 14, 1999
February 22, 2000	May 28, 2002	June 18, 2002
July 23, 2002	September 10, 2002	May 27, 2003
October 12, 2004	July 12, 2005	October 25, 2005
April 4, 2006	July 11, 2006	December 5, 2006
July 10, 2007	August 14, 2007	May 20, 2008
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September 27, 2011	April 30, 2013	August 27, 2013
September 24, 2013	December 9, 2014	November 24, 2015
December 13, 2016		

LAND DEVELOPMENT REGULATION

Table of Contents

SECTION 1	ADMINISTRATIVE PROVISIONS
SECTION 2	ALTERNATIVE STANDARDS / REQUIREMENTS
SECTION 3	NOTIFICATION
SECTION 4	SUBMITTAL REQUIREMENTS
SECTION 5	PRE-APPLICATION
SECTION 6	PRELIMINARY AND FINAL PLAT
SECTION 7	PRELIMINARY PLAT
SECTION 8	FINAL PLAT
SECTION 9	RURAL CLUSTER
SECTION 10	EXEMPTION PROCESS
SECTION 11	MINOR ADJUSTMENT
SECTION 12	RESIDENTIAL STRUCTURE EXCLUSION
SECTION 13	VACATION OF RIGHT-OF-WAY
SECTION 14	LOT AND TRACT STANDARDS
SECTION 15	CIRCULATION
SECTION 16	TRAILS
SECTION 17	GRADING, EROSION AND SEDIMENT CONTROL
SECTION 18	DRAINAGE
SECTION 19	SUBSURFACE GROUNDWATER COLLECTION SYSTEMS
SECTION 20	RESERVED
SECTION 21	WATER SUPPLY
SECTION 22	WASTEWATER
SECTION 23	UTILITIES
SECTION 24	FIRE PROTECTION
SECTION 25	GEOLOGIC AND GEOTECHNICAL
SECTION 26	SENSORY IMPACT
SECTION 27	RADIATION
SECTION 28	WILDLIFE, VEGETATION AND LANDSCAPING
SECTION 29	RESERVED
SECTION 30	ENVIRONMENTAL ASSESSMENTS
SECTION 31	HISTORICAL, ARCHAEOLOGICAL AND PALEONTOLOGICAL
SECTION 32	PARK AND SCHOOL REQUIREMENTS
SECTION 33	DEVELOPMENT AGREEMENTS, WARRANTIES AND GUARANTEES
SECTION 34	VESTED REAL PROPERTY RIGHTS
	DEFINITIONS

Section 1 - Administrative Provisions

(orig. 7-24-78; am. 4-20-10)

A. Purpose

The purpose of this Land Development Regulation is to promote the health, safety and welfare of the present and future inhabitants of the County of Jefferson by assuring quality and orderly development of land to meet the needs of a changing population, giving due consideration to protection of the land, environment and natural resources. (reloc. 7-12-05; am. 4-20-10)

B. Authority

This Regulation is adopted in accordance with and pursuant to the provisions of Article 28 of Title 30, Article 20 of Title 29, and Article 2 of Title 43, C.R.S., as amended. (reloc. 7-12-05; am. 4-20-10)

C. Application

The provisions of this Regulation shall apply to the following categories: (reloc. 7-12-05; am. 4-20-10)

1. Land to be subdivided pursuant to Section 30-28-101 et.seq. C.R.S. and any lot or parcel created by the subdivision of land after May 5, 1972, without appropriate County approval. The subdivision processes are listed below and the specific requirements for each process are listed in the corresponding sections of this Regulation. (orig. 4-20-10)
 - a. Preliminary and Final Plat (orig. 4-20-10)
 - b. Preliminary Plat (orig. 4-20-10)
 - c. Final Plat (orig. 4-20-10)
2. Land to be divided in accordance with a "Rural Land Use Process" pursuant to Section 30-28-401, et.seq., C.R.S., as amended. The Rural Cluster process has been adopted by the County pursuant to the provisions of the statute. (orig. 12-21-10)
3. Development activities exempted from the term "subdivision" and "subdivided land" by the Board of County Commissioners pursuant to Sections 30-28-101(10)(d) C.R.S., unless listed in the Exceptions Section below. The specific qualifications for each exemption process listed below and the processing requirements are listed in the corresponding sections of this Regulation or the Zoning Resolution. (orig. 4-20-10; 12-13-16)
 - a. Exemption (orig. 4-20-10)
 - b. Minor Adjustment (orig. 4-20-10)
 - c. Residential Structure Exclusion (orig. 4-20-10)
 - d. Site Adjustment/Dedication Plat (orig. 12-13-16)
4. Vacation of Right-of-Way pursuant to Section 43-2-301, et.seq., C.R.S., as amended. The Vacation process has been adopted by the County pursuant to the provisions of the statute. (orig. 12-21-10)

D. Additional Exemptions

The Board of County Commissioners has exempted the following from the term "subdivision" and "subdivided land" pursuant to Sections 30-28-101(10)(d) C.R.S., subject to the specific process and requirements as listed. (orig. 4-20-10)

1. Multi-Family Development that does not include the subdivision of land into multiple lots or parcels, shall be subject to the Site Development Plan process defined in the Zoning Resolution. (orig. 4-20-10)

E. Exceptions

In addition to the specific exemptions listed in the Application Section and the Additional Exemptions Section above, the Board of County Commissioners has also exempted the following from the term "subdivision" and "subdivided land" pursuant to Sections 30-28-101(10)(d) C.R.S. and from the requirements of this Regulation. (reloc. 7-12-05; am. 4-20-10)

1. Rights-of-Way: Any resulting parcels created by the acquisition, by condemnation or otherwise, of any State, County or Municipal rights-of-way, provided the parcel being divided was not

created improperly. Rights-of-way that is not for street/road purposes qualifies under the terms of this exception, provided that the resulting parcel is in conformance with the minimum lot area requirements for the proposed use in the zone district in which said property is located and provided the parcel being divided was not created improperly. (reloc. 7-12-05; am. 4-20-10; am. 12-21-10)

2. Condominiums: Any conversion of multiple units to condominium units as defined by Section 38-33-103, C.R.S., as amended, that conforms to the Zoning Resolution and applicable building codes. (orig. 4-20-10)
3. Open Space Acquisition: Any resulting parcels created by the division of a parcel of land which is a direct result of an acquisition by Jefferson County for open space, provided that the resulting parcel is in conformance with the minimum lot area requirements for the proposed use in the zone district in which said property is located and provided the parcel being divided was not created improperly. (orig. 4-20-10)
4. County Acquisition/Conveyance: Any resulting parcels created by the division of a parcel of land which is a direct result of an acquisition or conveyance by Jefferson County, provided that the resulting parcel is in conformance with the minimum lot area requirements for the proposed use in the zone district in which said property is located and provided the parcel being divided was not created improperly. (orig. 4-20-10; am. 12-21-10)
5. Vacation of Rights-of-Way: Any resulting parcels created by vacation of any State, County or Municipal rights-of-way. (orig. 4-20-10)
6. Court Decree: Any resulting parcel created by any court in this State pursuant to the law or by order of the court, if the Board of County Commissioners is given timely notice of any such pending action and given opportunity to join as party in interest in such proceeding for the purpose of raising the issue of evasion of this Regulation. The property must be in compliance with any order of the court or stipulation with the County with regard to the issue of subdivision and/or this Regulation. (orig. 4-20-10)

Nothing contained in this Regulation shall be construed to prevent the Board of County Commissioners in its sole discretion from exempting any division of land from the definition of the terms "subdivision" and "subdivided land" pursuant to the authority granted in Section 30-28-101(10)(d) C.R.S. An example of when the Board of County Commissioners may utilize this method for a division of land would be for land that is owned by a public entity where the proposed division would (in the Board's opinion) assist the public entity in providing a public service. For the purpose of this provision, if improvements would have been required through the regular subdivision process, then those improvements/permits would need to be secured through another applicable County process (such as a Land Disturbance Permit). (am. 7-12-05; am. 4-20-10; 12-13-16)

F. Severability

Should any section, clause, sentence or part of this Regulation be adjudged by any court of competent jurisdiction, to be unconstitutional or invalid, the same shall not affect, impair or invalidate this Regulation as a whole or any part thereof, other than the part so declared to be invalid. (reloc. 7-12-05)

G. Effective Date

This Land Development Regulation was adopted by the Board of County Commissioners on July 24, 1978. Any amendment to this Regulation shall be immediately effective upon its adoption by resolution of the Board of County Commissioners. All development applications, identified in the application section above, shall be subject to the provisions of this Regulation that are in effect at the time of the formal application submittal, unless otherwise specified in a Board of County Commissioners resolution. (reloc. 7-12-05; am. 4-20-10)

H. Interpretation

1. The provisions of this Regulation shall be regarded as the minimum requirements for the protection of the health, safety and welfare of the present and future inhabitants of Jefferson County and shall be liberally construed to further the purposes and objectives set forth herein. (am. 7-12-05; am. 4-20-10)

2. Whenever any provision of this Regulation is found to be in conflict with a similar provision existing in any Official Development Plan or Zone District, the provisions of the Official Development Plan or Zone District shall apply. (reloc. 7-12-05)
3. The singular includes the plural and the plural includes the singular as may be necessary for reasonable interpretation. (reloc. 7-12-05)

I. Prohibited Restrictive and Protective Covenants

No development shall be approved which contains restrictive or protective covenants which contain any specification limiting the transfer, rental or lease of any housing because of race, creed, religion, color, sex, marital status, national origin or ancestry or handicap as prohibited by Section 24-34-502, C.R.S., or Title VIII of the Fair Housing Act of 1968, 42 U.S.C. 3604. (reloc. 7-12-05; am. 4-20-10)

Section 2 – Alternative Standards/Requirements

(am. 12-9-14)

A. Intent and Purpose

The purpose of this section is to specify the requirements and procedures that are applicable when an applicant makes a request to use alternative standards/requirements than those specified in the Land Development Regulations. (orig. 7-12-05; am. 12-9-14)

B. Application

1. The procedures of this section shall be utilized for requests to use alternative standards/requirements than those specified in any Land Development Regulation requirement. The Land Development Regulation includes the Transportation Design and Construction Manual and the Storm Drainage Design and Technical Criteria. (orig. 7-12-05; am. 12-21-10; am.12-9-14; am. 11-24-15)
2. The Director of Planning and Zoning has the authority to make decisions on any request for alternative standards/requirements, unless the specific provision indicates that a decision is to be made by the Board of County Commissioners. (orig. 12-9-14)
3. The decision on a request (denial or approval with conditions) for alternative standards/requirements by the Director of Planning and Zoning may be appealed by the applicant to the Board of County Commissioners. The request for appeal shall be in writing and shall state the specific reasons and evidence why the Director of Planning and Zoning's decision regarding the alternative standards/requirements should be overturned. The appeal shall be submitted to the Planning and Zoning case manager. (orig. 7-12-05; am. 12-21-10; am. 12-09-14)
4. For application types that are presented to the Board of County Commissioners in a public hearing, an applicant may choose to have the alternative standards/requirements presented directly to the Board of County Commissioners at the hearing for the application. (orig. 12-9-14)
5. The following shall be considered for alternative standards/requirements of Land Development Regulation requirements: (orig. 7-12-05; am. 12-9-14)
 - a. The applicant can demonstrate that alternate solutions or designs will not be detrimental to or contrary to the Purpose of this Regulation and will be in harmony with the general purpose and intent of the provision for which a waiver is sought. (am. 7-12-05)
 - b. The applicant can demonstrate that strict compliance with such provision would be impossible, impractical or undesirable. (am. 7-12-05)
6. Requests for waiver of submittal requirements shall be processed in accordance with the Submittal Requirements section of this Regulation. (orig. 12-09-14)
7. For application types that are presented to the Board of County Commissioners in a public hearing, an alternative standard/requirement that was approved by the Director of Planning and Zoning, and is past the appeal period shall not be used as a basis for denial. (orig. 12-9-14)

C. Procedure

A request for alternative standards/requirements may be submitted during the processing of any development application; however, if the development application processing requires that the case be presented to the Board of County Commissioners at a public hearing, then the request for alternative standards/requirements must be submitted at least 30 calendar days prior to said hearing. (orig. 7-12-05; am. 12-21-10, am. 12-9-14)

The Director of Planning and Zoning may require public notification prior to making a decision on a request for alternative standards/requirements. Such notification, when required, shall be in accordance with the standards established in the Notification Section. (orig. 7-12-05; am. 12-21-10; am. 12-09-14)

The following procedure and requirements shall apply to alternative standards/requirements requests.

Steps Prior to 1st Referral

1. Request: The applicant shall submit the following documents for a request for alternative standards/requirements, as applicable. The applicant should consult with the Case Manager for assistance in identifying the submittal documents for an alternative standards/requirements request. (orig. 12-09-14)
 - a. An alternative standards/requirements request letter that identifies the standard(s) or requirement(s) for which alternative standards/requirements are being proposed, and provides the rationale as to why the alternative standards/requirements are needed for the specific project. (orig. 12-09-14)
 - b. For alternative standards/requirements where the proposal is to substitute an alternative design from those identified in the regulations, the applicant shall submit a certified statement by a qualified Colorado-registered professional engineer indicating that granting the alternative standards/requirements will be equivalent to that prescribed in the LDR in quality, effectiveness, durability, and safety. Such statement shall bear the professional engineer’s seal, signature and date. (am. 7-12-05; am. 12-21-10; am. 12-09-14)
 - c. Other documents as required by the Case manager to support the requested alternative standard/requirement. (orig. 12-09-14)

Staff will review the request to determine if the documents are adequate for the referral process. Following this review, the Case manager will either send the documents out on 1st Referral or contact the applicant to request additional information. The Case Manager shall have 3 calendar days to respond to the applicant about deficiencies in the submittal documents or to send the revised documents out on referral (orig. 12-09-14)

Process from 1st Referral to Determination/Hearing

2. 1st Referral: The referral agencies shall have 14 calendar days to respond in writing to the application. If the request is sent out concurrently with the referral for the development application, then the referral timeframe will match the referral timeframe for that application. (orig. 12-09-14)

Notification is required at the time of the 1st Referral in accordance with the Notification Section. (orig. 12-09-14)

3. Forwarding 1st Referral Comments (optional): After the 1st Referral, the Case Manager may choose to forward referral comments to the applicant for redress prior to the finalization of a Staff recommendation on the request. Under this scenario, 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. (orig. 12-09-14)
4. Response to 1st Referral (if applicable): The applicant shall respond to the Staff response and referral agency comments. (orig. 12-09-14)
5. Additional Changes: For the 2nd Referral, and for any subsequent referrals thereafter, the Case Manager shall have 3 days to send the revised documents on referral. (orig. 12-09-14)

The referral agencies shall have 7 calendar days to respond in writing to the 2nd Referral, and for any subsequent referrals thereafter. If the request is sent out concurrently with the referral for the development application, then the referral timeframe will match the referral timeframe for that application. (orig. 12-09-14)

After the 2nd Referral, and any subsequent referrals thereafter, the Case Manager may choose to forward referral comments to the applicant for redress prior to the finalization of a Staff recommendation on the request. Under this scenario, 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. (orig. 12-09-14)

6. Determination Preparation (as applicable): If the request for alternative standards/requirements is eligible for a decision by the Director of Planning and Zoning, and the applicant has decided not to take the request directly to the Board of County Commissioners for decision, the Case

Manager shall have 5 calendar days to prepare the Staff recommendation on the referral request for action by the Director of Planning and Zoning. (orig. 12-09-14)

7. Hearing Preparation (as applicable): The request for alternative standards/requirements may be scheduled for a separate hearing before the board of County Commissioners or it may be included in the hearing process for the development application (if applicable). (orig. 12-09-14)
 - 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, may be made to request alternative standards/requirements or supporting documents within 21 calendar days of the hearing. (orig. 12-09-14)
 - b. Notification: Notification of the scheduled hearing is required in accordance with the Notification Section. (orig. 12-09-14)
 - c. Below are the possible scenarios for taking a request for alternative standards/requirements forward to a hearing before the Board of County Commissioners. (orig. 12-09-14)
 - (1) If the request for alternative standards/requirements is not eligible for a decision by the Director of Planning and Zoning. (orig. 12-09-14)
 - (2) If the request for alternative standards/requirements is eligible for a decision by the Director of Planning and Zoning, but the applicant has decided to take the request directly to the Board of County Commissioners for decision. (orig. 12-09-14)
 - (3) If there is an appeal to the decision made by the Director of Planning and Zoning. (orig. 12-09-14)

Determination

8. As applicable, the Director of Planning and Zoning may approve or deny a request for alternative standards/requirements, or may direct staff to present the request to the Board of County Commissioners for decision at a public hearing. (orig. 12-09-14)

Appeal

9. The applicant may appeal the determination by the Director of Planning and Zoning to the Board of County Commissioners within 30 days said determination. Any appeal by the applicant must be made within 21 calendar days of the Board of County Commissioners public hearing for the development application (if applicable). (orig. 12-09-14)

Public Hearing

10. The Board of County Commissioners shall review the alternative standards/requirements request, the Staff report, the Planning Commission recommendation (if applicable), the determination by the Director of Planning and Zoning (if applicable), receive testimony and evidence on the request, and shall approve, conditionally approve or deny the request. The Board of County Commissioners may also continue the request for such additional hearings as may be necessary to receive additional information, complete testimony, obtain Staff response or render a decision. (orig. 12-09-14)

Section 3 – Notification

(orig. 7-12-05; am. 4-20-10)

A. Intent and Purpose

The purpose of this section is to specify the notification requirements and procedures for various applications. The notification requirements are intended to keep property owners and registered associations informed of proposed development activities in Jefferson County. (am. 7-12-05; am.10-13-09)

B. Application

1. Specific notification requirements for development applications are identified in the table below. These notification requirements include Community Mailing and Sign Posting. Reference the criteria section below for a description of the levels described in the notification table. (am. 7-12-05; am. 4-4-06; am.10-13-09; am. 4-20-10; am. 12-21-10)

Application Type	Notification Requirements					
	Community Meeting		At Time of 1st Referral*		Prior to Hearing	
	Community Mailing	Sign Posting	Community Mailing	Sign Posting	Community Mailing	Sign Posting
Preliminary and Final Plat	N/A	N/A	Level 1	Not Required	Level 1	Level 1
Preliminary Plat	N/A	N/A	Level 1	Not Required	Level 1	Level 1
Final Plat	N/A	N/A	Level 1	Not Required	Level 1	Level 1
Rural Cluster	Level 1	Level 1	Level 1	Not Required	Level 1	Level 1
Exemption	N/A	N/A	Level 1	Not Required	Level 1	Level 1
Minor Adjustment	N/A	N/A	Level 2	Level 2	N/A	N/A
Residential Structure Exclusion	N/A	N/A	Not Required	Not Required	N/A	N/A
Vacation	N/A	N/A	Level 2	Not Required	Level 2	Level 2

* In accordance with the process requirements for each application type, the 1st Referral is scheduled to occur within 3 days of the applicant making a Formal Application. (orig. 4-20-10)

2. Alternative Standards/Requirements: When required by the Director of Planning and Zoning, requests for Alternative Standards/Requirements shall meet the Community Mailing notification requirements in the table above based on the type of Development Application with which they are being processed. Sign posting shall not be required for Alternative Standard/Requirement requests. (orig. 12-09-14)
3. If any one of the following occurs during the hearing process, the applicant will be required to provide additional notification in accordance with the “Prior to Hearing” notification requirements in the table above. (orig. 12-21-10)
 - a. The application has been in the hearing process for more than 6 months without a final determination. Under this circumstance, the additional notification will serve to reset the clock for an additional 6 months. (orig. 12-21-10)
 - b. The application is remanded back to the Planning Commission by the Board of County Commissioners. (orig. 12-21-10)
 - c. The application needs to return to hearing in order to effect a change to the application. This provision will not apply if the change is determined to be a non-substantial change as discussed below, however the notification described in the provision below will still apply. (orig. 12-21-10)
4. If an application has been approved in a public hearing and needs to return to hearing to effect a non-substantial change that does not materially affect the content of the approved application, then the Director of Planning and Zoning may allow the application to proceed to hearing without notification in accordance with this Section; provided, however any notification

specifically required by the Colorado Revised Statutes is still completed for such hearing. (orig. 4-20-10; am. 12-21-10)

C. Criteria

1. Community Mailing: Community mailing requirements fall into two (2) levels. (orig. 10-13-09; am. 4-20-10)
 - a. Level 1 requires notices to be sent to property owners and registered associations within a specified radius based on whether the proposed development is located in the Mountains or Plains as defined in the Definition section of the Zoning Resolution. (orig. 4-20-10)
 - (1) The following table shows the Notification Radius of the Mountains and Plains. The notification area will be measured from the exterior boundary of the proposed development. (orig. 10-25-05; am. 10-13-09)

	Mountains	Plains
Registered Associations	Two (2) miles	One (1) mile
Individual Property Owners	1,320 feet (1/4 mile)*	500 feet

* When the subject property is located in an area of unusually high density development, greater than 50 individual property owners within 1,320 feet (1/4 mile), then the area of notification shall be decreased to 500 feet from the subject property. (am. 10-13-09)

- b. Level 2 requires notices to be sent to adjoining property owners. For the purpose of this Regulation adjoining will mean a property that shares any length of common boundary with the applicant's property. In addition, if it is determined that the proposed development is on property that is located within a property owners association, or other similar entity, then notice will also be sent to that entity. The Case Manager may require additional notices to be sent if in the opinion of the Case Manager the development activity may have impacts to other properties. (orig. 4-20-10)
2. Sign Posting: Sign posting requirements fall into two (2) levels: (orig. 10-13-09; am. 4-20-10)
 - a. Level 1 requires a minimum of one (1) sign to be posted on each boundary of the property having frontage on either a public or private street/road. The provision for posting along public streets/roads shall not apply to freeways, unless the freeway has a frontage road on which the requirements will apply. For the purpose of this Regulation, freeways shall be identified as I-70, US-285, SH-58, C-470, and US-6 east of its intersection with I-70. If the frontage on a public or private street/road is greater than 500 feet, then additional sign(s) will be required in accordance with the table below. The maximum number of signs required to be posted along public or private streets/roads shall be six (6). If the number of signs calculated for posting exceeds six (6), then the required signs will be spaced along the street/road frontage as deemed appropriate by the Case Manager. If the property does not have any street/road frontage at the time of posting, then a minimum of one (1) sign must be posted on the property at the location most visible to the general public. If the Case Manager determines that the signs required to be posted on the property would not be readily seen by the general public, then he/she may require the posting of off-site signs, in the number and location deemed appropriate. (orig. 10-13-09; am. 4-20-10)

Sign requirements for frontage along public or private streets/roads	
Length of Frontage (feet)	Number of signs required
0 to 500	1
501 to 1000	2
1001 to 1500	3
1501 to 2000	4

2001 to 2500	5
Greater than 2500	6

- b. Level 2 requires one (1) sign to be posted on the property at a location most visible to the general public. If the Case Manager determines that the sign required to be posted on the property would not be readily seen by the general public, then he/she may require the posting of off-site signs, in the number and location deemed appropriate. (orig. 4-20-10)

D. Procedure

1. Community Mailings: Notification letters shall be mailed in accordance with the following: (orig. 10-13-09)
 - a. Community mailings at the time of the 1st Referral shall be mailed at the time the case is sent out on the 1st referral. Prior to the 1st referral, the Case Manager will provide the applicant the completed notification form and other information so that the applicant can prepare the notification documents. (orig. 10-13-09; am. 4-20-10)
 - b. Community mailings prior to a Community Meeting or hearing shall be mailed at least 14 calendar days prior to the Community Meeting or prior to the first scheduled hearing. Approximately 19 days prior to the Community Meeting or the first scheduled hearing, the Case Manager will provide the applicant the completed notification form and other information so that the applicant can prepare the notification documents. (orig. 10-13-09; am. 12-21-10)
 - c. General Requirements (orig. 10-13-09)
 - (1) The Case Manager shall provide the applicant: (am. 4-4-06)
 - (a) A completed notification form and vicinity map; and (am. 4-4-06; am. 10-13-09)
 - (b) a list of the registered associations and/or individual property owners that are required to be notified. (am. 4-4-06; am. 10-13-09)
 - (2) The applicant shall provide the Case Manager the community mailing envelopes corresponding to the list of registered associations and/or individual property owners. The envelopes must: (am. 4-4-06; am. 10-13-09)
 - (a) be addressed; (orig. 10-13-09)
 - (b) have sufficient postage; (am. 4-4-06)
 - (c) use the Planning and Zoning return address; (am. 4-4-06; am. 10-13-09)
 - (d) contain a completed notification form and vicinity map; and (am. 4-4-06; am 10-13-09)
 - (e) be un-sealed. (orig. 4-4-06; am. 10-13-09)
2. Sign Posting: Sign posting shall be completed in accordance with the following requirements: (orig.10-13-09; am. 4-20-10)
 - a. Sign posting at the time of the 1st Referral: The sign(s) will be given to the applicant when the case is sent out on the 1st Referral. It is the applicant's responsibility to post the sign(s) on the property within 4 calendar days from the date on which the application was sent out on the 1st Referral. The applicant shall take every reasonable effort to keep the sign(s) posted on the property until a determination has been made on the application. The signs shall be removed from the property within 7 calendar days after the final determination. (orig. 4-20-10; am. 12-21-10)
 - b. Sign posting at the time of Community Meeting or hearing: (orig. 12-21-10)
 - (1) Community Meeting: The sign(s) will be given to the applicant approximately 19 calendar days prior to the Community Meeting. It is the applicant's responsibility to post the sign(s) on the property a minimum of 14 calendar days prior to the meeting. The applicant shall take every reasonable effort to keep the sign(s) posted on the property until the Community Meeting has been completed. The signs shall be removed from the property within 7 calendar days after the Community Meeting. (orig. 12-21-10)

- (2) Hearing: The sign(s) will be given to the applicant approximately 19 calendar days prior to the first scheduled hearing. It is the applicant's responsibility to post the sign(s) on the property a minimum of 14 calendar days prior to the first hearing. The applicant shall take every reasonable effort to keep the sign(s) posted on the property until the application is approved, conditionally approved or denied at the final hearing for the application. The signs shall be removed from the property within 7 calendar days after the final hearing for the application. (orig. 10-13-09; am. 12-21-10)
- c. General Requirements: (orig. 10-13-09)
 - (1) The Case Manager shall provide the applicant: (orig. 10-13-09)
 - (a) A map indicating where the signs shall be posted; (orig. 10-13-09)
 - (b) the completed signs; (orig. 10-13-09)
 - (c) instructions on how to post the signs; and (orig. 10-13-09)
 - (d) a blank posting affidavit form. (orig. 10-13-09)
 - (2) The applicant shall: (orig. 10-13-09)
 - (a) Post the sign(s) on the property in accordance with the location map and instructions; and (orig. 10-13-09)
 - (b) return the completed posting affidavit to the Case Manager indicating that the sign(s) were posted upon the subject property in accordance with the requirements. (orig. 10-13-09)

Section 4 – Submittal Requirements

(orig. 7-12-05)

A. Intent and Purpose

The purpose of this section is to provide applicants with a clear description of the documents that will be required to be submitted for specific development processes. This section differentiates between documents that must be submitted as a part of the development application, those documents that must be submitted prior to hearing or determination, and those documents that need to be submitted after hearing or determination. This section also identifies required submittal documents and additional documents that are required based on the specific circumstances of the proposed development. (orig. 4-20-10)

B. Requirements

1. The tables within this section identify the submittal requirements for each specified application type. Each submittal document is listed as either a required document (R) or an additional document (A). A required document is a document that is required to be submitted for a specific application. An additional document is a document that can be required by the Case Manager based on the specific circumstances of the application. (orig. 4-20-10)
2. Any submittal documents that have been submitted and approved as part of a previous development application will not have to be resubmitted as long as the previous documents are applicable to the property being developed and are in compliance with current County regulations. In addition, the circumstances related to the development have to be consistent to the circumstances of the previous application during which the documents were originally submitted. (orig. 4-20-10)
3. The submittal requirements for a Final Plat will also include any documents that may be needed to address conditions of approval placed on the associated Preliminary Plat by the Planning Commission. (orig. 4-20-10)
4. The Case Manager, the Planning Commission or the Board of County Commissioners may require the applicant to submit additional documents, not listed in the tables below, in response to unique circumstances or based upon information received from referral agencies or other sources. (orig. 4-20-10)
5. An applicant should review the submittal requirements with Planning and Zoning prior to submitting an application. A review of the submittal requirements can be accomplished by meeting with Staff and discussing the proposed application, or by going through the Pre-Application Review Process. (orig. 4-20-10)
6. The Director of Planning and Zoning may waive submittal requirements if he/she determines that the information would not materially aid in reviewing the application. (orig. 4-20-10; am. 12-21-10; am. 9-27-11; am. 12-13-16)
7. All documents submitted for a referral process must be submitted electronically by the applicant. The applicant is responsible for any postage requirements during the application process. (orig. 7-12-05; am.4-20-10; am. 12-13-16)
9. The submittal requirements for the Pre-Application Review Process are listed in the Pre-Application Review Process section of this Regulation. (orig. 4-20-10)
10. The submittal of notification documents is required in accordance with the Notification section of this Regulation. (orig. 4-20-10)
11. The table below identifies the documents that are to be submitted as a part of the development application. (orig. 4-20-10; am. 12-21-10; 04-30-13; am. 9-24-13; am. 11-24-15; am. 12-13-16)

Document Type		Preliminary and Final Plat	Preliminary Plat	Final Plat	Rural Cluster	Exemption	Minor Adjustment	Residential Structure Exclusion	Vacation
Table Key									
R	A document that is required to be submitted for an application. Relief from submitting this type of document may be considered by the Director of Planning and Zoning.								
A	A document that can be required by the Case Manager based on the specific circumstances of an application. If required by the Case Manager, then relief from submitting this type of document may be considered by the Director of Planning and Zoning.								
1.	Application Form	R	R	R	R	R	R	R	R
2.	Application and Referral Agency Fees	R	R	R	R	R	R	R	R
3.	Cover Letter	R	R	R	R	R	R	R	R
4.	Proof of Ownership		R			R	R	R	
5.	Title Insurance Commitment	R		R	R				
6.	Access	A	A	A	A	A	A	A	
7.	Preliminary Plat		R						
8.	Preliminary Supplemental Information	R			R				
9.	Final Plat	R		R					
10.	Exemption					R		R	
11.	Minor Adjustment						R		
12.	Rural Cluster Development Plan				R				
13.	Survey								A
14.	Legal Description								A
15.	Boundary Closure Sheets	R		R	R	R	A	R	A
16.	Water Supply Information	R	R	A	A	R	A	R	
17.	Wastewater Information	R	R	A	R	R	A	R	
18.	Fire Protection Proof	R	R	A	R	R	A		
19.	Forest Management Plan	A	A	A	A	A	A		
20.	Construction Plans	A	A	A	A	A	A		A
21.	Exhibit A	A		A	A	A	A		A
22.	Transportation Information	A	A	A	A	A	A		A
23.	Deeds/Easements/Agreements	A	A	A	R	A	A		A
24.	Phase II Drainage Report and Plan		R						
25.	Phase III Drainage Report and Plan	R		R	R	R	A		A
26.	Geologic and Geotechnical Report	R	R	A	R	A	A		A
27.	Radiation Assessment/Report/Plan	A	A	A	A	A	A		
28.	Landscape Plan	A	A	A		A	A		A
29.	Slope Analysis				A				
30.	Vegetation Preservation Plan	A	A	A	A	A	A		A
31.	Wildlife, Vegetation, and Landscape Report/Plan	R	R						
32.	Sensory Impact Assessment/Report/Plan	R	R	A					
33.	Utility Report/Plan	R	R						
34.	Historical, Archaeological, and Paleontological Report/Plan	R	R		A				
35.	Environmental Questionnaire/Assessment	R	R		R	R	A		

12. The following table identifies documents that are required during the processing of the application and prior to hearing or determination. In addition to the documents listed below, the Case Manager will require the submittal of any of the documents from the table above that were either not submitted by the applicant or may require revisions based on review by the Case Manager or referral agencies. (orig. 4-20-10; am. 12-21-10; am. 9-24-13; am. 12-13-16)

	Document Type		Preliminary and Final Plat	Preliminary Plat	Final Plat	Rural Cluster	Exemption	Minor Adjustment	Residential Structure Exclusion	Vacation
	Table Key									
	R	A document that is required to be submitted for an application. Relief from submitting this type of document may be considered by the Director of Planning and Zoning.								
A	A document that can be required by the Case Manager based on the specific circumstances of an application. If required by the Case Manager, then relief from submitting this type of document may be considered by the Director of Planning and Zoning.									
36.	Tax Certificate							A		
37.	Mylar							A	R	
38.	Improvements Agreement Letter	A		A	A	A				
39.	Improvements Agreement							A		
40.	Executed Deeds/Easements/Agreements							A		A
41.	Final Documents							A		A
42.	Recording Fees							R	R	
43.	Mineral Estate Notification Form	A	A	A	A	A				
44.	Cash in Lieu of Construction						A	A		

13. The table below identifies the documents that must be submitted prior to recordation of the final documents. In addition to the documents below, any documents that have been listed as a condition of approval by the Board of County Commissioners will also need to be submitted prior to recording. (orig. 4-20-10; am. 12-21-10; am. 9-24-13; am. 12-13-16)

	Document Type		Preliminary and Final Plat	Final Plat	Rural Cluster	Exemption	Vacation
	Table Key						
	R	A document that is required to be submitted for an application. Relief from submitting this type of document may be considered by the Director of Planning and Zoning.					
A	A document that can be required by the Case Manager based on the specific circumstances of an application. If required by the Case Manager, then relief from submitting this type of document may be considered by the Director of Planning and Zoning.						
36.	Tax Certificate	A	A	A	A		
37.	Mylar	R	R	R	R		
38.	Improvements Agreement	A	A	A	A		
39.	Executed Deeds/Easements/Agreements	A	A	A	A	A	
40.	Final Documents	A	A	A	A	A	
42.	Recording Fees	R	R	R	R	A	
44.	Cash-in-Lieu of Construction	A	A	A	A		
45.	Title Insurance Commitment (updated)	R	R	A			

C. Submittal Requirement Definitions

1. Application Form: A fully completed and executed application on the form provided by Planning and Zoning. (am. 7-12-05; am.4-20-10)
2. Application and Referral Agency Fees:
 - a. Application Fee: Application Fee as specified by the Board of County Commissioners. The fee shall be made payable to the Jefferson County Treasurer. (am. 7-12-05; am. 4-20-10)

- b. Referral Agency Fees: Review fees charged by a referral agency shall be made payable to the reviewing agency based on current rates and paid at the time of application. The fee amounts can be obtained by contacting Planning and Zoning. (am. 7-12-05; am. 4-20-10)
3. Cover Letter: The cover letter shall include the name, address and phone number of both the property owner(s) and any appointed representative. The cover letter must provide a clear, concise description of the proposal and should include a graphic depiction of the proposal as necessary for clarification purposes. (am. 7-12-05; am. 4-20-10; am.12-21-10)
- Vacation: The cover letter should include a graphic depiction of the property that is proposed to be vacated. (orig. 12-21-10)
4. Proof of Ownership: A copy of a current deed, title commitment or title policy showing that the person signing as the owner on the application is indeed the fee owner of the property. (orig. 7-12-05; am. 4-20-10)
5. Title Insurance Commitment: A copy of recent title insurance commitment or policy issued by a company authorized to transact title insurance business in Colorado. The legal description on the commitment shall exactly match the legal description of the proposed development. The commitment or policy shall indicate the names and addresses of all current surface owners, mortgagees or lien holders; and any mineral estate owners or lessees of mineral owners. The names submitted shall be listed as they appear on the relevant title documents and instruments that have been recorded with the County Clerk and Recorder. Copies of the documents listed in said commitment or policy shall be submitted for review. Any easement listed in said commitment must be shown and labeled on the survey document. Any easement within a Jefferson County right-of-way will need subordination from the easement holder. The applicant may be required to have the commitment updated to remove any unacceptable liens or encumbrances. (am. 7-12-05; am. 4-20-10; am. 12-13-16)
6. Access: Prior to acceptance of a Formal Application, Planning and Zoning must verify that all of the access locations that will be utilized to serve the proposed development meet the criteria listed below. The Director of Planning and Zoning may allow the formal application to be accepted without meeting the criteria below, if in his/her opinion the circumstances related to proving access should be finalized during the processing of the development application. (orig. 4-20-10; am. 12-21-10; reloc. 12-13-16)
- a. The right of access must be in accordance with the Access Standards of the General Provisions and Regulations Section of the Zoning Resolution. (orig. 4-20-10; am. 3-26-13; am. 12-13-16)
- (1) The provision for "road of record" may only be considered for applications that do not increase upon the number of existing building sites. (orig. 4-20-10; am. 12-21-10; reloc. and am. 12-13-16)
- (2) If a development is proposing to create or authorize additional lots or building sites, then the right of access must be shown to be transferable to the future owners within the development. (orig. 4-20-10; reloc. 12-13-16)
- b. The required width of the access right must also be in accordance with the Access Standards of the General Provisions and Regulations of the Zoning Resolution, unless a variance or a minor variation has been granted. In cases where a variance or a minor variation is being considered, the evaluation will include a review of the physical location and the physical standards of the access. (orig. 4-20-10; am. 3-26-13; reloc. 12-13-16)

Note 1: The physical location of an existing access and the physical standards of an existing access, shall be described as a part of this proof of access review, however, the resolution of any issues that arise related to the physical location or standards will be resolved at the time of processing the application, except as described above. (orig. 4-20-10; reloc. 12-13-16)

Note 2: If the location of the access for the development changes from that originally verified, as described above, then additional access information may be required by the Case Manager. (am. 7-12-05; am. 4-20-10; am. 11-24-15; am. 12-13-16)

Note 3: As a part of the review of the development application, the applicant will have to prove that the physical location and physical standards of the existing access are in conformance with the Access Standards of the Zoning Resolution, the requirements of this Regulation and the Transportation Design and Construction Manual. The review of the physical location and physical standards of the existing access may lead to the requirement for the right of access and width of the access to be re-evaluated and for additional rights to be obtained by the applicant. (am. 7-12-05; am. 4-20-10; am. 11-24-15; am. 12-13-16)

7. Preliminary Plat: A Preliminary Plat prepared in accordance with the Format section of the Preliminary Plat Process. (orig. 7-12-05; am. 4-20-10; am. 11-24-15)
8. Preliminary Supplemental Information: Preliminary Supplemental Information prepared in accordance with the Format section of the Preliminary and Final Plat Process. (am. 7-12-05, am. 4-20-10)
9. Final Plat: A Final Plat prepared in accordance with the Format section of the Final Plat Process. (am. 7-12-05; am. 4-20-10)
10. Exemption: An Exemption prepared in accordance with the Format section of the Final Plat Process. (orig. 4-20-10)
11. Minor Adjustment: A Minor Adjustment prepared in accordance with the Format section of the Final Plat Process, unless the Minor Adjustment qualifies for the 8½ X 11 format. If a Minor Adjustment proposal is only to revise an improvement agreement, then the Minor Adjustment document will not be required. (orig. 4-20-10)
12. Rural Cluster Development Plan: A plan showing the location of lots and open area prepared in accordance with the Rural Cluster Format section. (orig. 12-21-10)
13. Survey: The format of the survey shall comply with the Final Plat provisions for format and survey as set forth in this Regulation. Any documents of record that are referenced on the survey document shall also be submitted with the survey document. A survey may be required if the legal description on a deed is not adequate to determine the size and shape of the parcel in question, or if there appears to be conflicts with adjoining deeds or surveys. In addition, a survey may be required in order to establish the location of the physical improvements in relation to parcel boundaries. (orig. 12-21-10)
14. Legal Description: The legal description of the property designated as a lot, block or tract on a recorded plat or aliquot description or a metes and bounds description. Copies of all documents called for or made reference to in the legal description must be submitted. (orig. 12-21-10)

Vacation: A legal description will be required for the area being vacated if a determination is made by Planning and Zoning that the property being vacated cannot be adequately described in a general manner. (orig. 12-21-10)
15. Boundary Closure Sheets: A copy of the boundary closure sheets for the exterior boundary of the development. (am. 7-12-05; am. 4-20-10)

Minor Adjustments: Boundary closure sheets will be required for all applications where the Minor Adjustment document is prepared in accordance with the Format section of the Final Plat Process. (orig. 4-20-10)
16. Water Supply Information: Information on the proposed water supply in accordance with the Water Supply Section of this regulation. (orig. 4-30-13)

Final Plats: Water Supply information will only be required if it was not submitted with the Preliminary Plat or if the Preliminary Plat approval conditions require revisions to the information that was submitted with the Preliminary Plat. (orig. 4-20-10)

Rural Clusters: Water Supply information will only be required when the proposal is being supplied with water through a Public Water District or Private Water Company. (orig. 12-21-10)

Minor Adjustments: Water Supply information will only be required if the proposal will create additional lots. (orig. 4-20-10)

Residential Structure Exclusion: The required Water Supply information is either a will serve letter from the water district or company, or the submittal of a well permit. (orig. 4-30-13)

17. Wastewater Information: Information on the proposed wastewater disposal in accordance with the Wastewater Section of this regulation. (orig. 4-30-13)

Final Plats: Wastewater information will only be required if it was not submitted with the Preliminary Plat or if the Preliminary Plat approval conditions require revisions to the report that was submitted with the Preliminary Plat. (orig. 4-20-10)

Minor Adjustments: Wastewater information will only be required if the proposal will create additional lots. (orig. 4-20-10)

18. Fire Protection Proof: A written statement from the appropriate fire district, indicating that they serve the referenced property. If the property is not located within a fire protection district, a contract with a district or a municipality indicating that they will provide service to the property shall be required. (am. 7-12-05; am. 4-20-10)

Final Plats: Fire Protection Proof will only be required if it was not submitted with the Preliminary Plat or if the Preliminary Plat approval conditions require revisions to the proof that was submitted with the Preliminary Plat. (orig. 4-20-10)

Minor Adjustments: Fire Protection Proof will only be required if the proposal will create additional lots. (orig. 4-20-10)

19. Forest Management Plan: Forest Management Plan(s) prepared in accordance with the Fire Protection Section for all developments located within the boundary of the Wildfire Hazard Overlay District. (am. 7-12-05; am. 4-20-10)

Final Plats: A Forest Management Plan will only be required if it was not submitted with the Preliminary Plat or if the Preliminary Plat approval conditions require revisions to the report that was submitted with the Preliminary Plat. (orig. 4-20-10)

Exemptions and Minor Amendments: A Forest Management Plan will only be required if the proposal will create additional lots. (orig. 4-20-10)

Rural Cluster: A Forest Management Plan is not required if the Conservation Easement or Management Plan specifically addresses forest management and wildfire mitigation practices. (orig. 12-21-10)

20. Construction Plans: When the provisions of any applicable County regulation or plan require improvements associated with a development application, those improvements will be incorporated into the Civil Construction Plans. The construction plans shall be comprised of the following applicable plans: (orig.4-20-10)

- a. Circulation Improvement Plans prepared in accordance with the Transportation Design and Construction Manual and the Circulation section of this Regulation. The plans shall include any design elements required to address necessary improvements identified in a Traffic Analysis or Study. (am. 7-12-05; am. 4-20-10; am 11-24-15)

- b. Trail construction plans, as required by the Transportation Design and Construction Manual and the Trails Section of this Regulation. (orig. 4-20-10; am. 11-24-15)

- c. Grading, Erosion and Sediment Control Plans prepared in accordance with the Grading, Erosion and Sediment Control Section of this Regulation and the Land Disturbance Section of the Zoning Resolution. (am. 7-12-05; am. 10-25-05; am. 4-20-10)

- d. Fire protection measures as required by the Fire Protection Section of this Regulation shall be incorporated into the plans listed below, as appropriate. (orig. 4-20-10)

- e. Geologic and Geotechnical Plans prepared in accordance with the Geologic and Geotechnical Section of this Regulation and in conformance with the requirements of the Geologic and Geotechnical Report, unless waived by the County Engineering Geologist. (am. 7-12-05; am. 10-25-05; am. 4-20-10)

- f. Floodplain mitigation measures as required by the Floodplain Section of this Regulation shall be incorporated into the plans listed below, as appropriate. (orig. 4-20-10)

- g. Water Supply System Plans prepared in accordance with the Water Supply Section of this Regulation. (am. 7-12-05; am. 4-20-10)
- h. Wastewater Collection Plan(s) prepared in accordance with the Wastewater Section of this Regulation. (am. 7-12-05; am. 4-20-10)
- i. Groundwater Collection Plans as required by the Subsurface Groundwater Collection Systems Section of this Regulation. (am. 7-12-05; am. 4-20-10)

Preliminary Plats: Civil Construction Plans for Preliminary Plats shall only include a preliminary grading plan that must include mitigation measures for developments that are located in the Designated Dipping Bedrock Overlay District. In addition, preliminary mitigation plans shall be submitted if the property is located in a zoned geohazard area as identified in the Geologic Hazard Overlay District or if the property contains a known geologic hazard. (orig. 4-20-10)

- 21. Exhibit A: When the provisions of any applicable County Regulation or plan require improvements or fees associated with a development application, then a detailed list of those improvements and fees will need to be provided. The detailed improvement/fee list will be divided into different sections, as applicable, for the different types of improvements or fees associated with the project. The different categories that may be included are public improvements, landscape improvements, cash in-lieu of construction and fees as described in the Developments Agreements, Warranties and Guarantees Section of this Regulation. The Exhibit A may either be submitted with the initial application or at the time of resubmittal after the 1st Referral. (orig. 4-20-10; am. 9-24-13)

Minor Adjustments: If a Minor Adjustment proposal is to divide the improvement requirement between different entities, then an Exhibit A that shows how the improvements will be divided between the entities will be required at the time of formal application. (orig. 4-20-10)

- 22. Transportation Information: Detailed Transportation Information will be required during the development process in accordance with the following provisions, unless it was submitted with a previous process and the information related to transportation has not changed. In addition, the submittal of an analysis or a study may be required by the underlying zoning regardless of the number of vehicular trips being generated. (am. 7-12-05; am. 4-20-10; am. 11-24-15)
 - a. Transportation Analysis: A Transportation Analysis may be required by Planning and Zoning to determine the amount and/or distribution of traffic generated from a proposed development. A transportation analysis is a computation of the vehicular traffic that is generated by a proposed development that is expected to generate less than 1000 average daily trips. The analysis should address any onsite and offsite improvements that may be necessary to mitigate traffic impacts from the proposed development. Required improvements may include the addition of turning lanes, traffic signals and bicycle/pedestrian facilities, including any other improvements which may be suggested by the analysis. (orig. 4-20-10; am 11-24-15)
 - b. Minor Transportation Study: A Minor Transportation Study is required when a proposed development is expected to generate 1000 average daily trips or more, and the traffic impacts are localized as determined by Planning and Zoning. The study should address any onsite and offsite improvements that may be necessary to mitigate traffic impacts from the proposed development. Required improvements may include the addition of traffic signals, turning lanes and bicycle/pedestrian facilities, including any other improvements which may be suggested by the study. (orig. 4-20-10; am. 11-24-15)
 - c. Major Transportation Study: A Major Transportation Study is required when a proposed development is expected to generate 1000 average daily trips or more, and the traffic impacts are regional as determined by Planning and Zoning. The study should address any offsite improvements that may be necessary to mitigate traffic impacts from the proposed development. Required improvements may include the widening of existing streets; the addition of new intersections or interchanges; and the addition of traffic signals, turning lanes and bicycle/pedestrian facilities, including any other improvements which may be suggested by the study. (orig. 4-20-10; am 11-24-15)

- d. Updated Analysis/Study: Updated information may be required when there is a proposed alteration to the traffic patterns of a development that previously required an analysis or a study. Planning and Zoning may require either a new transportation analysis or study or an amendment to the analysis or study on file as a part of the previous development. (orig. 4-20-10; am 11-24-15)

Final Plats: A Transportation Analysis or Study will only be required if it was not submitted with the Preliminary Plat or if the Preliminary Plat approval conditions require revisions to the study that was submitted with the Preliminary Plat. (orig. 4-20-10; am 11-24-15)

Vacation: Transportation information may be required if it is determined by the County that the elimination of right-of-way may have adverse impacts on street/road system. (orig. 12-21-10; am 11-24-15)

- 23. Deeds/Easements/Agreements: Deeds/Easements/Agreements for off-site improvements and dedications that may arise due to the requirements of the development application. (am. 7-12-05; am. 4-20-10)

If any interest (fee simple, easement or otherwise) in a street, road, tract, parcel or strip of land is to be dedicated to the County, the property owner shall indemnify the County from any and all damages, claims, losses, injuries and expenses (including attorney's fees) related to or arising out of the presence of hazardous materials, whether known or unknown, including, without limitation, any clean-up costs for such hazardous materials. Such indemnification shall be in a form acceptable to the County Attorney's Office. (am. 7-12-05)

Rural Clusters: A Conservation Easement, Management Plan and/or sample deed restriction language are required as specified in the Rural Cluster process. (orig. 12-21-10)

- 24. Phase II Drainage Report and Plan: Phase II Drainage Report and Plan prepared in accordance with the Storm Drainage Design and Technical Criteria. (am. 7-12-05; am. 4-20-10)

- 25. Phase III Drainage Report and Plan: A Phase III Drainage Report and Plan prepared in accordance with the Storm Drainage Design and Technical Criteria. (am. 7-12-05; am. 4-20-10)

- 26. Geologic and Geotechnical Report: A Geologic and Geotechnical Report prepared in accordance with the Geologic and Geotechnical Section. The County Engineering Geologist may defer the submittal of the report to a subsequent development process or to the building permit process, if he/she determines that the information required for the subsequent process or building permit will sufficiently provide recommendations for foundation design, floor slab, pavement design and site grading. (am. 7-12-05; am. 10-25-05; am. 4-4-06; am. 4-20-10)

Final Plats: A Geologic and Geotechnical Report will only be required if it was not submitted with the Preliminary Plat or if the Preliminary Plat approval conditions require revisions to the report that was submitted with the Preliminary Plat. (orig. 4-20-10)

Exemptions: If the proposal is to create additional lots or to legalize a lot that does not currently contain a dwelling structure, then the provisions of this Section will apply if the proposal is located in the Designated Dipping Bedrock Overlay District, the Geo-Hazard Overlay District, in an area of known geologic hazards or on slopes greater than 30%. (orig. 4-20-10)

Minor Adjustments: If the proposal is to create additional lots, to move a building envelope or to reconfigure lots, then the provisions of this Section will apply if the proposal is located in the Designated Dipping Bedrock Overlay District, the Geo-Hazard Overlay District, in an area of known geologic hazards or on slopes greater than 30%. (orig. 4-20-10)

- 27. Radiation Assessment/Report/Plan: The proposed development shall evaluate and mitigate naturally occurring and man-made radiation hazards through the following: (reloc. 7-12-05; am. 4-4-06, am. 12-13-16)

- a. A radon mitigation system shall be required for new residential construction in accordance with the International Residential Code to address the health hazard associated with radiation from radon gas. (orig. 12-13-16)

- b. During the evaluation of the Environmental Questionnaire/Assessment, if radiation not associated with radon gas is identified as a potential hazard, a Radiation Assessment will be required. (am. 7-12-05; am. 10-25-05; am. 4-20-10; am. 12-13-16)

28. Landscape Plan: Required when necessary to ensure developments comply with zoning documents or to ensure compliance with the Landscaping Section of the Zoning Resolution. The areas to be landscaped may include common areas, greenbelts, traffic islands, buffer areas and streetscapes. The plan shall include, but not be limited to, species, general location of plantings, type of ground cover, berms, walls, fences and bodies of water and water courses. The intents and purposes of such features shall be indicated on the plan. The Landscaping Plan shall be prepared in accordance with the provisions in the Landscaping Section in the Zoning Resolution. (am. 7-12-05; am. 4-20-10; am.12-13-16)

Non-Residential: The detailed landscape plans for non-residential developments is typically reviewed and approved with a subsequent Site Development Plan. The only exception would be when a zoning document specifies that the landscaping shall occur at the time of platting, unless a minor variation is granted for this requirement. (orig. 4-20-10)

Vacation: A Landscape Plan may be required if a relocated street/road has an impact to existing landscaping or in situations where landscaping may be needed in order to mitigate impacts to adjoining properties. (orig. 12-21-10)

29. Slope Analysis: Required when necessary to ensure developments comply with recommendations of applicable community plan or when topographical constraints would result in development that requires significant cut and fill activities or presents adverse impacts to health, safety and welfare. The analysis shall include a scaled site plan based upon a topographic contour map with contour intervals of not less than 5 feet. Areas of between 0-20%, 20%-30% and greater than 30% slope shall be indicated. The plan shall include the location of existing and proposed building footprints and other development, proposed roads, sidewalks, rock outcroppings, ridges, tree stands, water courses or other geographical features. (orig. 12-21-10)

30. Vegetation Preservation Plan: Required when necessary to ensure developments comply with zoning documents or when there is vegetation onsite that would meet the preservation criteria of the Landscaping Section of the Zoning Resolution. The plan must be prepared by a registered landscape architect or forester. The plan shall consists of a scaled site plan and indicate vegetation to be preserved, proposed grading activities, and measures to be taken to protect existing vegetation. (orig. 4-20-10)

31. Wildlife, Vegetation, and Landscaping Report/Plan: Wildlife, Vegetation, and Landscaping Report/Plan prepared in accordance with the Wildlife, Vegetation and Landscaping Section. (am. 7-12-05; am. 4-20-10)

Final Plats: A Wildlife, Vegetation, and Landscaping Report/Plan will only be required if it was not submitted with the Preliminary Plat or if the Preliminary Plat approval conditions require revisions to the report/plan that was submitted with the Preliminary Plat. (orig. 4-20-10)

32. Sensory Impact Assessment/Report/Plan: Sensory Impact Assessment/Report/Plan prepared in accordance with the Sensory Impact Section. (am. 7-12-05; am. 4-4-06; am. 4-20-10)

Final Plats: A Sensory Impact Assessment/Report/Plan will only be required if it was not submitted with the Preliminary Plat or if the Preliminary Plat approval conditions require revisions to the assessment/report/plan that was submitted with the Preliminary Plat. (orig. 4-20-10)

33. Utility Report/Plan: Utility Report/Plan prepared in accordance with the Utilities Section. (am. 7-12-05; am. 4-20-10)

Final Plats: A Utility Report/Plan will only be required if it was not submitted with the Preliminary Plat or if the Preliminary Plat approval conditions require revisions to the report/plan that was submitted with the Preliminary Plat. (orig. 4-20-10)

34. Historical, Archaeological, and Paleontological Report/Plan: A Historical, Archaeological, and Paleontological Report/Plan prepared in accordance with the Historical, Archaeological, and Paleontological Section. (am. 7-12-05; am. 4-20-10)

Final Plats: A Historical, Archaeological, and Paleontological Report/Plan will only be required if it was not submitted with the Preliminary Plat or if the Preliminary Plat approval conditions require revisions to the report/plan that was submitted with the Preliminary Plat. (orig. 4-20-10)

35. Environmental Questionnaire/Assessment: An Environmental Questionnaire/Assessment in accordance with the Environmental Assessments Section. (orig. 10-25-05; am. 4-20-10)
- Final Plats: An Environmental Questionnaire/Assessment will only be required if it was not submitted with the Preliminary Plat or if the Preliminary Plat approval conditions require revisions to the questionnaire/assessment that was submitted with the Preliminary Plat. (orig. 4-20-10)
- Minor Adjustments: The Environmental Questionnaire/Assessment will only be required if the proposal will create additional lots. (orig. 4-20-10)
36. Tax Certificate: A tax certificate indicating that all ad valorem taxes applicable to the development for prior years have been paid. The tax certificate will be required when the development proposal is a plat, an exemption to legalize an improper division of land, and, for any other process that creates additional lots. The certificate can be obtained in the County Treasurer's Office. (am. 7-12-05; am.4-20-10)
37. Mylar: The Mylar shall: (reloc. 7-12-05)
- a. Reflect all corrections as indicated on the red-marked print. (reloc. 7-12-05)
 - b. Be a minimum of 0.003 inches in thickness, black line and have a matte finish on both sides. Sepia Mylars are not acceptable for recording. (reloc. 7-12-05; am. 10-25-05)
 - c. Not have any erasures. (reloc. 7-12-05; am. 4-20-10)
 - d. Be signed in fine tip, black permanent ink by: (am. 7-12-05; am. 4-20-10)
 - (1) the fee simple owners and the holders of deeds of trust (if applicable), with signatures notarized.
 - (2) the developer's surveyor (if applicable).
 - (3) the developer's attorney or the developer's title company (if applicable).
 - e. Have the appropriate seals affixed. No seals shall be placed within the margins. (reloc. 7-12-05)
- Minor Adjustments: If the Minor Adjustment qualified for the 8½ X 11 format or is an amendment to only an improvements agreement, then the executed document will be required in place of the Mylar. (orig. 4-20-10)
38. Improvements Agreement Letter: Prior to scheduling a case for hearing, the applicant must submit a letter indicating that they agree to the terms of the improvement agreement and that they will submit the executed agreement prior to recordation of the Mylar. (orig. 4-20-10)
39. Improvements Agreement: The executed Improvements Agreement with the attached Exhibit A is required if there are improvements associated with the proposed development or if there is an amendment to an improvement agreement through a Minor Adjustment process. By entering into an improvement agreement, an applicant may begin site construction without submitting a performance guarantee for the improvements, with the understanding that the construction will need to be completed or a performance guarantee submitted prior to sale or issuance of a building permit. The Improvements Agreement shall: (am. 7-12-05; am. 4-20-10)
- a. Match the County standard template unless alterations have been approved by the County Attorney's Office. There are different templates for an original improvement agreement and an amended improvement agreement. (orig. 4-20-10)
 - b. Be signed by the fee simple owners and the holders of deeds of trust, with signatures notarized. (orig. 4-20-10)
 - c. Have the attached Exhibit A that has been signed by the developer and by the preparer of the exhibit. (orig. 4-20-10; am. 9-24-13)
40. Executed Deeds/Easements/Agreements: Any deeds, easements or agreements that were required based on the processing of the development shall be properly executed and submitted so that the recordation of these documents can be coordinated with the recording of the Mylar. (orig. 7-12-05; am. 4-20-10)

If any interest (fee simple, easement or otherwise) in a street, road, tract, parcel or strip of land is to be dedicated to the County, the property owner shall indemnify the County from any and all damages, claims, losses, injuries and expenses (including attorney's fees) related to or arising out of the presence of hazardous materials, whether known or unknown, including, without limitation, any clean-up costs for such hazardous materials. Such indemnification shall be in a form acceptable to the County Attorney's Office. (orig. 7-12-05)

41. Final Documents: All final plans related but not limited to construction, drainage and landscaping shall be submitted in accordance with the correspondence from the Case Manager and shall be properly executed and sealed. (orig. 4-20-10)
42. Recording Fees: Recording fees shall be those currently charged by and made payable to the Clerk and Recorder. (reloc. 7-12-05)
43. Mineral Estate Owner Notification Form: A completed and executed Mineral Estate Owner Notification Form must be provided to the Case Manager. The Case Manager will provide the blank form for the applicant to use to satisfy this requirement. The notification requirements are applicable to cases that are required to be presented in a public hearing, with the following exceptions: (orig. 7-12-05)
 - a. Notification is not required for a one-lot subdivision. (orig. 4-20-10, am. 12-21-10)
 - b. Notification is not required for an exemption to legalize an improper division of a single parcel. (orig. 4-20-10)
 - c. Notification is not required for a two-lot subdivision, if the original lot has been properly subdivided. (orig. 4-20-10, am. 12-21-10)
44. Cash-In-Lieu of Construction: If the County has agreed to take a cash payment for a portion or all of the improvements required for a development, the cash payment shall be made prior to recordation of the Mylar, unless the County has agreed to incorporate the payment into the requirements of the Improvements Agreement. (orig. 4-20-10)
45. Title Insurance Commitment (updated): The title insurance commitment should have an effective date within 45 days of the recordation date of the development Mylar. (orig. 4-20-10)

Section 5 - Pre-Application

(orig. 7-12-05; am. 4-20-10)

A. Intent and Purpose

The Pre-Application Review Process was created to provide applicants with a quick review of development proposals based on very limited information. The review by Staff is intended to provide the type of information that will assist an applicant in making key decisions about the development proposal prior to making application. The Pre-Application Review Process will also assist the applicant in gaining a more thorough understanding of the County's process and issues relative to the land use request. (am. 7-12-05; am. 4-20-10)

B. Application

The Pre-Application Review Process is optional and may be used before applying for any process. (am. 7-12-05)

C. Procedure

1. The applicant must submit a complete Pre-Application package to Planning and Zoning. Planning and Zoning will schedule a date and time for the Pre-Application Review Meeting. (am. 7-12-05; am. 4-20-10)
2. Staff will send the information submitted by the applicant to a select few referral agencies in order to obtain the type of information that will be of most benefit to the applicant. (orig. 4-20-10)
3. The Pre-Application Review Meeting will begin with a description by the applicant of what is being requested. The Case Manager and other County Staff will present their comments and findings, as well as request any additional information that may be required. Issues that need to be resolved prior to application submittal will also be identified. (am. 7-12-05; am. 4-20-10)
4. After the Pre-Application Review Meeting, Staff will provide written comments outlining the key issues that must be addressed as a part of the application submittal. (am. 7-12-05; am. 4-20-10)

D. Submittal Requirements

The following shall be the minimum information required in order to schedule the Pre-Application Meeting. The number of copies of each document that will need to be submitted for review is identified in the Pre-Application Guide available in Planning and Zoning. (orig. 4-20-10)

1. Cover Letter: The cover letter shall include the name, address and phone number of the property owner(s), the applicant(s) or any appointed representative. The letter should include a clear, concise description of the proposal, including the proposed uses. It should also address following key items related to the proposed development: (orig. 4-20-10)
 - a. Access (orig. 4-20-10)
 - b. Water (orig. 4-20-10)
 - c. Sanitation (orig. 4-20-10)
2. Vicinity Map: The vicinity map showing the location of the property involved in the request. (orig. 4-20-10)
3. Site Plan: A site plan drawn to scale, including the following information: (orig. 4-20-10)
 - a. Scale (orig. 4-20-10)
 - b. North Arrow (orig. 4-20-10)

- c. Existing and proposed lot lines (orig. 4-20-10)
 - d. Streets/Roads: The proposed and existing streets/roads (orig. 4-20-10)
 - e. Access Points: Location of existing and proposed access points (orig. 4-20-10)
 - f. Structures: Location and size of existing structures (orig. 4-20-10)
 - g. Use Areas: Proposed use areas if the proposal is for a multi-use Planned Development rezoning (orig. 4-20-10)
 - h. Any additional information that may that may aid in the review of the proposal (orig. 4-20-10)
4. Written Restrictions: Written restrictions if the proposal is for a Planned Development rezoning or a Special Use. (orig. 4-20-10)
 5. Proof of Ownership: A copy of the deed which the owner holds for the property or a current title commitment or policy. (orig. 4-20-10)
 6. Proof of Access: Information shall be submitted for review that is intended to prove access for the proposed development in accordance with the Submittal Requirements section. (orig. 4-20-10)
 7. Additional Documentation: The applicant should provide any additional information that they believe would aid in the review of the Pre-Application, such as proof of water, proof of sewer and proof of fire protection. (orig. 4-20-10)

Section 6 - Preliminary and Final Plat

(orig. 7-12-05; am. 5-20-08; am. 4-20-10)

A. Intent and Purpose

The Preliminary and Final Plat Process was created in order to offer an expedited review of subdivision applications. This process combines the separate Preliminary Plat and Final Plat processes into a single process, eliminating the need to go through the two separate processes. With the Preliminary and Final Plat process, an applicant will be able to schedule the Board of County Commissioners' hearing within three weeks of receiving a recommendation from the Planning Commission. The process outlines time frames and expectations, providing the applicant with a clear understanding of the steps involved prior to being scheduled for the public hearings. The Director of Planning and Zoning 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; am. 12-21-10)

B. Application

1. The Preliminary and Final Plat process shall apply to all division of land, except those that have been exempted from the subdivision process. (am. 7-12-05; am. 5-20-08)
2. If the applicant desires to use the separate Preliminary Plat and Final Plat processes, then this process will not be required. (am. 7-12-05; am. 5-20-08)
3. A nonrefundable processing fee in an amount established by the Board of County Commissioners is required for this process. (am. 10-13-09)
4. Notification is required in accordance with the Notification Section. (orig. 10-13-09)
5. The following procedure and requirements shall apply to Preliminary 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 1st Referral. (am. 7-12-05; am. 4-4-06; am. 5-20-08; am. 10-13-09)

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

Prior to submitting an application for this process, it is recommended that the applicant go through the Pre-Application Review Process, as identified in the Pre-Application Review Process Section. The Pre-Application Review Process 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. The specific submittal requirements can also be established by obtaining an appointment with Staff to discuss the proposal. (am. 5-20-08; am. 10-13-09)

Steps Prior to 1st Referral

1. Sufficiency Review: The applicant shall submit all documents as identified in the Submittal Requirements Section 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 1st 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 1st Referral to Public Hearings

3. 1st 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 1st Referral in accordance with the Notification Section. (orig. 10-13-09)

The Case Manager will tentatively schedule the Planning Commission hearing and the Board of County Commissioners' hearing when the application is sent out on the 1st Referral. The Planning Commission hearing will be tentatively set to the first available hearing date after 100 calendar days from the date of the 1st Referral. The Board of County Commissioners hearing will be scheduled for the first available hearing date after 19 calendar days from the Planning Commission hearing. [30-28-136(2) C.R.S.] (am. 5-20-08)

4. Forwarding 1st 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. 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 hearing dates earlier than those tentatively scheduled at the time of the 1st Referral. (am. 5-20-08)
5. Response to 1st 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 2nd referral. The applicant will be deemed to have consented to later hearing dates, than the tentatively scheduled hearing dates, if the resubmittal is not received within the 21 calendar day period. (am. 7-12-05; 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 Director of Planning and Zoning 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; am. 12-21-10)

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. 2nd Referral: The referral agencies shall have 14 calendar days to respond in writing to the 2nd referral. (am. 5-20-08)
8. Forwarding 2nd 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 2nd 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 Director of Planning and Zoning 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; am. 12-21-10)
10. Additional Changes: For the 3rd 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 3rd referral, and for any subsequent referrals thereafter. (am. 5-20-08)

The Case Manager shall have 5 calendar days after the end of the 3rd 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 Director of Planning and Zoning 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; am. 12-21-10)

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 Director of Planning and Zoning may extend this 120 calendar day maximum response deadline for an additional 120 calendar days if, in his/her opinion, the delay in response is for good cause. (am. 5-20-08; am. 12-21-10)

12. Hearing Scheduled:

- a. Planning Commission Hearing: If the applicant has consented to later hearing dates based on the time frames of this Regulation, the Planning Commission 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)
- b. Board of County Commissioners Hearing: The Board of County Commissioners hearing will be scheduled for the first available hearing date after 19 calendar days from the Planning Commission hearing. (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 Planning Commission, may be made to any application or supporting documents within 21 days prior to any hearing. (orig. 5-20-08)
- b. Notification: Notification of the scheduled hearings is required in accordance with the Notification Section. (am. 5-20-08; am. 10-13-09)

Public Hearings and Post Hearing Review

14. Planning Commission Hearing: The Planning Commission shall review the application and the Staff report, receive testimony and evidence on the application, and shall recommend approval, conditional approval, or denial of the application to the Board of County Commissioners. The Planning Commission may continue the request for no more than 40 calendar days without the consent of the applicant. The continuance of a request shall be to a date certain. (am. 5-20-08; am. 12-21-10)
15. Board of County Commissioners Hearing: The Board of County Commissioners shall review the application, the Staff report and the Planning Commission recommendation, 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. The continuance of a request shall be to a date certain. (am. 5-20-08; am. 12-21-10)
16. 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 Director of Planning and Zoning 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. (am. 5-20-08; am. 10-13-09; am. 12-21-10)

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 any other 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)

If the application needs to return to hearing for a non-substantial change that does not materially affect the content of the approved application, then the Director of Planning and Zoning may allow the application to proceed directly to a hearing before the Board of County Commissioners' without a hearing before the Planning Commission. (orig. 4-20-10; am. 12-21-10)

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

1. The format of the Preliminary and Final Plat shall comply with the Final Plat provisions for Format, Survey and Monumentation, Plat Certificates, and Notes. (orig. 7-12-05; am. 5-20-08)
2. The following Preliminary Supplemental Information must be provided as a supplement: (am. 7-12-05)
 - a. Written Supplemental Data: The written supplemental data may be shown on an 8 1/2 x 11 sheet of paper or may be included on a plan sheet similar in nature to a preliminary plat document. The following written supplemental data must be provided: (reloc. 7-12-05)
 - (1) The name of the proposed subdivision. (reloc. 7-12-05)
 - (2) The name, address and phone number of the owner(s) and applicant and state and/or federal subdivider registration numbers, where applicable. (reloc. 7-12-05)
 - (3) The name, address and phone number of the person, firm or organization preparing the plat. (reloc. 7-12-05)
 - (4) A statement of the water source, including the well permit number and/or water court decree for any well or surface right to be used, and including an estimate of the total number of gallons per day of water system requirements when a distribution system is proposed. (reloc. 7-12-05)
 - (5) A statement of provisions for sewage disposal, including the estimated total number of gallons per day of sewage to be treated when a central sewage facility is proposed. (reloc. 7-12-05)
 - (6) The gallon capacity of fire cisterns or the estimated fire flow of hydrants when utilizing a proposed central water distribution system. (reloc. 7-12-05)
 - b. Graphic Supplemental Data: The graphic supplemental data may be shown on a plan sheet similar in nature to a preliminary plat document or on some other form of a 24x36 inch document such as a grading plan. The plan sheet must be at a scale of 1 inch to 100 feet or larger except when the plat depicts land exceeding 160 acres in size, and the minimum lot size is 3.5 acres, the drawing may be at a scale of 1 inch to 200 feet. Acceptable larger scales are 1 inch to 20 feet, 40 feet, 50 feet, or 60 feet. The following graphic supplemental data shall be provided: (reloc. 7-12-05)
 - (1) A north arrow and a written and graphic scale. (reloc. 7-12-05)
 - (2) The boundary, lots, tracts, and streets/roads of the subdivision. Lot and tract areas shall be indicated. (reloc. 7-12-05)
 - (3) The location, widths, and approximate grades of all proposed streets/roads/driveways. (reloc. 7-12-05)

- (4) The existing and final contours at 2-foot intervals for subdivisions within the Plains and contours at 5-foot intervals for subdivisions within the Mountains including the method utilized to obtain all contour intervals. Contours shall be accurate to within 0.5 contour and elevations shall be based on United States Geologic Survey (U.S.G.S.) sea level datum. The U.S.G.S. quad maps shall not be accepted as evidence for topographic contours. (reloc. 7-12-05)
- (5) The approximate 100-year floodplain boundaries (both existing and as modified by the proposed development), and the location of all water courses and all known or proposed surface water areas. (reloc. 7-12-05)
- (6) The footprint of and planned disposition for existing buildings. (reloc. 7-12-05)
- (7) The location of major rock outcroppings and wooded areas. (reloc. 7-12-05)
- (8) The location and ownership of all irrigation ditches and laterals. (reloc. 7-12-05)
- (9) Non-buildable areas with approximate dimensions. (reloc. 7-12-05)
- (10) All proposed and existing fire hydrant or cistern locations. (reloc. 7-12-05)

Section 7 – Preliminary Plat

(orig. 7-12-05; am. 12-21-10)

A. Intent and Purpose

The Preliminary 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 includes a review of preliminary level documents with the ultimate goal of approval of the Preliminary Plat by the Planning Commission. The approval of a Preliminary Plat does not complete the subdivision process, a subsequent Final Plat process must be completed in order to complete the subdivision process. The Preliminary 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 Planning Commission. The Director of Planning and Zoning 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; am. 12-21-10)

B. Application

1. The Preliminary 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. (am. 5-20-08)
2. 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)
3. A nonrefundable processing fee in an amount established by the Board of County Commissioners is required for this process. (orig. 5-20-08)
4. Notification is required in accordance with the Notification Section. (orig. 10-13-09)
5. The following procedure and requirements shall apply to Preliminary 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 1st referral. (am. 7-12-05; am. 4-4-06; am. 5-20-08; am. 10-13-09)

Process Steps	Processing Time Frames	
Optional Pre-Application Review Process or Meeting with Staff	Prior to Process	
Steps prior to 1st Referral		
Sufficiency Review	7 calendar days	
Formal Application	3 calendar days	
Process from 1st Referral to Public Hearing		
1st Referral	21 calendar days	100 Days to tentatively scheduled hearing if processing time frames are met.
Forwarding 1 st Referral Comments	5 calendar days	
Response 1st Referral	21 calendar days	
Submittal of Revised Documents	3 calendar days	
2 nd Referral	14 calendar days	
Forwarding 2 nd Referral Comments	5 calendar days	
Hearing Documents	10 calendar days	
Hearing Preparation	21 calendar days	

Public Hearing and Post Hearing	
Planning Commission Hearing	Time varies based on PC action and time frame for submittal of Final Plat
Post Hearing	

Prior to submitting an application for this process, it is recommended that the applicant go through the Pre-Application Review Process, as identified in the Pre-Application Review Process Section. The Pre-Application Review Process 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. The specific submittal requirements can also be established by obtaining an appointment with Staff to discuss the proposal. (am. 5-20-08; am. 10-13-09)

Steps Prior to 1st Referral

1. Sufficiency Review: The applicant shall submit all documents as identified in the Submittal Requirements Section 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 1st 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 Manger 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 1st Referral to Public Hearing

3. 1st 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 1st referral in accordance with the Notification Section. (orig. 10-13-09)

The Case Manager will tentatively schedule the Planning Commission Hearing when the application is sent out on the 1st referral. The Planning Commission hearing will be tentatively set to the first available hearing date after 100 calendar days from the date of the 1st referral. (am. 5-20-08)

4. Forwarding 1st Referral Comments: The Case Manager shall have 4 calendar days, after the end of the referral period, to provide the applicant with a Staff response inclusive of other referral 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 1st referral. (am. 5-20-08)
5. Response to 1st 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 2nd 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. 7-12-05; 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 Director of Planning and Zoning 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; am. 12-21-10)

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. 2nd Referral: The referral agencies shall have 14 calendar days to respond in writing to the 2nd referral. (am. 5-20-08)
8. Forwarding 2nd 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 2nd 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 Director of Planning and Zoning 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; am. 12-21-10)

Additional Changes: For the 3rd 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 3rd referral, and for any subsequent referrals thereafter. (am. 5-20-08)

The Case Manager shall have 5 calendar days after the end of the 3rd 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 Director of Planning and Zoning 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; am. 12-21-10)

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 Director of Planning and Zoning may extend this 120 calendar day maximum response deadline for an additional 120 calendar days if in his/her opinion, the delay in response is for good cause. (am. 5-20-08; am. 12-21-10)

12. Hearing Scheduled: If the applicant has consented to a later hearing date based on the time frames of this Regulation, the Planning Commission 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 Planning Commission, may be made to any application or supporting documents within 21 days prior to any hearing. (orig. 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. Planning Commission Hearing: The Planning Commission shall review the application and the Staff report, receive testimony and evidence on the application, and shall approve, conditionally approve or deny the application. The Planning Commission may continue the request for no more than 40 calendar days without the consent of the applicant. The continuance of a request shall be to a date certain. (am. 5-20-08; am. 12-21-10)
15. Post Hearing: Following approval of the Preliminary Plat by the Planning Commission or a successful appeal to the Board of County Commissioners, the applicant shall submit the Final Plat application, in accordance with the requirements and time frames described in the Final Plat process. (am. 5-20-08)
16. Appeal: If the Planning Commission denies the Preliminary Plat, the applicant will have 15 calendar days to appeal the denial to the Board of County Commissioners. (am. 7-12-05; am. 5-20-08)

The appeal shall be in writing and shall state the specific items being appealed and provide reasons and evidence why the Planning Commission's decision regarding the Preliminary Plat should be overturned. The applicant may indicate any revisions to the plat that the applicant is willing to make to respond to Planning Commission and Staff issues. The appeal shall be submitted to the Planning and Zoning case manager. (am. 7-12-05; am. 5-20-08)

Upon receipt of an appeal by the applicant, the Board of County Commissioners shall consider the Preliminary Plat. A hearing for said consideration will be scheduled to occur at the first available Board of County Commissioners' hearing date following 21 calendar days from submittal of the request for appeal. At the hearing, the Board of County Commissioners shall affirm, reverse, or modify the Planning Commission's decision, or return the Preliminary Plat to the Planning Commission for additional review. (am. 7-12-05; am. 5-20-08)

Notification of the Board of County Commissioner's hearing is required in accordance with the Notification Section. (am. 5-20-08; am. 10-13-09)

D. Format

The format of the Preliminary Plat shall comply with the following:

1. A neat and legible drawing of the proposed subdivision on a 24x36 inch sheet showing lots, blocks, parcels, tracts, streets/roads, easements and such other information as is required at a scale of 1 inch to 100 feet or larger except when the plat depicts land exceeding 160 acres in size, and the minimum lot size is 3 1/2 acres, the drawing may be at a scale of 1 inch to 200 feet. Acceptable larger scales are 1 inch to 20 feet, 40 feet, 50 feet or 60 feet. (reloc. 7-12-05)
2. A vicinity map on the first page of the 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. (am. 7-12-05)
3. The name of the proposed subdivision. The name shall be different from that of any existing subdivision previously recorded in Jefferson County. The plat title shall begin with the title of the approved Official Development Plan (ODP). (am. 7-12-05)
4. The name, address, and phone number of the owner(s) and applicant and state and/or federal subdivider registration numbers, where applicable. (am. 7-12-05)
5. The name, address, and phone number of the person, firm or organization preparing the plat. (reloc. 7-12-05)
6. The date of preparation and subsequent revisions. (reloc. 7-12-05)
7. North arrow and a written and graphic scale for the plat map. (reloc. 7-12-05)
8. A metes and bounds description to define the location and boundaries of the proposed subdivision. (reloc. 7-12-05)
9. The location, widths and approximate grades and curve radii of all streets/roads. Streets/roads shall be identified by proposed street/road names or by temporary designations utilizing letters or numbers. (reloc. 7-12-05)
10. All private streets/roads. (am. 7-12-05)
11. The recordation information, names, locations, rights-of-way, existing widths of adjoining streets/roads and highways, proposed vacations of street/road rights-of-way, and the centerlines of existing streets/roads. (am. 7-12-05)
12. The names and locations of adjoining subdivisions, unsubdivided and public lands. (reloc. 7-12-05)
13. The existing and final contours at 2-foot intervals for subdivisions within the Plains and contours at 5-foot intervals for subdivisions within the Mountains including the method utilized to obtain all contour intervals. Contours shall be accurate to within 0.5 contour and elevations shall be based on United States Geologic Survey (U.S.G.S.) sea level datum. The U.S.G.S. quad maps shall not be accepted as evidence for topographic contours. (reloc. 7-12-05)
14. The approximate 100-year floodplain boundaries (both existing and as modified by the proposed development), and the location of all water courses and all known or proposed surface water areas. (reloc. 7-12-05)
15. The approximate low hazard areas of 100-year floodplains if such areas are proposed to be utilized as park land in accordance with the Floodplain Section. (am. 7-12-05)
16. The footprint of and planned disposition for existing buildings. (reloc. 7-12-05)

17. The location of all major rock outcroppings and wooded areas. (reloc. 7-12-05)
18. The location of mineral resource areas, natural hazard areas, areas containing or having significant impact upon historical, archaeological or paleontological resources. (reloc. 7-12-05)
19. The location of areas around existing or proposed key facilities in which development may have a material effect upon the facility or the surrounding community. (reloc. 7-12-05)
20. Designation, disposition and location of proposed school, park and other public site areas. (reloc. 7-12-05)
21. The approximate widths and locations of all existing or proposed easements. (reloc. 7-12-05)
22. The location and ownership of rights-of-way and other rights of all irrigation ditches and laterals. (reloc. 7-12-05)
23. The approximate lot layout and dimensions of each lot. (reloc. 7-12-05)
24. Non-buildable areas pursuant to the Lot and Tract Standards section. (am. 7-12-05)
25. Delineation of hazardous areas as identified in the appropriate document reports. (am. 7-12-05)
26. All proposed and existing fire hydrant or cistern locations. (reloc. 7-12-05)
27. A statement of the water source, including the well permit number and/or water court decree for any well or surface right to be used, and including an estimate of the total number of gallons per day of water system requirements when a distribution system is proposed. (reloc. 7-12-05)
28. A statement of provisions for sewage disposal, including the estimated total number of gallons per day of sewage to be treated when a central sewage facility is proposed. (reloc. 7-12-05)
29. A table of estimated data tabulating the following, when applicable: (reloc. 7-12-05)
 - a. Number of lots. (reloc. 7-12-05)
 - b. Size of smallest lot. (reloc. 7-12-05)
 - c. Number of dwelling units. (reloc. 7-12-05)
 - d. Population generated as determined by the School and Park Requirements Section. (am. 7-12-05)
 - e. Acreage of area to be subdivided. (reloc. 7-12-05)
 - f. Acreage of public right-of-way. (reloc. 7-12-05)
 - g. Acreage of public areas. (reloc. 7-12-05)
 - h. Acreage of common area tracts. (reloc. 7-12-05)

Section 8 - Final Plat

(orig. 7-12-05; am. 12-21-10)

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 Director of Planning and Zoning 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; am. 12-21-10)

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 Director of Planning and Zoning 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; am. 12-21-10)
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 1st 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
Steps prior to 1st Referral	
Sufficiency Review	7 calendar days
Formal Application	3 calendar days

Process from 1st Referral to Public Hearing		
1st Referral	21 calendar days	100 Days to tentatively scheduled hearing if processing time frames are met.
Forwarding 1 st Referral Comments	5 calendar days	
Response 1st Referral	21 calendar days	
Submittal of Revised Documents	3 calendar days	
2 nd Referral	14 calendar days	
Forwarding 2 nd Referral Comments	5 calendar days	
Hearing Documents	10 calendar days	
Hearing Preparation	21 calendar days	
Public Hearing and Post Hearing Review		
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 1st 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 1st 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 1st Referral to Public Hearing

3. 1st 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 1st 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 1st 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 1st referral. [30-28-136(2) C.R.S.]. (am. 5-20-08)

4. Forwarding 1st 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 1st referral. (am. 5-20-08)

5. Response to 1st 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 2nd 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 Director of Planning and Zoning 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; am. 12-21-10)

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. 2nd Referral: The referral agencies shall have 14 calendar days to respond in writing to the 2nd referral. (am. 5-20-08)
8. Forwarding 2nd 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 2nd 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 Director of Planning and Zoning 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; am. 12-21-10)

Additional Changes: For the 3rd 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 3rd referral, and for any subsequent referrals thereafter. (am. 5-20-08)

The Case Manager shall have 5 calendar days after the end of the 3rd 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 Director of Planning and Zoning 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; am. 12-21-10)

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 Director of Planning and Zoning 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; am. 12-21-10)

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. The continuance of a request shall be to a date certain. (am. 5-20-08; 12-21-10)

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 Director of Planning and Zoning 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; am. 12-21-10)

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)

The boundary of the subdivision shall be clearly indicated by a heavy continuous line. (am. 7-12-05)

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 Director of Planning and Zoning 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; am. 12-21-10)
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 _____) STATE OF _____) The foregoing dedication and the foregoing covenant and plat restriction on conveyance, sale or transfer were acknowledged before me this _____ day of _____ 20 ____, by ____*(name-printed)____. WITNESS my hand and official seal. SEAL _____ <div style="text-align: right; margin-top: 10px;">NOTARY PUBLIC</div>	My Commission expires: 20 _____
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* Officers signing for Corporation shall be acknowledged as follows: (reloc. 7-12-05)

(name-printed) ____, as President (or Vice-President) and ____ (name-printed) ____, as Secretary (or Treasurer) of ____ (name of corporation) ____, a ____ (name of state) 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)

(name-printed) ____, as partner and (name-printed) ____, as partner of (name of partnership) ____, a (name of state) 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)

(name-printed) ____, as general partner and (name-printed) ____, as general partner of (name of general partnership) ____, a (name of state) 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, <u>(name-printed)</u> ____, 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. <div style="display: flex; justify-content: space-between; margin-top: 20px;"> _____ _____ </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> Attorney at Law Registration Number </div>	
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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 _____.
 _____ Chairman, Board of County Commissioners
 _____ Clerk

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

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 _____. 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.
 _____ Clerk
 _____ Chairman, Board of County Commissioners

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

Accepted for filing in the Office of the County Clerk and Recorder of Jefferson County at Golden, Colorado, this ___ day of _____, 20 _____.

 County Clerk and Recorder

 Deputy Clerk

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)

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.

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 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. Trees and any other landscape materials in accordance with approved landscaped plans within 5 feet of back of curb 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; am. 11-24-15)

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 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. Trees and any other landscape materials in accordance with approved landscaped plans within 5 feet of back of curb 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; am. 11-24-15)

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 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. Trees and any other landscape materials in accordance with approved landscaped plans within 5 feet of back of curb 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; am.11-24-15)

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 thinnings 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.

(a) 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 that includes show homes within a water district or equivalent entity providing water to the public, 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; am. 11-24-15)

A Building Permit may be issued for up to 6 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). The subdivider shall provide a compaction report and obtain approval from the appropriate fire protection district for water and access prior to issuance of a Building Permit. Building Safety shall conduct final inspections prior to the use of the show homes. 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.

11. Radon Mitigation Restriction: The following restriction shall be placed on the first sheet of the Final Plat when the plat is for a residential use: (orig. 12-13-16)

RADON MITIGATION RESTRICTION

Prior to the rough framing inspection, a completed Form Letter R is required to verify the installation of a radon mitigation system in each residential building.

Section 9 - Rural Cluster

(orig. 7-12-05; am. 12-21-10)

A. Intent and Purpose

1. The Rural Cluster process is established to provide an alternate method of land division that encourages the clustering of single family residential dwellings and the preservation of open areas. The process outlines time frames and expectations, providing the applicant with a clear understanding of the steps involved prior to being scheduled for the public hearings. The Director of Planning and Zoning may waive the time frames included in this process depending on Planning and Zoning staffing levels and the complexity of the proposal. (orig. 7-12-05; am. 12-21-10)
2. Goals: The goals of the Rural Cluster Process are as follows: (orig. 7-12-05)
 - a. To maintain and enhance rural character by protecting, preserving and conserving existing rural landscapes and viewscapes. (orig. 7-12-05)
 - b. To maintain or create visual amenities by preserving open areas between development, along scenic view corridors, and to and from visual resources. (orig. 7-12-05)
 - c. To protect flora and fauna by preserving and conserving wildlife habitats and environmentally sensitive areas. (orig. 7-12-05)
 - d. To allow for continued or future agricultural or ranching uses by preserving and conserving areas with viable soils and effective land masses. (orig. 7-12-05)
 - e. To reduce infrastructure costs and impacts emanating from traditional large-lot development by providing greater flexibility and efficiency in the siting and design of services and infrastructure. (orig. 7-12-05)
 - f. To improve rural planning practices and designs by encouraging appropriate and site-sensitive rural residential development. (orig. 7-12-05)
 - g. To reduce the risk and threat of danger to life and property by avoiding development in natural hazard areas. (orig. 7-12-05)
 - h. To preserve and conserve water resources and to protect watersheds. (orig. 7-12-05; am. 12-21-10)
 - i. To protect historic and cultural resources by preserving and conserving historical buildings and structures and historical or cultural sites and landscapes. (orig. 7-12-05)

B. Application

1. The Rural Cluster process may be used for the division of land, provided the following limitations are met. The development limitations described below can only be waived or modified by direct action of the Board of County Commissioners in a public hearing. The authority of Director of Planning and Zoning, described in the Alternative Standards/Requirements section of this Regulation, shall not extend to the limitations set forth below. (orig. 7-12-05; am. 12-21-10; am. 12-09-14)
 - a. The proposal shall contain a minimum of 70 contiguous acres either in one parcel or in combination with several parcels. For the purposes of the Rural Cluster process, contiguous shall be defined as a common or shared boundary or tract wide enough to provide sufficient access in accordance with the access standards of the General Provisions Section of the Zoning Resolution. Planning and Zoning may permit properties less than 70 acres (but not less than 35 acres) to utilize the Rural Cluster process if the open area that is to be preserved with the Rural Cluster is determined to have value by Open Space, the local park and recreation district, or another state or federal agency. (orig. 7-12-05; am. 12-21-10)
 - b. The zoning of the property must allow for single family residential uses. (orig. 12-21-10)
 - c. The maximum permitted residential density for a proposed Rural Cluster land division, except in the A-35 Zone District, shall be not greater than two (2) single-family dwelling units per 35 acres. The property must be in 35 acre increments to receive the full doubling of density. (Example: 75 acres = maximum 4 lots, 90 acres = maximum 4 lots, 105 acres =

maximum 6 lots.) The maximum permitted residential density within the A-35 Zone District shall be not greater than one (1) single-family dwelling unit per 35 acres. (orig. 7-12-05; am. 12-21-10)

- d. At least 2/3rds of the total land area shall be preserved as open area in perpetuity. (orig. 7-12-05; am. 12-21-10)
 - e. The residential structures shall be situated into one (1) or more compact residential clusters, and “No-Build” areas should be utilized on the lots if further limits on the locations of the structures are needed to protect resources or enhance clustering. The location and number of clusters should be carefully evaluated with the goal of reducing the overall required infrastructure for the proposed development. In addition, clusters shall be established with consideration of the goals of the Rural Cluster process identified above. (orig. 12-21-10)
 - f. The minimum size of a proposed residential lot shall be 5 acres where the lot is to be serviced by a well and individual sewage disposal system or a well and sewer system. The minimum size of a proposed residential lot shall be one (1) acre where the lot is to be serviced by a water system and individual sewage disposal system, or a water system and sewer system. (orig. 7-12-05; am. 12-21-10)
2. A nonrefundable processing fee is required for this process per the Policies and Procedures Manual. (orig. 12-21-10)
 3. Notification is required in accordance with the Notification Section. (orig. 12-21-10)
 4. This process is subject to the payment of school fees as identified in the Park and School Requirements Section of this Regulation. (orig. 12-21-10; am. 9-24-13)
 5. The following procedure and requirements shall apply to Rural Cluster applications. (orig. 12-21-10)

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 1st Referral. (orig. 12-21-10)

Process Steps		Processing Time Frames
Optional Pre-Application Review Process or Meeting with Staff		Prior to Process
Steps prior to 1st Referral		
Sufficiency Review		7 calendar days
Public Meeting		No timeframe
Formal Application		3 calendar days
Process from 1st Referral to Public Hearings		
1 st Referral		21 calendar days
Public Meeting		No timeframe
Forwarding 1 st Referral Comments		5 calendar days
Response 1 st Referral		21 calendar days
Submittal of Revised Documents		3 calendar days
2 nd Referral		14 calendar days
Forwarding 2 nd Referral Comments		5 calendar days
Hearing Documents		10 calendar days
Hearing Preparation		21 calendar days
Public Hearings and Post Hearing Review		
Planning Commission Hearing		Time varies based on PC and BCC actions; and applicant meeting approval conditions
Board of County Commissioners Hearing		
Post Hearing Review		

Prior to submitting an application for this process, it is recommended that the applicant go through the Pre-Application Review Process, as identified in the Pre-Application Review Process Section. The Pre-Application Review Process will help identify the key issues that will need to be addressed during the development process and will also help to establish the specific submittal requirements.

The specific submittal requirements can also be established by obtaining an appointment with Staff to discuss the proposal. (orig. 12-21-10)

In lieu of the standard Pre-Application process, the applicant may request an on-site analysis. This analysis shall consist of a meeting on-site by Staff, the landowner, and other agencies, with the goal of producing a rough design schematic that will form the basis of the Rural Cluster development plan. The on-site analysis meeting should consider all concerns identified in relation to the proposed land uses(s) and the general environment. After the on-site analysis meeting, Staff will prepare a letter to the applicant describing Staff's understanding of the results of the meeting and identifying the specific submittal requirements for the formal application. (orig. 12-21-10)

Community Meeting: The applicant shall hold a Community Meeting, pursuant to the Community Meeting process in the Zoning Resolution. It is at the discretion of the case manager whether this meeting is held prior to formal application or after the 1st Referral has been sent out. However, in all cases, this meeting shall be held prior to the Planning Commission hearing. (orig. 7-12-05; am. 12-21-10)

Steps Prior to 1st Referral

1. **Sufficiency Review:** The applicant shall submit all documents as identified in the Submittal Requirements Section of this Regulation for review by Staff. (orig. 12-21-10)

Staff shall have 7 calendar days to review this submittal.(orig. 12-21-10)

Staff will review the pre-submittal 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 1st Referral. The applicant shall revise the submittal information as may be required to comply with County standards, and then submit the Formal Application. (orig. 12-21-10)

2. **Formal Application:** The applicant shall submit all documents as identified in the Staff response to the Sufficiency Review. (orig. 12-21-10)

The Case Manger shall have 3 calendar days to refer the application and referral fees to all property owners and homeowner's associations within the required notification area, 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. 12-21-10)

Process from 1st Referral to Public Hearings

3. **1st 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. (orig. 12-21-10)

Notification is required at the time of the 1st Referral in accordance with the Notification Section. (orig. 12-21-10)

The Case Manager will tentatively schedule the Planning Commission hearing and the Board of County Commissioners' hearing when the application is sent out on the 1st Referral. The Planning Commission hearing will be tentatively set to the first available hearing date after 100 calendar days from the date of the 1st Referral. The Board of County Commissioners hearing will be scheduled for the first available hearing date after 19 calendar days from the Planning Commission hearing. (orig. 12-21-10)

4. **Forwarding 1st 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. 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 hearing dates earlier than those tentatively scheduled at the time of the 1st Referral. (orig. 12-21-10)
5. **Response to 1st Referral Comments:** 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 2nd Referral. The applicant will be deemed to have consented to hearing dates later than the tentatively scheduled hearing dates if the resubmittal is not received within the 21 calendar day period. (orig. 12-21-10)

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 Director of Planning and Zoning 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. 12-21-10)

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. 12-21-10)
7. 2nd Referral: The referral agencies shall have 14 calendar days to respond in writing to the 2nd Referral. (orig. 12-21-10)
8. Forwarding 2nd 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. (orig. 12-21-10)

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. (orig. 12-21-10)

9. Response to 2nd 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 Director of Planning and Zoning 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. 12-21-10)
10. Additional Changes: For the 3rd 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. (orig. 12-21-10)

The referral agencies shall have 7 calendar days to respond in writing to the 3rd Referral, and for any subsequent referrals thereafter. (orig. 12-21-10)

The Case Manager shall have 5 calendar days after the end of the 3rd Referral, and for any subsequent referrals thereafter, 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. (orig. 12-21-10)

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 Director of Planning and Zoning 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. 12-21-10)

11. Hearing Documents: The hearing documents shall be comprised of the revised Rural Cluster Development Plan and other final documents as identified by the Case Manager. (orig. 12-21-10)

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 later hearing dates if the hearing documents are not received within the 10 calendar day period. (orig. 12-21-10)

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 Director of Planning and Zoning may extend this 120 calendar day maximum response deadline additional 120 calendar day periods if, in his/her opinion, the delay in response is for good cause. (orig. 12-21-10)

12. Hearings Scheduled:

- a. Planning Commission Hearing: If the applicant has consented to later hearing dates based on the time frames of this Regulation, the Planning Commission hearing will be scheduled for the first available hearing date after 21 calendar days from the submittal of the hearing documents. (orig. 12-21-10)
- b. Board of County Commissioners Hearing: The Board of County Commissioners hearing will be scheduled for the first available hearing date after 19 calendar days from the Planning Commission hearing. (orig. 12-21-10)

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 Planning Commission or the Board of County Commissioners, may be made to any application or supporting documents within 21 days prior to any hearing. (orig. 12-21-10)
- b. Notification: Notification of the scheduled hearings is required in accordance with the Notification Section. (orig. 12-21-10)

Public Hearing and Post Hearing Review

14. Planning Commission Hearing: The Planning Commission shall review the application and the Staff report, receive testimony and evidence on the application, and shall recommend approval, conditional approval, or denial of the application to the Board of County Commissioners. The Planning Commission may continue the request for no more than 40 calendar days without the consent of the applicant. The continuance of a request shall be to a date certain. (orig. 12-21-10)
15. Board of County Commissioners Hearing: The Board of County Commissioners shall review the application, the Staff report and the Planning Commission recommendation, 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. The continuance of a request shall be to a date certain. (orig. 12-21-10)
16. Post Hearing: 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 Director of Planning and Zoning 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. 12-21-10)

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 Rural Cluster Development Plan mylar and any other 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. 12-21-10)

At such time as the applicant complies with the approval conditions, submits the executed development plan mylar and other final documents, and pays the recordation fees, Staff will obtain the required County approval signatures on the development plan mylar and final documents, and have the documents recorded, as appropriate. (orig. 12-21-10)

State Engineer Notification: Planning & Zoning shall notify the State Engineer of the approved Rural Cluster land division within 10 days of the Board of County Commissioner's approval. If the Rural Cluster is approved subject to conditions, then the date of approval used for this provision shall be the date when all of the approval conditions have been satisfied. (orig. 7-12-05; am. 12-21-10)

D. Planning Standards

1. Buildings and Structures

- a. The designation of "No-Build" areas shall be utilized within lots in order to avoid encroachment of structures into areas that contain slopes greater than 30%, geologic hazards, unique geologic features, historic and cultural resources, visual resources, significant wildlife habitats, floodplains, wetlands and meadows. (orig. 7-12-05, am. 12-21-10)
- b. Visibility of the residential cluster shall be minimized by placing clusters in treed areas or in areas screened by existing topography, where possible. (orig. 7-12-05, am. 12-21-10)
- c. Buildings and structures shall be located to avoid a dominant silhouette on the top of the ridge. The ridge silhouette shall consist of natural land forms or vegetation. (orig. 7-12-05)
- d. Avoid fences except as needed for wildlife corridors, domestic animal control or livestock containment. When fencing is proposed, it shall be open in design so as not to restrict wildlife movement, and shall be of a color that integrates with the natural surrounding environment. (orig. 7-12-05, am. 12-21-10)
- e. Reduce the length of driveways by siting buildings and structures near access roads. (orig. 7-12-05, am. 12-21-10)
- f. Group, mass and design buildings such that some privacy is provided among and between units. (orig. 7-12-05, am. 12-21-10)
- g. Orient residences for maximum solar exposure with the goal of achieving heat conservation in the winter and maximum shading in the summer. (orig. 7-12-05, am. 12-21-10)
- h. Minimize disturbances caused by the introduction or construction of buildings and structures by being sensitive to the topography and existing natural environment. (orig. 7-12-05)
- i. Revegetate or enhance all earth disturbances (building cuts, graded areas) with hardy drought resistant vegetation within one growing season. (orig. 7-12-05, am. 12-21-10)
- j. Install utilities to minimize visible structures, power poles, overhead power lines, tree removal and other site disturbances. Mitigate disturbances with hardy drought resistant vegetation. Where possible, utilities shall be located underground. (orig. 7-12-05, am. 12-21-10)

2. Open Area(s):

- a. The open area should be in one large area, or a few smaller areas that are connected by sufficient access. Non-contiguous land may apply towards meeting the open area requirement if the property contains one or more open area values noted in this Regulation and is an integral part of the Rural Cluster development. The open area tract will typically be designated as non-buildable, however, structures may be allowed that support the intended function of the open area. (orig. 12-21-10)
- b. Preservation of the open area shall be through one or some combination of the following. The order listed is the order of preference and the applicant will need to demonstrate that each option is not viable prior to the County accepting the next option. (orig. 7-12-05, am. 12-21-10)
 - (1) A fee simple dedication or conservation easement to Open Space, provided the County accepts the dedication. (orig. 7-12-05, am. 12-21-10)

- (2) A fee simple dedication or conservation easement to another governmental entity, or a land trust that is a qualified organization as defined in sub-section 170(h) of the Internal Revenue Code and a charitable organization as required under Section 38-30.5-104(2), Colorado Revised Statutes, provided that entity accepts the grant. (orig. 7-12-05; am. 12-21-10)
 - (3) A separate tract owned by a mandatory Homeowners Association (HOA) or equivalent entity for the Rural Cluster. A note shall be added to the Rural Cluster map that prohibits future development or subdivision of the open area and requires that it be preserved as open area. The HOA or equivalent entity shall be responsible for the management of the open area. A management plan must be created and approved for the open area and recorded with the Rural Cluster map. (orig. 12-21-10)
 - (4) Any other legal instrument approved by the Director of Planning and Zoning. (orig. 7-12-05, am. 12-21-10)
- c. The following uses are permitted in the open area(s) provided all buildings and structures are located outside of any identified "no build" areas. (orig. 7-12-05; am. 12-21-10)
- (1) Passive recreational uses, such as but not limited to hiking, cross country skiing, bicycling, or equestrian trails provided all of the following conditions are met: (orig. 7-12-05; am. 12-21-10)
 - (a) The area is primarily left in its undisturbed natural condition. (orig. 7-12-05)
 - (b) The use is not for profit. (orig. 7-12-05)
 - (c) The use does not involve motorized equipment or guns. (orig. 7-12-05)
 - (2) Sanctuary or preserve for wildlife, fishing, forest or natural area. (orig. 7-12-05)
 - (3) General farming uses restricted to the growing of grains, fruit, vegetables, grasses, and hay. (orig. 7-12-05)
 - (4) General ranching, livestock and animal raising, not including feed lots. (orig. 7-12-05)
 - (5) Playgrounds and exercise stations. (orig. 12-21-10)
 - (6) Motorized equipment may be used for farming, ranching, or management of the open area. (orig. 12-21-10)
 - (7) Other uses approved in the conservation easement or management plan. (orig. 12-21-10)
- d. Infrastructure systems shall not be sited within sensitive or fragile natural areas. (orig. 7-12-05, am. 12-21-10)
- e. The calculation of the open area shall not include already existing public open space that may be located adjacent to the proposed Rural Cluster. (orig. 7-12-05, 12-21-10)
- f. Where the following characteristics exist, they should be located within the open area, unless otherwise protected by a "No-Build" designation: (orig. 7-12-05; am. 12-21-10)
- (1) Significant wildlife habitat or migration routes. (orig. 7-12-05)
 - (2) Sensitive, rare, endangered or unusual vegetation or ecosystems. (orig. 7-12-05)
 - (3) Significant geologic features such as rock outcrops or formations. (orig. 7-12-05, am. 12-21-10)
 - (4) Significant views or view corridors. (orig. 7-12-05)
 - (5) Streams, watercourses, wetlands, bodies of water and other riparian habitats. (orig. 7-12-05, am. 12-21-10)
 - (6) Trail Corridors, such as existing trails, trail easements, or trail connections shown on an official plan. (orig. 7-12-05)
 - (7) Designated historical or archeological features. (orig. 7-12-05)
 - (8) Candidate lands identified by the Open Space Master Plan. (orig. 7-12-05)
 - (9) Open meadows. (orig. 12-21-10)

- (10) Conservation values identified by state and federal laws. (orig. 12-21-10)
- g. Landscaping within the open area should be minimized. Any new landscaping should utilize hardy and drought resistant vegetation. (orig. 7-12-05, am. 12-21-10)
 - h. Natural features should be maintained in their original condition as much as possible but may be modified to improve their function or overall condition provided a management plan has been approved by Jefferson County. Permitted modifications may include reforestation, woodland management, meadow management, buffer area landscaping, stream bank protection, and wetlands management. (orig. 7-12-05)
 - i. Where agricultural or ranching uses are proposed within the open area, the required management plan shall contain information related to the management of such uses. (orig. 7-12-05, am. 12-21-10)
 - j. Open area in addition to the 2/3 required should be set aside in case of unforeseen circumstances, such as additional roadway expansion or survey discrepancies. (orig. 12-21-10)
3. Water and Sanitation
- a. Water consumption shall be metered and monitored as required by the State Engineer. (orig. 7-12-05)
 - b. Sewage disposal facilities that serve more than one home may be located within the open area. (orig. 7-12-05, am. 12-21-10)
 - c. Water and sanitation provisions shall meet the Public Health and Colorado Department of Public Health and the Environment requirements in effect at the time of submittal. (orig. 12-21-10)
4. Roads & Driveways
- a. Locate, group and design roads and driveways such that privacy is provided among and between residential units. (orig. 7-12-05)
 - b. Shared driveways are encouraged as much as possible. (orig. 7-12-05)
 - c. Orient roads to provide opportunities to maximize residential solar exposure and heat conservation in the winter and maximize shading in the summer. (orig. 7-12-05)
 - d. Minimize disturbances caused by the introduction of roads by siting roads in accordance to the topography and avoiding sensitive natural environments. (orig. 7-12-05)
5. Drainage
- a. Retain natural drainage channels, floodplains, water courses, water bodies, wetlands and depression areas in their natural state in an effort to minimize erosion and preserve ecosystems. (orig. 7-12-05, am. 12-21-10)
 - b. Storm water drainage and detention should utilize and be sensitive to natural drainage channels, wetlands and depression areas when possible. (orig. 7-12-05, am. 12-21-10)
 - c. Man-made drainage and detention facilities shall be sited, formed and revegetated so that they blend and harmonize with the natural surroundings and complement natural water flows. Excessive grading, clearing and alteration of the site should be avoided and soil erosion should be minimized. (orig. 7-12-05, am. 12-21-10)
6. Additional Documents
- a. Conservation Easement: When the preservation of the open area will be by conservation easement, the easement must specify all development and land division restrictions, the duration of the easement, the maintenance requirements and the permitted uses for the open area. (orig. 12-21-10)
 - b. Management Plan: When a Management Plan is required, the plan shall be prepared by a trained professional that outlines how the open area preserved through the Rural Cluster process will be managed. This plan may include guidance regarding forest thinning, fuel

break creation, pasture management, manure management and other maintenance of the open area. The plan should specify what to do when an enforcement issue arises. (orig. 12-21-10)

- c. Deed Restriction Language: A deed restriction to be placed on deeds at the time of transfer that references the conservation easement and/or management plan and prohibits any future subdivision or land division beyond the permitted density. It shall state: Lot ___ shall not be further subdivided in the future in accordance with the Rural Cluster Development Plan recorded at reception no. _____ and/or the Conservation Easement recorded at reception no. _____. (orig. 7-12-05, am-12-21-10)

E. Format

- 1. The format of the Rural Cluster Development Plan shall comply with the Final Plat provisions for Format, Survey and Monumentation, and Plat Certificates. (orig. 12-21-10)
- 2. The Rural Cluster Development Plan shall include the following notes, where applicable, in addition to any applicable notes in the Final Plat provisions. (orig. 7-12-05, am. 12-21-10)
 - a. For all Rural Clusters: (orig. 12-21-10)

The availability of water on these lots has not been established and will only occur through obtaining a well permit pursuant to relevant laws and regulations from the Colorado Division of Water Resources prior to construction on any lot.

- b. The following restriction shall be placed on the first sheet of the Rural Cluster Development Plan whenever a Management Plan is approved as part of the plan: (orig. 12-21-10)

MANAGEMENT PLAN ENFORCEMENT
A Management Plan has been created for the open area required through this process. This Management Plan is recorded at reception no. _____.

Section 10 – Exemption

(orig. 4-20-10)

A. Intent and Purpose

This process was created in order to allow approval of development proposals that have minimal impacts to the health, safety and welfare of the citizens of Jefferson County. The process was developed based on the statutory allowance for the Board of County Commissioners to exempt certain development activities from the terms "subdivision" or "subdivided land" as set forth in Section 30-28-101, C.R.S., as amended. The process outlines time frames and expectations that should provide the applicant with a clear understanding of the steps involved prior to being scheduled for hearing before the Board of County Commissioners. The Director of Planning and Zoning may waive the time frames included in this process depending on Planning and Zoning staffing levels and the complexity of the proposal. (orig. 4-20-10; am. 12-21-10)

B. Application

1. The Exemption Process may be used for the following types of development activities, provided the limitations set forth are met. The development activities and limitations described below can only be waived or modified by direct action of the Board of County Commissioners in a public hearing. The authority of Director of Planning and Zoning, described in the Alternative Standards/Requirements section of this Regulation, shall not extend to the development activities and limitations set forth below. (orig. 4-20-10; am. 12-21-10; am. 12-09-14)
 - a. Improper Division: The correction of an improper division of land, where the applicant demonstrates compliance with the following limitations: (orig. 4-20-10)
 - (1) The correction is not eligible for the Residential Structure Exclusion as described in this Regulation. (orig. 4-20-10)
 - (2) The applicant swears that he or she was unaware of the improper division at the time of transfer of ownership. (orig. 4-20-10)
 - (3) The applicant wishes to correct the improper division of a single parcel, regardless of the number of improperly created parcels acquired in the sale. (orig. 4-20-10)
 - (4) The applicant has demonstrated a diligent and unsuccessful attempt to obtain relief from the sale of the improperly divided parcel. (orig. 4-20-10)
 - (5) The applicant has not used the Exemption Process in the past to correct another improper division. (orig. 4-20-10)
 - b. Pre-1972 Parcel Ownership: The division of residential property, where the applicant demonstrates compliance with the following limitations: (orig. 4-20-10)
 - (1) The original parcel must have been created on or before May 5, 1972. (orig. 4-20-10)
 - (2) 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 May 5, 1972; (orig. 4-20-10)
 - (3) The property has not been previously platted. (orig. 4-20-10)
 - (4) The property will be divided into three or fewer lots. (orig. 4-20-10)
 - (5) No lot shall be created which is less than 10 acres. (orig. 4-20-10)
2. A nonrefundable processing fee in an amount established by the Board of County Commissioners is required for this process. (orig. 4-20-10)
3. Notification is required in accordance with the Notification section. (orig. 4-20-10)
4. The following procedure and requirements shall apply to Exemption applications. (orig. 4-20-10)

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 79 calendar days from the date of the 1st Referral. (orig. 4-20-10)

Process Steps	Processing Time Frames
Optional Pre-Application Review Process or Meeting with Staff	Prior to Process
Steps prior to 1st Referral	
Sufficiency Review	7 calendar days
Formal Application	3 calendar days
Process from 1st Referral to Public Hearing	
1st Referral	14 calendar days
Forwarding 1st Referral Comments	5 calendar days
Response 1st Referral	14 calendar days
Submittal of Revised Documents	3 calendar days
2 nd Referral	7 calendar days
Forwarding 2 nd Referral Comments	5 calendar days
Hearing Documents	10 calendar days
Hearing Preparation	21 calendar days
Public Hearing and Post Hearing Review	
Board of County Commissioners Hearing	Time varies based on BCC actions; and applicant meeting approval conditions
Post Hearing Review	

79 Days to tentatively scheduled hearing if processing time frames are met.

Prior to submitting an application for this process, it is recommended that the applicant go through the Pre-Application Review Process, as identified in the Pre-Application Review Process Section. The Pre-Application Review Process will help identify the key issues that will need to be addressed during the process and will also help to establish the specific submittal requirements. The specific submittal requirements can also be established by obtaining an appointment with Staff to discuss the proposal. (orig. 4-20-10)

Steps Prior to 1st Referral

1. Sufficiency Review: The applicant shall submit all documents as identified in the Submittal Requirements Section for review by Staff. (orig. 4-20-10)

Staff shall have 7 calendar days to review this submittal. (orig. 4-20-10)

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 1st Referral. The applicant shall revise the submittal information as may be required to comply with County standards and then submit the Formal Application. (orig. 4-20-10)

2. Formal Application: The applicant shall submit all documents as identified in the Staff response to the Sufficiency Review. (orig. 4-20-10)

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. (orig. 4-20-10)

Process from 1st Referral to Public Hearing

3. 1st Referral: The referral agencies shall have 14 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. (orig. 4-20-10)

Notification is required at the time of the 1st Referral in accordance with the Notification section. (orig. 4-20-10)

The Case Manager will tentatively schedule the Board of County Commissioners hearing when the application is sent out on the 1st Referral. The Board of County Commissioners hearing will be tentatively set to the first available hearing date after 79 calendar days from the date of the 1st Referral. (orig. 4-20-10)

4. Forwarding 1st 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 1st Referral. (orig. 4-20-10)
5. Response to 1st Referral: The applicant shall have 14 calendar days to address, in writing, any issues identified by the Case Manager or any referral agency and resubmit revised documents for the 2nd 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 14 calendar day period. (orig. 4-20-10)

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 Director of Planning and Zoning 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. 4-20-10; am. 12-21-10)

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. 4-20-10)
7. 2nd Referral: The referral agencies shall have 7 calendar days to respond in writing to the 2nd Referral. (orig. 4-20-10)
8. Forwarding 2nd 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. (orig. 4-20-10)

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. (orig. 4-20-10)

9. Response to 2nd 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 Director of Planning and Zoning 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. 4-20-10; am. 12-21-10)
10. Additional Changes: For the 3rd 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. (orig. 4-20-10)

The referral agencies shall have 7 calendar days to respond in writing to the 3rd Referral, and for any subsequent referrals thereafter. (orig. 4-20-10)

The Case Manager shall have 5 calendar days after the end of the 3rd 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. (orig. 4-20-10)

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 Director of Planning and Zoning 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. 4-20-10; am. 12-21-10)

11. Hearing Documents: The Hearing Documents shall be comprised of the revised Exemption Document and other final documents as identified by the Case Manager. (orig. 4-20-10)

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. (orig. 4-20-10)

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 Director of Planning and Zoning 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. (orig. 4-20-10; am. 12-21-10)

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. (orig. 4-20-10)

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. (orig. 4-20-10)

- b. Notification: Notification of the scheduled hearing is required in accordance with the Notification section. (orig. 4-20-10)

Public Hearing and Post Hearing Review

14. Board of County Commissioners Hearing: The Board of County Commissioners shall review the application, the Staff report, 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. The continuance of a request shall be to a date certain. (orig. 4-20-10; am. 12-21-10)

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 Director of Planning and Zoning 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. 4-20-10; am. 12-21-10)

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 Exemption 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. 4-20-10)

At such time as the applicant complies with the approval conditions, submits the executed Exemption mylar and other final documents, and pays the recordation fees, Staff will obtain the required County approval signatures on the Exemption mylar and final documents, and have the documents recorded, as appropriate. (orig. 4-20-10)

D. Format

1. The format of the Exemption document shall comply with the Final Plat provisions for format, survey, certificates and notes as set forth in this Regulation and in accordance with County procedures. (orig. 4-20-10)

Section 11 – Minor Adjustment

(orig. 4-20-10)

A. Intent and Purpose

This process was created in order to allow administrative approval of development proposals that have minimal impacts to the health, safety and welfare of the citizens of Jefferson County. The process was developed based on the statutory allowance for the Board of County Commissioners to exempt certain development activities from the terms "subdivision" or "subdivided land" as set forth in Section 30-28-101, C.R.S., as amended. The process outlines time frames and expectations that should provide the applicant with a clear understanding of the steps involved prior to final determination by the Director of Planning and Zoning. The Director of Planning and Zoning may waive the time frames included in this process depending on Planning and Zoning staffing levels and the complexity of the proposal. (orig. 4-20-10; am. 12-21-10)

B. Application

1. The Minor Adjustment Process may be used for the following types of development activities, provided the limitations set forth are met. The development activities and limitations described below can only be waived or modified by direct action of the Board of County Commissioners in a public hearing. The authority of Director of Planning and Zoning, described in the Alternative Standards/Requirements section of this Regulation, shall not extend to the development activities and limitations set forth below. (orig. 4-20-10; am. 12-21-10; am. 12-09-14)
 - a. Superlots: The creation of additional non-residential lots within a superlot as described in the Lot and Tract Standards Section of this Regulation, where the applicant can demonstrate compliance with the following limitations: (orig. 4-20-10)
 - (1) The superlot was previously platted in accordance with the Jefferson County Land Development Regulation. (orig. 4-20-10)
 - (2) The impervious area and Gross Leasable Area (GLA) proposed in the Minor Adjustment plus any impervious area and GLA approved in any prior developments within the same superlot does not exceed the maximums for the superlot as set forth on the Plat. (orig. 4-20-10)
 - (3) Public water and sewer service is available. (orig. 4-20-10)
 - b. Adjustments to property lines and the elimination of interior property lines involving any combination of lots, parcels or tracts, which does not increase the number of existing legal building sites and does not increase the number of lots, parcels or tracts, except as allowed within this section. (orig. 4-20-10)
 - c. Adjustments to Plats, Exemptions, Minor Amendments, Minor Adjustments and Rural Clusters to correct errors. (orig. 4-20-10)
 - d. Adjustments to previously established building envelopes with regard to location and configuration. (orig. 4-20-10)
 - e. Adjustments to previously established non-buildable areas and non-disturbance areas with regard to size, location and configuration. (orig. 4-20-10)
 - f. Adjustments to development agreements to change the name of the subdivider or owner and to correct errors. (orig. 4-20-10)
 - g. Adjustments to the previously approved development agreements to revise standards that are deemed 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. (orig. 4-20-10)
 - h. Creation of lot lines within a lot/parcel where a multi-family dwelling unit (duplex or townhome) has been constructed (or building permit issued), subject to compliance with applicable building codes. (orig. 4-20-10)
 - i. Creation of non-buildable tracts. (orig. 4-20-10)
 - j. Changes to or elimination of 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. (orig. 4-20-10)

- k. All Minor Adjustments must be in compliance with the following Limitations: (orig. 4-20-10)
 - (1) The request must not conflict with any County regulations unless relief is granted through an adopted County process. (orig. 4-20-10)
 - (2) The request does not create any additional lots, unless specifically authorized within this Section. (orig. 4-20-10)
 - (3) The exterior boundary must be comprised of property lines that have been properly subdivided. (orig. 4-20-10)
 - (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. (orig. 4-20-10)
 - (5) The adjustment shall not create a larger lot, parcel or tract that could be further subdivided outside of a County subdivision process. (orig. 4-20-10)
 - (6) A reconfiguration of lot lines in residential developments 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. (orig. 4-20-10)
 - (7) A reconfiguration of a non-residential development or development with non-residential uses may include alterations to the existing streets or roads system. (orig. 4-20-10)
 - (8) Lots or parcels with nonconforming lot size (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 a minor variation or variance has been granted. (orig. 4-20-10)
- 2. A nonrefundable processing fee in an amount established by the Board of County Commissioners is required for this process. (orig. 4-20-10)
- 3. Notification is required in accordance with the Notification Section. (orig. 4-20-10)
- 4. The following procedure and requirements shall apply to Minor Adjustment applications. (orig. 4-20-10)

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 determination phase of the process is 56 or 63 calendar days from the date of the 1st referral. (orig. 4-20-10; am. 12-21-10)

Process Steps	Processing Time Frames
Optional Pre-Application Review Process or Meeting with Staff	Prior to Process
Steps prior to 1st Referral	
Formal Application/Sufficiency Review	3 calendar days
Process from 1st Referral to Determination	
1st Referral	7 or 14 calendar days
Forwarding 1st Referral Comments	5 calendar days
Response 1st Referral	14 calendar days
Submittal of Revised Documents	3 calendar days
2 nd Referral	7 calendar days
Forwarding 2 nd Referral Comments	5 calendar days
Final Documents	10 calendar days
Determination Preparation	5 calendar days
Determination	
Determination	Time varies based on Director of Planning and Zoning action and the applicant meeting approval conditions

* See 1st Referral step below for a description of the required length of the 1st Referral

Prior to submitting an application for this process, the applicant may choose to go through the Pre-Application Review Process, as identified in the Pre-Application Review Process Section. The Pre-Application Review Process will help identify the key issues that will need to be addressed during the process and will also help to establish the specific submittal requirements. The specific submittal requirements can also be established by obtaining an appointment with Staff to discuss the proposal. (orig. 4-20-10)

Steps Prior to 1st Referral

1. Formal Application/Sufficiency Review: The applicant shall submit all documents as identified in the Submittal Requirements Section for review by Staff. (orig. 4-20-10)

Staff shall have 3 calendar days to review this submittal. (orig. 4-20-10)

Staff will review the sufficiency application to determine if the submittal documents are complete. Following this review, Staff 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. The Case Manager shall have 3 calendar days to send revised documents out on referral. (orig. 4-20-10)

Process from 1st Referral to Determination

2. 1st Referral: The referral agencies shall have 14 calendar days to respond in writing to the application. An extension of no more than 30 days may be agreed to by the applicant. The referral will be reduced to 7 calendar days if the application will not require a full Minor Adjustment survey. (orig. 4-20-10)

The Case Manager will identify the tentative date for a decision to be made on the application based on the time frames of this process. This date will be set when the application is sent out on the 1st Referral. (orig. 4-20-10)

Notification is required at the time of the 1st Referral in accordance with the Notification Section. (orig. 4-20-10)

3. Forwarding 1st 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 Final Documents phase of the process. Under this circumstance, the application will be able to reach the Determination phase of the process earlier than the date tentatively scheduled at the time of the 1st Referral. (orig. 4-20-10)

4. Response to 1st Referral: The applicant shall have 14 calendar days to address in writing any issues identified by the Case Manager or any referral agency and resubmit revised documents for the 2nd Referral. The applicant will be deemed to have consented a later determination date, than that tentatively scheduled, if the resubmittal is not received within the 14 calendar day period. (orig. 4-20-10)

The applicant shall have a maximum of 120 calendar days to respond to the referral comments and resubmit, or the application will be considered withdrawn. The applicant will then have to file a new application with the required fees and documents. The Director of Planning and Zoning 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. 4-20-10; am. 12-21-10)

5. 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. 4-20-10)
6. 2nd Referral: The referral agencies shall have 7 calendar days to respond in writing to the 2nd Referral. (orig. 4-20-10)
7. Forwarding 2nd 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 the determination phase or if revised documents should be submitted for a subsequent referral process. (orig. 4-20-10)

If the applicant has not consented to a later determination date based on the time frames of this Regulation and chooses to move forward to the tentatively scheduled determination, the applicant shall submit the Final Documents as requested by the Case Manager in accordance with the Final Documents phase of the process. (orig. 4-20-10)

8. Response to 2nd 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 Director of Planning and Zoning 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. 4-20-10; am. 12-21-10)

9. Additional Changes: For the 3rd 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. (orig. 4-20-10)

The referral agencies shall have 7 calendar days to respond in writing to the 3rd Referral, and for any subsequent referrals thereafter. (orig. 4-20-10)

The Case Manager shall have 5 calendar days after the end of the 3rd 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 for Determination or if revised documents should be submitted for a subsequent referral process. (orig. 4-20-10)

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 Director of Planning and Zoning 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. 4-20-10; am. 12-21-10)

10. 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 other Final Documents as identified by the Case Manager. (orig. 4-20-10)

If the applicant has not consented to a later determination 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 Final Documents for the tentatively scheduled determination. The applicant will be deemed to have consented to a later determination date if the resubmittal is not received within the 10 calendar day period. (orig. 4-20-10)

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 Director of Planning and Zoning 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. 4-20-10; am. 12-21-10)

11. Determination Preparation: The Case Manager shall have 5 calendar days to review the Final Documents and prepare the Staff recommendation. (orig. 4-20-10)

If the additional revisions are required to comply with County standards, the Case Manager will return a letter to the applicant identifying the revisions that must be made in order to gain Staff support for the proposal. (orig. 4-20-10)

Determination and Post Determination

12. Determination: The Director of Planning and Zoning shall have 5 calendar days to review the request and Staff recommendation and approve, approve with conditions, or deny the application. The Director of Planning and Zoning may ask for additional documents before making a determination. Upon approval by the Director of Planning and Zoning, Staff shall file the approved Minor Adjustment document. (orig. 4-20-10; am. 12-21-10)

If the Minor Adjustment includes an amendment to a development agreement, upon approval by the Director of Planning and Zoning, the Chairman of the Board of County Commissioners shall be authorized to sign the amended agreement and place the agreement of record. (orig. 4-20-10; am. 12-21-10)

13. Appeal: If the Director of Planning and Zoning denies the Minor Adjustment, the applicant will have 30 calendar days to appeal the denial to the Board of County Commissioners. (orig. 4-20-10; am. 12-21-10)

The appeal shall be in writing and shall state the specific items being appealed and provide reasons and evidence why the decision by the Director of Planning and Zoning regarding the Minor Adjustment should be overturned. The appeal shall be submitted to the Planning and Zoning case manager. (orig. 4-20-10; am. 12-21-10)

Upon receipt of an appeal by the applicant, the Board of County Commissioners shall consider the Minor Adjustment application. A hearing for said consideration will be scheduled to occur at the first available Board of County Commissioners' hearing date following 21 calendar days from submittal of the request for appeal. At the hearing, the Board of County Commissioners shall affirm, reverse, or modify the decision by the Director of Planning and Zoning, or continue the appeal for such additional hearings as may be necessary to receive additional information, complete testimony, obtain Staff response or render a decision. Upon approval of an appeal by the Board of County Commissioners, the Minor Adjustment shall be presented to the Director of Planning and Zoning, who shall be authorized to sign the document and to place it of record. (orig. 4-20-10; am. 12-21-10)

Notification of the Board of County Commissioners' hearing is required in accordance with the Notification Section. (orig. 4-20-10)

D. Special Circumstances

1. At the discretion of Planning and Zoning, an 8 ½" by 11" paper Minor Adjustment document will be allowed in place of the survey 24" x 36" survey. The 8 ½" by 11" paper Minor Adjustment document may be used to correct errors and/or make technical modification to a previously recorded Plats, Exemptions, Minor Amendments, Minor Adjustments and Rural Clusters. This allowance will only occur when the proposed Minor Adjustment does not affect the graphic portion of the original document and it is determined by Planning and Zoning that the graphic depiction would not aid in the general interpretation of the Minor Adjustment. (orig. 4-20-10)

E. Format

The format of the Minor Adjustment shall comply with the Final Plat provisions for format, survey, certificates and notes as set forth in this Regulation and in accordance with County procedures. (orig. 4-20-10)

Section 12 – Residential Structure Exclusion

(orig. 4-20-10)

A. Intent and Purpose

This process allows an administrative approval of an improper transfer of any lot or parcel for residential properties with an existing residence, meeting specific criteria. The process was developed based on the statutory allowance for the Board of County Commissioners to exempt certain development activities from the terms "subdivision" or "subdivided land" as set forth in Section 30-28-101, C.R.S., as amended. The process outlines time frames and expectations that should provide the applicant with a clear understanding of the steps involved prior to final determination by the Director of Planning and Zoning. The Director of Planning and Zoning may waive the time frames included in this process depending on Planning and Zoning staffing levels and the complexity of the proposal. (orig. 4-20-10; am. 12-21-10)

B. Application

1. The Residential Structure Exclusion may be used for the following types of development activities, provided the limitations set forth are met. The development activities and limitations described below can only be waived or modified by direct action of the Board of County Commissioners in a public hearing. The authority of the Director of Planning and Zoning, described in the Alternative Standards/Requirements section of this Regulation, shall not extend to the development activities and limitations set forth below. (orig. 4-20-10; am. 12-21-10; am. 12-09-14)
 - a. Improper Division: The correction of an improper division of land, where the applicant demonstrates compliance with the following limitations: (orig. 4-20-10)
 - (1) A residential structure exists on the lot or parcel, and the appropriate building permits were obtained. If the residential structure was built prior to the time that Jefferson County was issuing building permits, then verification through a search of the Jefferson County Assessor records for year built may satisfy the requirement of a valid building permit. (orig. 4-20-10)
 - (2) The improper lot or parcel was created before September 10, 2002, the date of the Board of County Commissioner adoption of the regulatory Residential Structure Exclusion Policy and Procedure (CC 02-427). (orig. 4-20-10)
 - (3) The current owners did not create the improper lot or parcel, and swears that they were not aware of the improper division at the time of transfer of the property to their ownership. (orig. 4-20-10)
 - (4) If the improper division was the result of the adjustment of boundaries between previously proper divisions of land, then the owner must prove an unsuccessful attempt to resolve the improper division of land with the other owners through an appropriate County process. A letter from an owner stating that they will not participate; a copy of a certified mailing and/or personal contact by County Staff will serve as verification of such unsuccessful attempt. Any owners unwilling to work together to resolve the improper of land shall not qualify for a future Residential Structure Exclusion process to bring their property into conformance. (orig. 4-20-10)
 - (5) The lot or parcel size complies with the Zone District minimum land area requirements that existed at the time the lot or parcel was subdivided, or a variance to the lot or parcel size has been granted. (orig. 4-20-10)
 - (6) The residential structure is served by a public or private central water system or by a permitted well. (orig. 4-20-10)
 - (7) The residential structure is served by public sanitation or by a permitted individual sewage disposal system. The type of sewage disposal system and the minimum lot or parcel size that shall meet the Public Health requirements in effect at the time the lot or parcel was subdivided, unless the Board of Health has granted a variance. (orig. 4-20-10)

2. A nonrefundable processing fee in an amount established by the Board of County Commissioners is required for this process. (orig. 4-20-10)
3. The following procedure and requirements shall apply to Residential Structure Exclusion applications. (orig. 4-20-10)

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 determination phase of the process is 63 calendar days from the date of the 1st referral. (orig. 4-20-10; am. 12-21-10)

Process Steps	Processing Time Frames
Optional Pre-Application Review Process or Meeting with Staff	Prior to Process
Steps prior to 1st Referral	
Formal Application/Sufficiency Review	3 calendar days
Process from 1st Referral to Determination	
1st Referral	14 calendar days
Forwarding 1st Referral Comments	5 calendar days
Response 1st Referral	14 calendar days
Submittal of Revised Documents	3 calendar days
2 nd Referral	7 calendar days
Forwarding 2 nd Referral Comments	5 calendar days
Final Documents	10 calendar days
Determination Preparation	5 calendar days
Determination	
Determination	Time varies based on Director of Planning and Zoning action and the applicant meeting approval conditions

63 Days to tentatively scheduled determination if processing time frames are met.

Prior to submitting an application for this process, the applicant may choose to go through the Pre-Application Review Process, as identified in the Pre-Application Review Process Section. The Pre-Application Review Process will help identify the key issues that will need to be addressed during the process and will also help to establish the specific submittal requirements. The specific submittal requirements can also be established by obtaining an appointment with Staff to discuss the proposal. (orig. 4-20-10)

Steps Prior to 1st Referral

1. Formal Application/Sufficiency Review: The applicant shall submit documents identified in the Submittal Requirements Section for review by Staff. (orig. 4-20-10)

Staff shall have 3 calendar days to review this submittal. (orig. 4-20-10)

Staff will review the sufficiency application to determine if the submittal documents are complete. Following this review, Staff 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. The Case Manager shall have 3 calendar days to send revised documents out on referral. (orig. 4-20-10)

Process from 1st Referral to Determination

2. 1st Referral: The referral agencies shall have 14 calendar days to respond in writing to the application. An extension of no more than 30 days may be agreed to by the applicant. (orig. 4-20-10)

The Case Manger will identify the tentative date for a decision to be made on the application based on the time frames of this process. This date will be set when the application is sent out on the 1st Referral. (orig. 4-20-10)

3. Forwarding 1st 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 Final Documents phase of the process. Under this circumstance, the application will be able to reach the Determination phase of the process earlier than the date tentatively scheduled at the time of the 1st Referral. (orig. 4-20-10)

4. Response to 1st Referral: The applicant shall have 14 calendar days to address in writing any issues identified by the Case Manager or any referral agency and resubmit revised documents for the 2nd Referral. The applicant will be deemed to have consented to a later determination date than that tentatively scheduled, if the resubmittal is not received within the 14 calendar day period. (orig. 4-20-10)

The applicant shall have a maximum of 120 calendar days to respond to the referral comments and resubmit, or the application will be considered withdrawn. The applicant will then have to file a new application with the required fees and documents. The Director of Planning and Zoning 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. 4-20-10; am. 12-21-10)

5. 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. 4-20-10)
6. 2nd Referral: The referral agencies shall have 7 calendar days to respond in writing to the 2nd Referral. (orig. 4-20-10)
7. Forwarding 2nd 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 the Determination Phase or if revised documents should be submitted for a subsequent referral process. (orig. 4-20-10)

If the applicant has not consented to a later determination date based on the time frames of this Regulation and chooses to move forward to the tentatively scheduled Determination, the applicant shall submit the Final Documents as requested by the Case Manager in accordance with the Final Documents phase of the process. (orig. 4-20-10)

8. Response to 2nd 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 Director of Planning and Zoning 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. 4-20-10; am. 12-21-10)
9. Additional Changes: For the 3rd 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. (orig. 4-20-10)

The referral agencies shall have 7 calendar days to respond in writing to the 3rd Referral, and for any subsequent referrals thereafter. (orig. 4-20-10)

The Case Manager shall have 5 calendar days after the end of the 3rd 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 for Determination or if revised documents should be submitted for a subsequent referral process. (orig. 4-20-10)

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 Director of Planning and Zoning 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. 4-20-10; am. 12-21-10)

10. Final Documents: The Final Documents shall be comprised of the executed exemption document, and other final documents as identified by the Case Manager. (orig. 4-20-10)

If the applicant has not consented to a later determination 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 Final Documents for the tentatively scheduled determination. The applicant will be deemed to have consented to a later determination date if the resubmittal is not received within the 10 calendar day period. (orig. 4-20-10)

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 Director of Planning and Zoning 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. 4-20-10; am. 12-21-10)

11. Determination Preparation: The Case Manager shall have 5 calendar days to review the final documents and prepare the Staff recommendation. (orig. 4-20-10)

If the additional revisions are required to comply with County standards, the Case Manager will return a letter to the applicant identifying the revisions that must be made in order to gain Staff support for the proposal. (orig. 4-20-10)

Determination and Post Determination

12. Determination: The Director of Planning and Zoning shall have 5 calendar days to review the request and Staff recommendation and approve, approve with conditions, or deny the application. The Director of Planning and Zoning may ask for additional documents before making a determination. Upon approval by the Director of Planning and Zoning, Staff shall file the approved Residential Structure Exclusion. (orig. 4-20-10; am. 12-21-10)

13. Appeal: If the Director of Planning and Zoning denies the Residential Structure Exclusion application, the applicant will have 30 calendar days to appeal the denial to the Board of County Commissioners. (orig. 4-20-10; am. 12-21-10)

The appeal shall be in writing and shall state the specific items being appealed and provide reasons and evidence why the decision by the Director of Planning and Zoning regarding the Residential Structure Exclusion application should be overturned. The appeal shall be submitted to the Planning and Zoning case manager. (orig. 4-20-10; am. 12-21-10)

Upon receipt of an appeal by the applicant, the Board of County Commissioners shall consider the Residential Structure Exclusion application. A hearing for said consideration will be scheduled to occur at the first available Board of County Commissioners' hearing date following 21 calendar days from submittal of the request for appeal. At the hearing, the Board of County Commissioners shall affirm, reverse, or modify the decision by the Director of Planning and Zoning, or continue the appeal for such additional hearings as may be necessary to receive additional information, complete testimony, obtain staff response or render a decision. Upon approval of an appeal by the Board of County Commissioners, the document shall be presented to the Director of Planning and Zoning, who shall be authorized to sign the exemption document and to place the document of record. (orig. 4-20-10; am. 12-21-10)

F. Format

1. The format of the exemption document shall comply with the Final Plat provisions for format, survey, certificates and notes as set forth in this Regulation and in accordance with County procedures. (orig. 4-20-10)

Section 13 – Vacation of Rights of Way

(orig. 12-21-10)

A. Intent and Purpose

The right-of-way vacation process was created to provide consistent processing procedure for vacations. The process outlines time frames and expectations, providing the applicant with a clear understanding of the steps involved prior to being scheduled for the public hearings. The Director of Planning and Zoning may waive the time frames included in this process depending on Planning and Zoning staffing levels and the complexity of the proposal. (orig. 12-21-10)

B. Application

1. Determination on whether land is eligible for a right-of-way vacation is based on the following table. (orig. 12-21-10)

Dedication Language on Recorded Document	Eligible for Vacation?	Requires Civil Action?
Dedicated to Jefferson County and accepted by the BCC	Yes	No
Dedicated to the Public and accepted by the BCC	Yes	No
Dedicated to the County or Public, but not accepted by the BCC. Maintained by the County.	Yes	No
Dedicated to the County or Public, but not accepted by the BCC. Not maintained by the County.	No	Yes
No dedication or dedicated to private property owners. Maintained by the County.	Yes – For that portion of the road that has achieved prescriptive ownership due to maintenance activities.*	Yes - For that portion of the road that has not achieved prescriptive ownership due to maintenance activities.*
No dedication or dedicated to private property owner(s). Not maintained by the County.	No	Yes

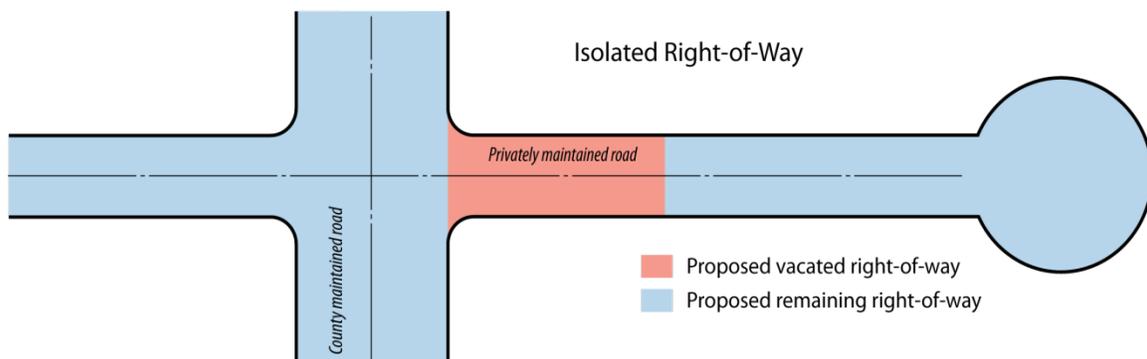
* Prescriptive ownership includes the road surface and shoulders, along with areas used for drainage, routine maintenance, and the safe operation of the road. (orig. 12-21-10)

2. A nonrefundable processing fee in an amount established by the Board of County Commissioners is required for this process. (orig. 12-21-10)
3. Notification is required in accordance with the Notification section. (orig. 12-21-10)
4. The following procedure and requirements shall apply to Vacation applications. (orig. 12-21-10)

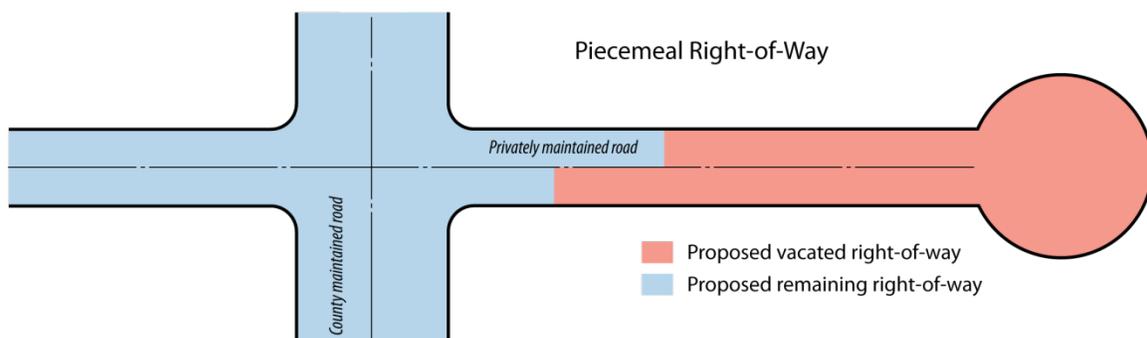
C. Criteria

1. A vacation may not eliminate the only physical or legal access for any property. The following may be required in order to ensure that access is maintained. (orig. 12-21-10)
 - a. Private access easements. (orig. 12-21-10)
 - b. Merger(s) of property under the same ownership. (orig. 12-21-10)
 - c. Dedication of additional right-of-way. (orig. 12-21-10)
2. A vacation may not eliminate the only physical or legal rights to utilities for any property. The following may be required in order to ensure that the legal rights to utilities are maintained. (orig. 12-21-10)
 - a. Utility easements. (orig. 12-21-10)
 - b. Dedication of additional right-of-way. (orig. 12-21-10)
 - c. Reservation of easements for existing utilities. (orig. 12-21-10)

3. The County may assign the vacated property to a private maintenance association. The entity must provide a statement in writing that it is willing to take over maintenance and ownership of the vacated property. (orig. 12-21-10)
4. Mergers may be required to combine parcels affected by the vacation. The Case Manager may make mergers a requirement if they are needed to maintain legal access for all parcels. If required, the mergers will be a condition of the vacation approval. (orig. 12-21-10)
5. Vacation requests shall not negatively impact the existing or planned street/road system. If negative impacts are created, then traffic information and mitigation improvements may be required. (orig. 12-21-10)
6. Construction plans for improvements required to maintain acceptable service, or to mitigate negative impacts, must be submitted in accordance with the Land Development Regulation and Transportation Design and Construction Manual. (orig. 12-21-10; am. 11-24-15)
7. Vacation requests shall not create a circulation system that is non-compliant with the Land Development Regulation, unless an Alternative Standard/Requirement has been granted. (orig. 12-21-10; am. 12-09-14)
8. Reimbursement costs will be required for vacation requests that involve right-of-way that was previously purchased by the County. (orig. 12-21-10)
9. Vacation requests that create isolated right-of-way (as shown below) are not permitted. (orig. 12-21-10)



10. The "piecemeal" vacation of right-of-way (as shown below) is discouraged and shall be reviewed on a case-by-case basis. (orig. 12-21-10)



D. 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 79 calendar days from the date of the 1st Referral. (orig. 12-21-10)

Process Steps	Processing Time Frames
Optional Pre-Application Review Process or Meeting with Staff	Prior to Process
Steps prior to 1st Referral	
Sufficiency Review	7 calendar days
Formal Application	3 calendar days
Process from 1st Referral to Public Hearing	
1st Referral	14 calendar days
Forwarding 1st Referral Comments	5 calendar days
Response 1st Referral	14 calendar days
Submittal of Revised Documents	3 calendar days
2 nd Referral	7 calendar days
Forwarding 2 nd Referral Comments	5 calendar days
Hearing Documents	10 calendar days
Hearing Preparation	21 calendar days
Public Hearing and Post Hearing Review	
Planning Commission Hearing	Time varies based on PC and BCC actions; and applicant meeting approval conditions
Board of County Commissioners Hearing	
Post Hearing Review	

79 Days to tentatively scheduled hearing if processing time frames are met.

Prior to submitting an application for this process, it is recommended that the applicant go through the Pre-Application Review Process, as identified in the Pre-Application Review Process Section. The Pre-Application Review Process will help identify the key issues that will need to be addressed during the process and will also help to establish the specific submittal requirements. The specific submittal requirements can also be established by obtaining an appointment with Staff to discuss the proposal. (orig. 12-21-10)

Steps Prior to 1st Referral

1. Sufficiency Review: The applicant shall submit all documents as identified in the Submittal Requirements Section for review by Staff. (orig. 12-21-10)

Staff shall have 7 calendar days to review this submittal. (orig. 12-21-10)

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 1st Referral. The applicant shall revise the submittal information as may be required to comply with County standards and then submit the Formal Application. (orig. 12-21-10)

2. Formal Application: The applicant shall submit all documents as identified in the Staff response to the Sufficiency Review. (orig. 12-21-10)

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. (orig. 12-21-10)

Process from 1st Referral to Public Hearing

3. 1st Referral: The referral agencies shall have 14 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. (orig. 12-21-10)

Notification is required at the time of the 1st Referral in accordance with the Notification section. (orig. 12-21-10)

The Case Manager will tentatively schedule the Planning Commission hearing and the Board of County Commissioners' hearing when the application is sent out on the 1st Referral. The Planning Commission hearing will be tentatively set to the first available hearing date after 79 calendar days from the date of the 1st Referral. The Board of County Commissioners hearing

will be scheduled for the first available hearing date after 19 calendar days from the Planning Commission hearing. (orig. 12-21-10)

4. Forwarding 1st 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 1st Referral. (orig. 12-21-10)
5. Response to 1st Referral: The applicant shall have 14 calendar days to address, in writing, any issues identified by the Case Manager or any referral agency and resubmit revised documents for the 2nd 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 14 calendar day period. (orig. 12-21-10)

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 Director of Planning and Zoning 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. 12-21-10)

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. 12-21-10)
7. 2nd Referral: The referral agencies shall have 7 calendar days to respond in writing to the 2nd Referral. (orig. 12-21-10)
8. Forwarding 2nd 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. (orig. 12-21-10)

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. (orig. 12-21-10)

9. Response to 2nd 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 Director of Planning and Zoning 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. 12-21-10)
10. Additional Changes: For the 3rd 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. (orig. 12-21-10)

The referral agencies shall have 7 calendar days to respond in writing to the 3rd Referral, and for any subsequent referrals thereafter. (orig. 12-21-10)

The Case Manager shall have 5 calendar days after the end of the 3rd 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. (orig. 12-21-10)

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 Director of Planning and Zoning 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. 12-21-10)

11. Hearing Documents: The hearing documents shall be comprised of the vacation graphic, legal description and other final documents as identified by the Case Manager. (orig. 12-21-10)

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 hearings. The applicant will be deemed to have consented to later hearing dates if the hearing documents are not received within the 10 calendar day period. (orig. 12-21-10)

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 Director of Planning and Zoning may extend this 120 calendar day maximum response deadline for an additional 120 calendar days if, in his/her opinion, the delay in response is for good cause. (orig. 12-21-10)

12. Hearing Scheduled:

- a. Planning Commission Hearing: If the applicant has consented to later hearing dates based on the time frames of this Regulation, the Planning Commission hearing will be scheduled for the first available hearing date after 21 calendar days from the submittal of the hearing documents. (orig. 12-21-10)
- b. Board of County Commissioners Hearing: The Board of County Commissioners hearing will be scheduled for the first available hearing date after 19 calendar days from the Planning Commission hearing. (orig. 12-21-10)

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 Planning Commission, may be made to any application or supporting documents within 21 days prior to any hearing. (orig. 12-21-10)
- b. Notification: Notification of the scheduled hearings is required in accordance with the Notification Section. (orig. 12-21-10)

Public Hearings and Post Hearing Review

14. Planning Commission Hearing: The Planning Commission shall review the application and the Staff report, receive testimony and evidence on the application, and shall recommend approval, conditional approval, or denial of the application to the Board of County Commissioners. The Planning Commission may continue the request for no more than 40 calendar days without the consent of the applicant. The continuance of a request shall be to a date certain. (orig. 12-21-10)
15. Board of County Commissioners Hearing: The Board of County Commissioners shall review the application, the Staff report and the Planning Commission recommendation, 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. The continuance of a request shall be to a date certain. (orig. 12-21-10)
16. 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 Director of Planning and Zoning 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. 12-21-10)

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 take the necessary steps to finish the application process. 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. 12-21-10)

If the application needs to return to hearing for a non-substantial change that does not materially affect the content of the approved application, then the Director of Planning and Zoning may allow the application to proceed directly to a hearing before the Board of County Commissioners' without a hearing before the Planning Commission. (orig. 12-21-10)

Section 14 - Lot And Tract Standards

A. Planning Standards

1. Lot Standards: Each lot shall be designed utilizing available report information, when applicable, in accordance with the following: (reloc. 7-12-05)
 - a. All lots shall have sufficient buildable area to contain the planned structures. All buildable areas shall be excluded from easements unless otherwise approved by the applicable easement authority, and shall not encroach into hazardous areas unless the hazards are abated as specified in the appropriate required document/plans. All buildable areas shall have ingress and egress in compliance with the driveway standards as specified in this Regulation and the Transportation Design and Construction Manual. (am. 7-12-05; am. 11-24-15)
 - b. All lots shall have provision for legal access in compliance with the Zoning Resolution. (reloc. 7-12-05)
 - c. All lots shall be designed in compliance with the standards of this Regulation. (am. 7-12-05)
 - d. All lot lines shall be located at the top of slopes, along benches and/or the flow lines of drainage courses as deemed necessary by Planning and Zoning. (am. 7-12-05; am. 12-21-10)
 - e. Residential lots shall not have direct access onto collector or arterial streets. (reloc. 7-12-05)
 - f. Single family residential lots shall not have double frontage on local streets/roads, except corner lots and lots with extreme topographic constraints. (reloc. 7-12-05)
 - g. Lots shall have suitable locations for individual wells and/or septic systems when utilized in accordance with Colorado Department Public Health and Environment and Public Health regulations. (reloc. 7-12-05; am. 12-21-10)
 - h. All lots using individual sewage disposal systems and individual wells shall have a minimum lot size of 5 acres unless a minimum lot size of 3.5 acres is approved by the Public Health. (am. 7-12-05; am. 12-21-10)
 - i. Multifamily residential lots shall be serviced by a central sewage collection system which provides treatment and disposal at a remote site. (reloc. 7-12-05)
 - j. All lots shall be in compliance with the Zoning Resolution. (reloc. 7-12-05)
 - k. No lot shall be divided by the boundary line of a County, city or zone district. (reloc. 7-12-05)
2. Non-Buildable Areas: Non-buildable areas shall include the following unless otherwise approved by Planning and Zoning and shall be identified on site plans, supplemental plans, Preliminary Plats and Final Plats as required. Tracts are non-buildable unless otherwise noted on the plat. (am. 7-12-05; am. 12-21-10)
 - a. The proposed 100-year floodplain. (reloc. 7-12-05)
 - b. Those areas deemed by a Geologic Report as "non-disturb" or "non-build." (reloc. 7-12-05)
 - c. Rock outcrops. (reloc. 7-12-05)
 - d. Easements. (reloc. 7-12-05)

- e. All front, rear and side setbacks as set forth by the applicable zone district classification. Note, setbacks are not required on the Final Plat. (reloc. 7-12-05)
3. Tract Standards
- a. Tracts shall be designed in compliance with the standards of this Regulation. (am. 7-12-05)
 - b. Tract lines shall be located, when practicable, at the top of slopes, along benches and/or the flow lines of drainage courses as deemed necessary by Planning and Zoning. (am. 7-12-05; am. 12-21-10)
 - c. Buildable tracts shall have suitable locations for individual wells and septic systems when utilized in accordance with Colorado Department of Public Health and Environment and Public Health regulations. (reloc. 7-12-05; am. 12-21-10)
 - d. Detention ponds in the Plains for single-family detached or attached developments shall be in separate tracts. (am. 7-12-05)
 - e. Floodplains shall be in separate tracts unless otherwise approved by Planning and Zoning. (reloc. 7-12-05; am. 12-21-10)
 - f. All tracts using individual sewage disposal systems and individual wells shall have a minimum lot size of 5 acres unless a minimum lot size of 3.5 acres is approved by the Public Health. (reloc. 7-12-05; am. 12-21-10)
 - g. All tracts shall be in compliance with the Zoning Resolution. (reloc. 7-12-05)
 - h. No tract shall be divided by the boundary line of a County, city or zone district. (reloc. 7-12-05)
4. Tracts for Schools and Parks: The land dedication requirement for Schools and Parks shall be in accordance with the School and Park Requirements Section. (am. 7-12-05)
- a. Tracts for schools shall have sufficient buildable area to contain the planned structures. All buildable areas shall be excluded from easements unless otherwise approved by the applicable easement authority, and shall not encroach into hazardous areas unless the hazards are abated as specified in the appropriate document/plans as required. All buildable areas shall have ingress and egress in compliance with the driveway standards as specified in this Regulation and the Transportation Design and Construction Manual. (am. 7-12-05; am. 11-24-15)
 - b. Tracts for parks and schools shall have suitable areas for active and/or passive recreation facilities. (reloc. 7-12-05)
 - c. A letter from the R-1 School District or the applicable park district, as appropriate, indicating acceptance of the school or park tract must be submitted. (am. 7-12-05)

B. Construction Specifications

1. Construction Standards: Construction shall be in accordance with the approved plans as required in this Regulation, the Transportation Design and Construction Manual, the Storm Drainage Design and Technical Criteria, and the following: (am. 7-12-05; am. 11-24-15)
- a. Permits: A permit shall be secured from Transportation and Engineering. (am. 7-12-05; am. 12-21-10)
 - b. Bonds: A license or permit bond, in an amount determined by the Board of County Commissioners, shall be provided by the contractor performing the work and shall be on file in the office of Transportation and Engineering. (am. 7-12-05; am. 12-21-10)

- c. Fees: A fee, in an amount determined by the Board of County Commissioners, shall be paid by the contractor performing the work at the time of obtaining the permit. (am. 7-12-05)

C. Superlot Plat

- 1. Any land zoned commercial or industrial with public water and sewer service shall comply with the following conditions and provisions: (reloc. 7-12-05)
 - a. Plans in accordance with the Final Plat Section shall be required except those waived by the Case Manager. (am. 7-12-05)
 - b. Proof of adequate public water and sewer must be demonstrated or a plat restriction shall be placed on the plat which guarantees water availability prior to sale or issuance of a building permit in a form acceptable to the County Attorney's Office. (reloc. 7-12-05)
 - c. All superlots shall be designated as "NON-BUILDABLE UNTIL FURTHER PLAT OR EXEMPTION AND/OR SITE DEVELOPMENT PLAN APPROVAL." (reloc. 7-12-05)
 - d. The final plat shall contain the following plat restriction: (reloc. 7-12-05)

The county shall not issue any building permits and shall not be liable for the failure to issue any building permits on any lots, tracts or parcels contained within this plat which are designated as "NON-BUILDABLE UNTIL FURTHER PLAT OR EXEMPTION, AND/OR SITE DEVELOPMENT PLAN APPROVAL" until such time as said lot, tract or parcel is platted in accordance with the Jefferson County Land Development Regulation or an Exemption from Platting and/or Site Development Plan approval is granted. This restriction shall run with the land and be binding on the heirs, executors, legal representatives, and assigns of the Subdividers.

- e. All arterial and collector streets/roads adjoining and necessary to serve the superlots in the final plat are dedicated to the County and shown on the plat. (reloc. 7-12-05)
 - f. The total impervious area planned within the entire plat and within each lot, tract or parcel in the Final Plat is shown on the plat or an equivalent calculation is shown acceptable to the Case Manager. (am. 7-12-05)
 - g. The total gross leasable area planned within the entire plat and within each lot, tract or parcel is set forth on the plat. (reloc. 7-12-05)
 - h. Interior lot lines need not be drawn on the final plat unless the developer desires to sell a portion of the platted property prior to further platting or exemption approval. (reloc. 7-12-05)
 - i. A regional drainage study that provides for site detention in accordance with the Storm Drainage Design and Technical Criteria. (reloc. 7-12-05)
- 2. Any lots, tracts or parcels platted and designated as non-buildable pursuant to C.1 of this Section (hereinafter "superlots") shall be required to be platted in accordance with all provisions and requirements of this Regulation or obtain an Exemption from Platting prior to issuance of any building permits. Any application for subsequent platting or Exemption from Platting shall require the fees set forth for commercial or industrial plats or exemptions. (am. 7-12-05)

Section 15 - Circulation

A. Planning Standards

1. Street/Road Standards: Plans for streets/roads shall be prepared in accordance with the Jefferson County Transportation Design and Construction Manual and shall be approved by Planning and Zoning prior to plat recordation. (am. 7-12-05; am. 5-20-08; am. 11-24-15)
 - a. Dedication: Rights-of-way for public streets/roads and easements for private streets/roads shall be granted, conveyed and transferred in accordance with the following: (reloc. 7-12-05)
 - (1) Public Street/Road System: Rights-of-way for public streets/roads within the boundaries of the subdivision shall be dedicated to Jefferson County in accordance with the Dedication Certificate provisions. Rights-of-way (the adjoining one-half) for public streets/roads exterior to the subdivision boundaries shall be dedicated to the County of Jefferson, in fee simple by general warranty deed in a form acceptable to the Office of the County Attorney. Unless otherwise approved by the Office of the County Attorney, rights-of-way shall be free of all encumbrances, including, without limitation, liens, easements, and deeds of trust. The fee simple property owner shall be required to dedicate rights-of-way for the following: (am. 7-12-05)
 - (a) Streets/roads shown on the current Major Thoroughfare Plan within or adjoining the subdivision. (reloc. 7-12-05)
 - (b) Proposed public streets/roads within the subdivision. (reloc. 7-12-05)
 - (c) Proposed public streets/roads that connect the subdivision to existing County, state or city maintained streets/roads. (reloc. 7-12-05)
 - (d) Existing public streets/roads, not previously dedicated, that are within or adjoining the subdivision. (reloc. 7-12-05)
 - (e) Turn lanes, speed change lanes and tapers along adjoining property or properties required for construction and safe operation of intersections and new street/road facilities for the proposed subdivision. (reloc. 7-12-05)
 - (2) Private Street/Road Systems: Each private street/road within the subdivision boundary shall be designated as a "Utility and Drainage Easement and Private Access Drive" on the plat. The provision of access by private streets/roads shall only be permitted if the following applies: (reloc. 7-12-05)
 - (a) The developer has taken all actions necessary to ensure perpetual access for the benefit of each lot, tract or parcel, and to ensure that the private street/road system within the subdivision is maintained. (reloc. 7-12-05; am. 5-20-08)
 - (b) The developer has acquired sufficient rights, title, and interest in adjoining property to construct an exterior street/road system (if necessary to connect the subdivision to public streets/roads) to ensure perpetual access to each lot, tract or parcel, and establish permanent maintenance of the private streets/roads. (reloc. 7-12-05)
 - (c) Access to adjoining properties is not necessary unless required pursuant to A.1.c.(6). (am. 7-12-05)

- (3) Easements for private streets/roads within the boundaries of the subdivision shall be dedicated in accordance with the Plat Certificates, Restrictions and Notes provisions. Easements for private streets/roads exterior to the subdivision boundaries shall be dedicated to the County of Jefferson by easement deed in a form acceptable to the Office of the County Attorney. The dedication to the County shall be limited to emergency and service vehicle access and drainage and utility purposes. The dedication shall not obligate the County to provide maintenance services. The easement deed shall expressly state that it conveys to the County an easement for each of the following purposes: (i) passage of service vehicles and passage of all vehicles and pedestrians during an emergency situation; (ii) drainage; and (iii) utilities. The easement deed shall be conveyed to the County from the fee simple property owner or the owner of a prior easement that expressly provides that it can be assigned or conveyed to the County. Easement deeds shall be dedicated to the County for the following: (am. 7-12-05)
 - (a) Proposed private streets/roads within the subdivision. (reloc. 7-12-05)
 - (b) Proposed private streets/roads that connect the subdivision to existing County, state or city maintained streets/roads, or to other private streets/roads where the developer can demonstrate a right to use said other private streets/roads. (reloc. 7-12-05)
 - (4) Classification: Public street/road right-of-way widths and private street/road easement widths shall be provided in accordance with the following Table. Additional rights-of-way/easements may be required at locations such as, but not limited to, roundabouts, interchanges, acceleration, deceleration, turn or climbing lanes, cut and fill slopes, sidewalks, trails, medians, traffic signs, and drainage structures, and for maintenance. (reloc. 7-12-05; am. 11-24-15)

STREET/ROAD TABLE	
Classification	Width (Feet)
Freeway/Parkway Over 30,000 ADT	200
Principal Arterial Street, above 25,000 ADT	130
Minor Arterial Street, 10,000 to 25,000 ADT	100
Major Collector Street 8,000 to 15,000 ADT	78
Collector Street, 1,000 to 10,000 ADT	37 * or 50
Local Street, below 1,000 ADT	35 * or 50
Principal Arterial Road Over 25,000 ADT	100
Minor Arterial Road above 8,000 ADT	70
Major Collector Road 2,000 to 8,000 ADT	60
Collector Road, above 1,000 ADT	50
Local Road, below 1,000 ADT	50
Cul-de-sac Street turn-around **	45, 50 or 56 radius
Cul-de-sac Road turn-around	45 radius
Private Street/Road (no parking)	25
* To be used where detached sidewalks will be provided. Easements for sidewalks, maintenance and traffic signs are required.	
** To be used in accordance with Design and Construction Manual Templates	

- (5) Property line corners at street/road right-of-way/easement intersections shall be rounded by an arc with the applicable following radii unless otherwise approved by the appropriate fire protection district: (reloc. 7-12-05; am 11-24-15)
 - (a) A minimum 15-foot radius shall be provided at the intersections of local streets/roads with local streets/roads and collector streets/roads. (reloc. 7-12-05)

- (b) A minimum 15-foot radius shall be provided at the intersections of collector streets/roads with collector streets/roads. (reloc. 7-12-05)
- (c) A minimum 30-foot radius shall be provided at the intersections of streets/roads that have less than a 50-foot right-of-way/easement width. (reloc. 7-12-05)
- (d) A minimum 30-foot radius shall be provided for all other street/road intersections. (reloc. 7-12-05)

b. Street/Road Design

- (1) Streets/roads, whether public or private, shall be designed in accordance with the current American Association of State Highway and Transportation Officials (AASHTO) Standards unless modified by the Jefferson County Transportation Design and Construction Manual. (reloc. 7-12-05; am 11-24-15)
- (2) Paving of streets/roads within the proposed development and streets/roads connecting the proposed development with other County, state or city paved streets/roads shall be in accordance with the following: (reloc. 7-12-05; am. 12-5-06)

- (a) New street/roads to be maintained by the County, state or city shall be constructed to the appropriate public street/road template standard, which includes paving. (orig. 12-5-06)
- (b) Existing unpaved County maintained streets/roads shall be constructed to the appropriate public template standard (which includes paving) for a length that is equal to the development impact on the street/road system. For residential development, the development impact shall not exceed a maximum of 4% per lot. If the development impact to a street/road exceeds 80%, then paving for the entire length will be required. The impact on a street/road system will be determined using the following formulas. (reloc. 7-12-05; am. 12-5-06)

Development Impact (%) = Proposed ADT / (Existing ADT + Proposed ADT)

Paving Requirement = Length of Unpaved Section X Development Impact (%)

- Length of Unpaved Section is the distance from the development access point(s) to the paved street/road. (orig. 12-5-06)
- Proposed ADT is the number of trips generated by the proposed development. (orig. 12-5-06)
- Existing ADT is the number of actual trips on the street/road. Existing ADT shall be determined using a traffic counting device located on the gravel portion of the street/road immediately adjacent to the paved section. (orig. 12-5-06)
- (c) Should the County choose to accept a cash-in-lieu of construction payment for the paving requirement, the required paving contribution shall be calculated using following:
 - Appropriate public street/road template width
 - Minimum 5" full depth asphalt surface
 - Current County cost for asphalt in place at the development location

The County shall use the cash-in-lieu of construction monies for any improvement on the street/road as deemed necessary or desirable by the County. (orig. 12-5-06)

- (d) All private streets/roads and all non-maintained streets/roads in County right-of-way shall be paved if the sum of the existing and proposed ADT on the streets/roads exceeds 150. The paving requirement will apply to that portion of the streets/roads that exceeds 150 ADT (reloc. 7-12-05; am. 12-5-06)

- c. Patterns: Street/road patterns shall be planned consistent with the dedication and design requirements and the following: (reloc. 7-12-05)

- (1) Street/road patterns shall provide for appropriate vehicular and pedestrian access and circulation control. (reloc. 7-12-05)
- (2) Street/road patterns shall induce traffic flow appropriate to the function of the streets/roads. Long, straight and other local street alignments conducive to speeds in excess of 30 M.P.H. shall be avoided. (reloc. 7-12-05)
- (3) Cul-de-sacs may be used when meeting the following criteria:
 - (a) Does not exceed 1 mile in length and serves no more than 30 single family residential units or obtain approval from the fire protection district for alternate standards that provide acceptable fire protection and safety mitigation measures concerning access and water. (orig. 11-24-15)
 - (b) Does not exceed 1 mile in length and serves no more than 100 multi-family units or obtain approval from the fire protection district for alternate standards that provide acceptable fire protection and safety mitigation measures concerning access and water. (orig. 11-24-15)
- (4) Streets/roads shall be planned and designed to minimize grading and scarring of the terrain, and not create erosion and drainage problems. (reloc. 7-12-05)
- (5) Streets/roads shall be continuous and conform in alignment and grade with existing, planned or platted streets/roads with which they are to connect. (reloc. 7-12-05)
- (6) Streets/roads shall extend to the subdivision boundary lines as deemed necessary by Planning and Zoning for the connection with adjoining land. Streets/roads so extended shall be dedicated as collector streets/roads unless a template for a local street/road is approved by Planning and Zoning. (reloc. 7-12-05; am. 5-20-08)
- (7) Streets/roads that extend to the boundary line shall be provided with a turn-around. Temporary portions of the turn-around shall be labeled as tracts to facilitate the ultimate reversion of the same. If lots are not dependent upon the extended streets/roads for access, the right-of-way, not including a turn-around, shall be dedicated, but construction of the extended street/road will not be required. (reloc. 7-12-05)
- (8) Streets/roads shall intersect one another at right angles or as nearly at right angles as topography and other limiting factors permit. (reloc. 7-12-05)
- (9) Street/road intersections shall be in linear alignment. (reloc. 7-12-05)
- (10) Intersection spacing along arterials shall conform to the Jefferson County Transportation Design and Construction Manual. (am. 7-12-05; am. 5-20-08; am. 11-24-15)
- (11) Traffic calming physical devices, such as speed bumps and raised crosswalks shall require approval from the fire protection district and conform to current County policies and procedures. All other traffic calming devices are considered non-physical devices, such as bumpouts, pedestrian refuges and the like, are allowed subject to approval by Planning and Zoning. (orig. 11-24-15)
- (12) Subdivisions shall have a street/road system that provides primary and secondary access to existing County, state or city maintained streets/roads, except that secondary access is not required for developments with access provided it meets the cul-de-sac requirements as set forth in this Section. The minimum distance between the centerlines of the primary and secondary access streets/roads shall be in accordance with the spacing provision. The provision of emergency access in-lieu of secondary access shall only be permitted if the following applies: (am. 7-12-05; am. 11-24-15)
 - (a) Secondary access is not needed to provide appropriate vehicular access and circulation control as required. (am. 7-12-05)
 - (b) The developer has taken or agrees to take all actions necessary to ensure that an emergency access has been dedicated to the County and that an emergency

- access system is maintained. (reloc. 7-12-05)
- (c) The developer has taken or agrees to take all actions necessary to ensure that the emergency access will be closed at all times, except during emergency situations, to vehicle traffic. (reloc. 7-12-05)
 - (d) The applicable fire protection district has approved the plans for the emergency access facilities and appurtenances thereto. (reloc. 7-12-05)
 - (e) Access to adjoining properties is not required pursuant to A.1.c.(6) of this Section. (am. 7-12-05)
 - (f) The emergency access street/road is designated as an "Emergency Access Easement" on the plat and the developer has complied with A.1.a.(2)(b) and A.1.a.(3) of this Section for any portion of the emergency access system exterior to the subdivision. (am. 7-12-05)
- d. Names: Streets/roads shall be named in accordance with the following: (reloc. 7-12-05)
- (1) Plains: Names of all streets shall be in full conformance with the metropolitan grid system as shown on the Official Jefferson County Base Maps. (reloc. 7-12-05)
 - (2) Mountains: Names of all roads shall be sufficiently different from previously adopted road names. (reloc. 7-12-05)
- e. Street/Road Improvements: Street/road improvements shall be provided for the following: (reloc. 7-12-05)
- (1) Streets/roads interior to the development. (reloc. 7-12-05)
 - (2) The adjoining one-half of contiguous collector and local streets/roads including streets/roads adjoining park and school lands created by the plat. If the opposite side one-half of the street/road is not paved to current Jefferson County standards or does not exist, the developer shall be responsible for a 24-foot total pavement width plus the opposite side shoulder. If existing pavement on the opposite one-half of the street/road does not match with and tie to the required pavement section on the adjoining one-half, then a pavement overlay on part of the opposite one-half shall be required. If the existing pavement cross section is higher than the approved pavement cross section, then the existing pavement on the opposite one-half shall be adjusted or reconstructed to the approved height. (reloc. 7-12-05)
 - (3) The adjoining one-half of all arterial street(s)/road(s) including streets/roads adjoining park and school lands created by the plat. If existing pavement on the opposite one-half of the street/road does not match with and tie to the required pavement section on the adjoining one-half, then a pavement overlay on part of the opposite one-half shall be required. If the existing pavement cross section is higher than the approved pavement cross section, then the existing pavement on the opposite one-half shall be adjusted or reconstructed to the approved height. (reloc. 7-12-05)
 - (4) Street(s)/road(s) connecting the subdivision with existing Jefferson County, state or city maintained street(s)/road(s). The pavement width of the connecting street/road shall be the same as the street(s)/road(s) within the subdivision with which they connect. Shoulders shall be provided if curb/gutter and sidewalks are not required. (reloc. 7-12-05)
- f. Applicants shall not be required to comply with A.1.e.(2) and A.1.e.(3) regarding adjoining street/road improvements when: (am. 7-12-05)
- (1) The proposed ADT is less than 50 where access is proposed to an existing paved street/road. (reloc. 7-12-05)
 - (2) The sum of the existing ADT plus the ADT from the proposed development will not exceed 150 where access is proposed to an existing gravel street/road. (reloc. 7-12-05)

2. Driveway Standards: Access from a street/road to 1 residential lot, tract, parcel or structure, or to 1 nonresidential lot, tract, parcel or structure shall meet or exceed the standards set forth below. Access to 2 or more residential or nonresidential lots, tracts, parcels or structures shall be provided by a street/road that conforms to the requirements of this Regulation. (am. 7-12-05; am. 5-20-08; am. 11-24-15)
 - a. Driveways within the lots/tracts shall be provided from the property line to the building site without: (reloc. 7-12-05)
 - (1) Creating erosion or drainage problems. (reloc. 7-12-05)
 - (2) Crossing sewage disposal leaching fields. (reloc. 7-12-05)
 - b. Driveway design shall facilitate all emergency vehicle movement. (reloc. 7-12-05)
 - c. Access shall be provided within residential and nonresidential areas to adjoining residential and nonresidential areas respectively as required by Planning and Zoning when such provisions would reduce or limit access onto a street/road. (am. 7-12-05; am. 4-4-06; am. 5-20-08; am. 12-21-10)
3. Curb and Gutter Standards: Curb and gutters or ditches shall be provided for subdivisions in the plains areas in accordance with the Jefferson County Transportation Design and Construction Manual and the following: (reloc. 7-12-05; am. 11-24-15)
 - a. A 4-inch mountable curb and gutter (with attached or detached sidewalk) shall be provided along all local streets, unless otherwise approved by Planning and Zoning. (am. 7-12-05; am. 4-4-06; am. 12-21-10)
 - b. A 4-foot concrete pan may be provided along local streets where the average lot frontage is greater than 100 feet, upon approval by Planning and Zoning. (am. 7-12-05; am. 4-4-06; am. 12-21-10)
 - c. A 6-inch vertical curb and gutter shall be provided along all collector and arterial streets and along all streets adjoining public and semipublic tracts and multifamily and nonresidential lots. (reloc. 7-12-05)
 - d. Ditches may be provided along streets in lieu of curb and gutters where all of the following criteria are met: (reloc. 7-12-05)
 - (1) Streets are classified as local or collector (ADT less than 10,000). (reloc. 7-12-05)
 - (2) Street grades are no less than 2 percent and no greater than 4 percent. (reloc. 7-12-05)
 - (3) Minimum lot frontage is 100 feet. (reloc. 7-12-05)
 - (4) A 5-foot wide detached sidewalk or trail is provided along all streets where ADT is 350 or greater. (reloc. 7-12-05; am. 11-24-15)
4. Sidewalk Standards: Sidewalks shall be provided for subdivisions in the plains area in accordance with the Jefferson County Transportation Design and Construction Manual and the following: (reloc. 7-12-05; am 11-24-15)
 - a. A 5-foot wide sidewalk (with combination curb and gutter) or a 5-foot wide detached sidewalk shall be provided along local streets, unless otherwise approved by Planning and Zoning. (am. 7-12-05; am. 4-4-06; am. 12-21-10; am 11-24-15)
 - b. A 5-foot attached or detached sidewalk shall be provided along all collector streets, and along all local streets adjoining public and semipublic tracts and nonresidential and multifamily lots, unless otherwise approved by Planning And Zoning. (am. 7-12-05; am. 4-4-06; am. 12-21-10; am 11-24-15)
 - c. A 6-foot wide detached sidewalk shall be provided along all minor arterial and major collector streets. (orig. 11-24-15)
 - d. An 8-foot wide detached sidewalk shall be provided along all principal arterial streets. (am. 7-12-05; am. 4-4-06; am. 11-24-15)
 - e. Curb ramps shall be provided at all intersections. Mid-block ramps shall be provided at all

"T" intersections. (reloc. 7-12-05)

- f. Sidewalk easements shall be provided and dedicated when the sidewalk is not within a dedicated street right-of-way. (reloc. 7-12-05)

B. Construction Specifications

1. Street/Road and Curb/Gutter/Sidewalk Standards: Construction shall be in accordance with the approved Plans and meet the criteria of the Jefferson County Transportation Design and Construction Manual. (am. 7-12-05; am. 12-21-10; am. 11-24-15)

Section 16 - Trails

A. Standards

1. Trails are required in the following situations:
 - a. When a trail corridor, as delineated by the Jefferson County Open Space Master Plan, traverses or is adjacent to the proposed development. Trails shall be provided within, or as close as possible to the delineated trail corridor. (orig. 10-25-05)
 - b. When a trail corridor, as delineated by a Park and Recreation District's Plan, traverses or is adjacent to the proposed development. Trails shall be provided within, or as close as possible to the delineated trail corridor. (orig. 10-25-05)
 - c. To link public transit stops, schools, recreation facilities and park sites, and/or public areas interior or exterior to the proposed development. (orig. 10-25-05)
 - d. When a trail is shown on the Official Development Plan. (orig. 10-25-05)
 - e. To continue existing planned and/or platted trails from adjoining developments. (orig. 10-25-05)
 - f. To provide opportunities to walk within the proposed development. (orig. 10-25-05)
 - g. To provide alternate pedestrian circulation within developments where sidewalks will not be constructed. (orig. 4-4-06)
2. Trails shall be in compliance with the American's with Disabilities Act as required. (orig. 4-4-06)
3. Trail Width
 - a. Trails shall be designed and built to the following dimensions, unless otherwise approved. (orig. 4-4-06)

	Surface Width	Shoulder Width	Underpass/ Tunnel Width	Turning Radius for Maintenance Vehicles	Overhead Clearance
For trails to be dedicated to a public entity	10 feet minimum	2 feet on each side minimum	Trail width plus 1 foot on each side minimum	25 feet at centerline	10 feet minimum
All other trails (Bike and Pedestrian, Private)	8 feet minimum	2 feet on each side minimum	Trail width plus 1 foot on each side minimum	25 feet at centerline	10 feet minimum
All other Pedestrian Trails (Private)	6 feet or 4 feet, based on proposed trail use	1 foot clear area	Trail width plus 1 foot on each side minimum	25 feet at centerline	10 feet minimum

- b. Shoulders: Shoulders shall be graded, and cleared of tree trunks, projecting rock ledges, limbs, logs and brush. (orig. 4-4-06)
- c. Turning Radius: The local fire district may require additional turning radius if trail will be used for emergency access. (orig. 4-4-06)

4. Surface materials

- a. Planning and Zoning and/or Open Space shall determine the appropriate surface materials based on, but not limited to, factors such as projected trail use and location. (orig. 4-4-06)
- b. Hard Surface: If a hard surface is required, the surface material shall be five (5) inches of Portland cement concrete placed on compacted sterilized subgrade. Six (6) inches may be required based on geotechnical recommendations and soil tests. (reloc. 7-12-05; reloc. 10-25-05; am. 4-4-06)
 - (1) If a hard surface is required, an additional 4-foot wide soft surface trail may also be required for separate jogging and equestrian use. (orig. 4-4-06)
- c. Soft Surface: If a soft surface is required, the surface material shall be Crusher fines or other soft surface as determined by Planning and Zoning and/or Open Space. (orig. 4-4-06)
 - (1) Crusher fines shall be 3/8" minus crushed granite or other approved hard stone. (orig. 4-4-06)
 - (2) The fines shall be installed at a 4-6" depth (within a trench) and placed over a geotextile fabric. (orig. 4-4-06)
 - (3) All tread obstacles shall be removed. (orig. 4-4-06)

5. Subsurface Material

- a. Compaction shall be in accordance with the land disturbance section of the Zoning Resolution. (orig. 4-4-06)
- b. For any trails that will be used by maintenance vehicles and/or emergency vehicles, a minimum compaction force of 5000 pounds per square inch shall be required. (orig. 4-4-06)
- c. For any trail within the Dipping Bedrock Overlay District, mitigation shall be required as indicated in the Geotechnical Report and approved by the County Engineering Geologist. (orig. 4-4-06)

6. Grade

- a. All trails shall be designed and built to the following dimensions, unless otherwise approved. (orig. 4-4-06)
 - (1) The maximum grade shall be 5% except as outlined in the Table below. (orig. 4-4-06)

Maximum Grade	Length of Trail Segment	Resting Interval or landing 5 feet in length, 2% grade
8.3%	200 feet	no more than 200 feet apart
10%	30 feet maximum	no more than 30 feet apart
12.5%	10 feet maximum	no more than 10 feet apart

- (2) The maximum cross-slope shall be 2%. (orig. 4-4-06)

7. Intersections

- a. Street/Road crossing(s) shall be as near as possible to right angles. (orig. 4-4-06)
- b. Highway crossings shall be constructed to minimize hazardous conditions and shall be approved by Transportation and Engineering. (am. 7-12-05; reloc. 10-25-05; am. 4-4-06)
- c. Curb-cuts shall meet the standards of the Transportation Design and Construction Manual. (am. 7-12-05; reloc. 10-25-05; am. 4-4-06; am. 11-24-15)
- d. Stream crossings shall be in accordance with Stormwater Drainage Criteria and Floodplain regulations. (reloc. 7-12-05; reloc. 10-25-05; am. 4-4-06)

8. Trail Safety

- a. Signage: Trail signage shall be in accordance with the manual on Uniform Traffic Control Devices from the U.S. Department of Transportation. (orig. 4-4-06)
- b. Handrails: Handrails shall be required when there is an embankment with greater than a 3:1 slope within 5' from the trail edge. (orig. 4-4-06)
 - (1) Handrails shall be constructed to the county's adopted building code requirements. (orig. 4-4-06)
- c. Design Speed: Design speed and trail curve radii shall be designed to minimize hazards for all users and shall be in compliance with the American Association of State Highway and Transportation Officials. (reloc. 7-12-05; reloc. 10-25-05; am. 4-4-06)

9. Grading/Drainage

- a. Cut and Fill Slopes shall be reseeded. (reloc. 7-12-05; reloc. 10-25-05)
- b. Drainage improvements may be required to mitigate trail impacts, including, but not limited to, swales, ditches, culverts, etc. (orig. 4-4-06)
- c. Trails shall be designed to minimize grading and scarring of the landscape and not create erosion and drainage problems. (reloc. 7-12-05; reloc. 10-25-05)

10. Trail Tracts

- a. Trails shall be located in tracts to reduce impacts to future lot owners, unless otherwise determined by Planning and Zoning. (orig. 4-4-06)
- b. Dimensions

The minimum width of the tract shall be 20 feet, unless otherwise approved by Planning and Zoning. (orig. 4-4-06)
- c. If a trail is located in a tract that will be conveyed to a public entity, a trail easement will not be required, unless otherwise determined by the public entity. (orig. 4-4-06)

11. Trail Easements

- a. Trail easements shall be dedicated to the appropriate party to ensure access for the trails' intended use. (orig. 10-25-05; am. 4-4-06)
- b. If applicable, a temporary construction easement shall be provided to the entity constructing the trail. When Open Space is the entity constructing the trail, a blanket easement may be required. The blanket easement will be reduced to a permanent easement once the trail has been constructed and surveyed. (orig. 4-4-06)
- c. Dimensions (orig. 4-4-06)

Type of easement	Minimum width of easement
Permanent Trail Easement	Trail(s) width plus 5 feet on each side.
Temporary Construction Easement	30 feet

B. Trail Plan(s)

1. Preparation

- a. The Trail Plan(s) (excluding plans for engineered structures) shall be prepared and signed by a qualified landscape architect or an engineer registered in the State of Colorado. (orig. 10-25-05; am. 4-4-06)
- b. Plans for engineered structures shall be prepared and signed by a professional engineer, registered in the State of Colorado and qualified in the field of civil engineering. All construction shall conform to County standards. (orig. 10-25-05)

2. Content

The Trail Plan(s) shall include, but not be limited to, the following: (orig. 10-25-05)

- a. Cross-sections when required by Planning and Zoning and/or Open Space. (orig. 10-25-05)
- b. Plans of the improvements which are to be installed in, on, over, or under the trail. (orig. 10-25-05)
- c. The location of all drainage structures with construction data, such as the size, type, length, slope, invert elevations, etc. (orig. 10-25-05; am. 4-4-06)
- d. The entity/entities that will implement the plan, construct required improvements, and be responsible for the maintenance of the improvements and appropriate easements, if any. (orig. 10-25-05)
- e. Trail Alignment Map that shows: The proposed development including lots, tracts and street/road alignment; the natural topography as shown by contour lines; and the approximate trail tread alignment indicating type of trail use. (orig. 10-25-05)

3. Approval

- a. The Trail Plan(s) shall be approved by Planning and Zoning and/or Open Space prior to the development's approval. (orig. 10-25-05; am. 4-4-06)
- b. Variations to the Trail Standards may be approved by Planning and Zoning and/or Open Space. (orig. 4-4-06)
 - (1) Trail Standard variations should be based on topographical and geological/geotechnical constraints, pre-existing trail conditions, projected trail uses, trail location, and/or nature of trail connection. . (orig. 10-25-05; am. 4-4-06)

Section 17- Grading, Erosion And Sediment Control

A. Planning Standards

Grading, Erosion and Sediment Control Plans: Plans shall be submitted as required by the Submittal Requirements Section in accordance with the following standards. (am. 7-12-05)

1. The existing and final contours shall be shown at 2-foot intervals for subdivisions within the plains area and contours at 5-foot intervals for subdivisions within the mountain areas including the method utilized to obtain all contour intervals. Contours shall be accurate to within 0.5 contour and elevations shall be based on United States Geologic Survey (U.S.G.S.) sea level datum. The U.S.G.S. quad maps shall not be accepted as evidence for topographic contours. (am. 7-12-05)
2. Grading, erosion and sediment control plans shall be prepared in accordance with and in compliance with the standards in the Land Disturbance Section of the Zoning Resolution. (am. 7-12-05)
3. Grading, erosion and sediment control plans must include the following: (reloc. 7-12-05)
 - a. Plans for all private and public streets/roads in accordance with the Transportation Design and Construction Manual and the Circulation Section. (am. 7-12-05; am. 11-24-15)
 - b. Conceptual driveway plans if existing slopes exceed 30%. (reloc. 7-12-05)
 - c. Overlot grading plans for all non-residential, multi-family, manufactured home developments, and single family residential developments with lot sizes under ½ acre. Overlot grading plans are not required for single family residential lots over ½ acre in size if the developer is not proposing overlot grading, grading is not required and/or shown on the drainage plan, and the slopes in the buildable areas do not exceed 30%. Overlot grading plans must be consistent with the grading and basin boundaries shown on the drainage plan. (reloc. 7-12-05)
 - d. Plans for all drainage improvements including but not limited to detention/and water quality facilities, drainage channels, storm sewer and outlet protection. (reloc. 7-12-05)
 - e. Grading, erosion and sediment control plans for each lot in residential developments with lot sizes under ½ acre shall be prepared in accordance with and in compliance with the Notice of Intent standards in the Land Disturbance Section of the Zoning Resolution. (reloc. 7-12-05)
4. Approvals: Planning and Zoning shall approve the plans prior to development approval. The Jefferson Conservation District shall approve the seed mix and mulching rates. (am. 7-12-05; am. 12-21-10)

B. Construction Specifications

1. Scope: The intent of these specifications is to ensure excavation and grading occur according to the approved plan and to establish minimum materials, methods and standards to be used in the construction of site grading fills for support of residences and other structures, embankments or excavations for streets, roads, drainage channels, structures, or other purposes. The work covered by these specifications includes excavation, embankment, grading, compaction, clearing and grubbing, removal of topsoil, trees, stumps, vegetation, removal and/or resetting of minor obstructions and any other work incidental to the construction of site grading fills. When used in this document, AASHTO shall refer to the American Association of State Highway and Transportation Officials, ASTM shall refer to the American

Society for Testing and Materials, and CDOT shall refer to the Colorado Department of Transportation. (reloc. 7-12-05)

2. Clearing and Grubbing

- a. General: Clearing and grubbing consists of removing and disposing of all vegetation and debris within the limits of projects as indicated on the approved grading plans, except such objects as are designated to remain or are to be removed in accordance with this Regulation. Clearing and grubbing shall also include the preservation of all vegetation and objects designated to remain. (am. 7-12-05)
- b. Construction: The plans shall establish construction limits and designate all trees (including dripline), shrubs, plants and other objects to remain. All objects designated to remain shall be preserved. (reloc. 7-12-05)
 - (1) All surface objects and all trees, stumps, roots, and other vegetation over 6 inches in height, and other protruding objects, not designated to remain, shall be cleared and/or grubbed, including mowing, as required. (reloc. 7-12-05)
 - (2) Except in areas to be excavated, stump holes and other holes from which obstructions are removed, shall be backfilled with suitable materials and compacted in accordance with this Section. Materials and debris shall be disposed of in accordance with state and County regulations. Burning is not permitted. Placement of strippings or topsoil in minor amounts in nonstructural areas will be permitted as specified below, but must be identified on the plans. Up to 3 feet of topsoil and strippings may be placed in nonstructural areas where revegetation will occur and these areas are at least 15 feet from any structural pad. (reloc. 7-12-05)
 - (3) Strippings consist of any vegetation not consisting of Clearing and Grubbing. If applicable, the plans shall address arrangements for off-site disposal. All such disposal locations shall be permitted in accordance with the Jefferson County Zoning Resolution and the applicable requirements of the Colorado Department of Public Health and Environment. (am. 7-12-05)
 - (4) The ground surface shall be prepared to receive fill by removing vegetation, topsoil and other unsuitable materials. (reloc. 7-12-05)

3. Topsoil

- a. General: All topsoil, where physically practicable, shall be salvaged and no topsoil shall be removed from the site except as set forth in the approved grading plans. Except for structural areas, topsoil shall be redistributed over the graded area after grading operations are completed. All work shall be in accordance with this Section and in reasonably close conformity with the lines and thickness shown on the grading plans. (reloc. 7-12-05)
- b. Materials: Topsoil shall consist of loose friable loam reasonably free of admixtures of subsoil, refuse, stumps, roots, rocks, brush, weeds, or other material which would be detrimental to the proper development of vegetative growth. (reloc. 7-12-05)
- c. Construction: Materials selected for topsoil and lying within the limits of the project shall be excavated and stockpiled at the project at locations designated on the grading plans. Excavated topsoil shall be placed directly upon constructed cuts and fill slopes without the use of stockpiles whenever possible. The grading work shall be phased in such a way as to allow direct placement of salvaged topsoil if possible. (reloc. 7-12-05)
 - (1) Topsoil shall not be placed until the areas to be covered have been properly prepared in accordance with this Section and grading operations in the area have been completed. (reloc. 7-12-05)

- (2) Topsoil shall be placed and spread at locations and to the thickness shown on the plans and shall be keyed to the underlying materials by the use of harrows, rollers, or other equipment suitable for the purpose. (reloc. 7-12-05)
- (3) Water shall be applied to the topsoil at the locations and in the amounts designated. Water shall be applied in a fine spray by nozzles or spray bars in such a manner that it will not wash or erode the topsoil area. (reloc. 7-12-05)

4. Watering

- a. General: Water specifications shall address wetting, water for landscaping and the application of dust palliatives to soils and aggregates in accordance with this Section and in conformance with the plans. (am. 7-12-05)
- b. Materials: All water used shall be free of any mineral salts or contaminating material which might result in expansion of materials after placement. (reloc. 7-12-05)
- c. Construction
 - (1) Wetting: Sprinkling equipment shall be of a type which ensures uniform and controlled distribution of water without ponding or washing. Water added during finishing operations shall be uniformly applied by spraying across the full width of the course by means of controllable pressures and spray bars of nozzles. (reloc. 7-12-05)
 - (2) Dust Palliative: Dust palliatives shall be applied on portions of the project and on haul roads at the locations and in the amounts as may be called for on the plans. Dust palliatives may consist of water or other substances approved by Public Health. Dust palliative shall be of the type and proportions called for on the plans. Water or water mixture shall be spread with acceptable sprinkling equipment. (reloc. 7-12-05; am. 12-21-10)
 - (3) Landscaping: Water shall be provided for seeding, mulching, planting, transplanting, sodding, and soil sterilization, and any other landscaping work, when called for on the plans. (reloc. 7-12-05)

5. Removal of Structures and Obstructions

- a. General: This work shall consist of the removal, wholly or in part, and satisfactory disposal of all foundations, fences, signs, structures, sidewalk, curbing, pavements, not designated or permitted to remain. It shall also include the salvaging of the designated materials and backfilling the resulting trenches, holes, and pits. All backfill work shall be done in accordance with the Compaction provisions. (am. 7-12-05)

When the plans and specifications do not include specific requirements for removal of structures and obstructions as set forth in this Section, such work shall be performed under the Excavation and Embankment provisions. (am. 7-12-05)

- b. Construction: All foundations, signs, structures, fences, old pavements, abandoned pipelines and other structures shall be removed from the site and disposed of in accordance with applicable state, federal and County regulations. (reloc. 7-12-05)

6. Excavation and Embankment

- a. General: Excavation and embankment grading consists of excavation, disposal, shaping, or compaction of all material encountered within the limits of the grading plans including excavation for ditches and channels necessary for the construction of the project in accordance with the grading plans and in reasonably close conformity with the lines, grades, and typical cross-sections shown on the plans. (reloc. 7-12-05)

- b. Excavation: All excavation will be classified as rock excavation, unclassified excavation, sub-excavation or borrow, as hereafter described. (reloc. 7-12-05)
 - (1) Rock Excavation: Rock excavation is excavation of igneous, metamorphic and sedimentary rock which cannot be ripped with a D-8 caterpillar or an equivalent using a single shaft hydraulic ripper tooth, or intact stone or boulders which cannot be handled with a Cat 950 loader or equivalent, and all boulders or other detached stones, each having a volume of 0.5 cubic yards or more, as determined by physical or visual measurement. For ditches and channels, rock excavation also includes bedrock or large boulders which cannot be excavated with a Cat 235 hydraulic excavator or equivalent, with a rock bucket. (reloc. 7-12-05)
 - (2) Unclassified Excavation: Unclassified excavation is the excavation of all other materials of whatever character required for the approved grading and/or construction plans including surface boulders and excavation for ditches and channels. (reloc. 7-12-05)
 - (3) Borrow: Borrow shall consist of material obtained from outside the project limits, required for the construction of embankments of other portions of the grading plans. Borrow material specifications shall be included on the grading plans. All borrow areas must meet the requirements of the Jefferson County Zoning Resolution. (am. 7-12-05)
 - (4) Sub-excavation: The removal and replacement of material below foundation or roadway grades to comply with the Zoning Resolution or the Transportation Design and Construction Manual. (reloc. 7-12-05; am. 11-24-15)

- c. Embankment Material: Embankment material shall consist of approved material acquired from excavations, hauled and placed in embankments in reasonable close conformity with the line, grades, thicknesses and typical cross sections shown on the grading plans. (reloc. 7-12-05)

The type of relative compaction required shall be as called for on the plans or as required by the Compaction provisions, whichever is more stringent. (am. 7-12-05)

- d. Construction - General: The excavation and embankments shall be finished to reasonably smooth and uniform surfaces. Grading operations shall be conducted so that material outside of the limits of slopes will not be disturbed, except as shown on the approved grading plans. Prior to beginning grading operations in any areas, all necessary clearing and grubbing and topsoil in that area shall have been performed in accordance with the Clearing and Grubbing and Topsoil provisions. (am. 7-12-05)
 - (1) Transportation and Engineering shall be notified at least 3 days before beginning grading. (am. 7-12-05; am. 12-21-10)
 - (2) The limits of grading and objects designated to remain shall be staked at least 3 days prior to beginning grading at which time a pre-grading meeting with the site owner, project engineer and contractor may be required by Transportation and Engineering. (am. 7-12-05; am. 12-21-10)
 - (3) When the grading operations encounter remains of prehistoric people's dwelling sites, remains, or artifacts of historical, paleontological or archaeological significance, the operations shall be temporarily discontinued. The developer shall notify Planning and Zoning, and the developer shall promptly contact the proper authorities to determine the disposition thereof. If required by state or federal authorities, the developer shall preserve the area of historical, paleontological or archaeological significance for a maximum period of 30 days to allow authorities to excavate and recover the items of significance. (am. 7-12-05)

- (4) At all times, precautions shall be taken for the protection of culverts, erosion control structures, irrigation crossings, mail boxes, driveway approaches, valve boxes, manholes, survey monuments, underground or overhead utility lines and all other public or private installations that may be encountered during construction. Any damage to such structures caused by grading activities shall be repaired, documented and submitted to Transportation and Engineering prior to issuance of any certificate of completion for the site. (am. 7-12-05; am. 12-21-10)

e. Excavation

- (1) Rock: Unless otherwise specified, rock shall be excavated to a minimum depth of 6 inches below subgrade within the limits of any roadbed and the excavation backfilled with material designated on the plans and in accordance with the Jefferson County Design Manual. (reloc. 7-12-05)
- (2) Unclassified: Where material encountered within the limits of grading are considered unsuitable for embankment foundations, streets/roads, or structural areas by the soils engineer or by Transportation and Engineering, such material shall be excavated and replaced with suitable material. Some examples of unsuitable material include soils which contain significant amounts of organic material or large diameter rocks, concrete, or asphalt. Excess unsuitable excavated material, including rock and boulders, that cannot be used in embankments may be placed in non-structural areas as approved by the soils engineer and Transportation and Engineering and must be documented with a set of revised plans showing any such locations. (am. 7-12-05; am. 12-21-10)

Whenever shown on the plans or considered necessary by Transportation and Engineering, intercepting ditches shall be made above the top of cut slopes and carried to outlets near the ends of the cuts. In order to blend the intersection of cut slopes with the slope of the adjacent natural ground surfaces in a uniform manner, the tops of all cut slopes shall be flattened and rounded. (am. 7-12-05; am. 12-21-10)

f. Embankment

- (1) Embankment construction shall consist of construction building sites, street/road embankments and drainage structures including preparation of the areas upon which they are to be placed; the construction of dikes; the placing and compacting of material within project areas; and the placing and compacting of material in holes, pits and other depressions within the project area. (reloc. 7-12-05)
- (2) Free running water shall be drained from the fill material and the fill area before the material is placed. Rocks, broken concrete, or other solid materials more than 6 inches in greatest dimension shall be removed from the site and excluded from any borrow material brought onto the site. However, placing of occasional boulders or rock fragments of sizes larger than the maximum layer thickness may be authorized by the soils engineer and must be approved by Transportation and Engineering. Each oversized boulder or rock fragment shall be separated sufficiently to allow placement, leveling and compaction of spalls or fill material between and around each particle. (am. 7-12-05; am. 12-21-10)

When an embankment is to be placed and compacted on hillsides, or when a new embankment is to be compacted against existing embankments, or when an embankment is built one-half width at a time, the slopes that are steeper than 5:1, when measured longitudinally or at right angles to the slope, shall be continuously benched over those areas where it is required as the work is brought up in layers. Benching shall be well keyed and where practical, a minimum of 8 feet wide or of sufficient width to accommodate the equipment being utilized. Each horizontal cut shall begin at the intersection of the original ground and the vertical sides of the

previous cuts. Material thus cut out shall be recompacted along with the new embankment material. (reloc. 7-12-05)

g. Compaction

- (1) After the foundation for the fill or subexcavated area has been cleared and scarified, it shall be disked or bladed until it is free from large clods, brought to the proper moisture content and compacted to not less than the densities outlined in the Compaction Table. (am. 7-12-05)
- (2) All material shall be compacted to the specified relative compaction. The moisture content of the soil at the time of compaction shall be as specified in the Compaction Table. (am. 7-12-05)
- (3) Should too much water be added to any part of the fill, such that the material is too wet to permit the desired compaction from being obtained, rolling and all work on that section of the fill shall be delayed until the material has been allowed to dry to the required moisture content. Material that is too wet may be reworked in order to hasten drying. (reloc. 7-12-05)
- (4) Selected fill material shall be placed and mixed in evenly spread layers. After each fill layer has been placed, it shall be uniformly compacted to not less than the specified percentage of maximum density. Fill materials shall be placed such that the thickness of loose material does not exceed 10 inches and the compacted lift thickness does not exceed 6 inches. Rocks, broken concrete, or other solid materials more than 6 inches in greatest dimension shall be excluded from fill material. (reloc. 7-12-05)
- (5) Compaction, as specified above, shall be obtained by the use of sheepfoot rollers, multiple-wheel pneumatic-tired rollers, or other equipment approved by the soils engineer. Granular fill shall be compacted using vibratory equipment or other equipment approved by the soils engineer. Compaction of each layer shall be continuous over the entire area. Compaction equipment shall make sufficient passes to attain the required density set forth in the CompactionTable. (am. 7-12-05)

COMPACTION TABLE				
Soil Classification (AASHTO M-145 and Unified)	Depth of Fill	AASHTO T 99 Minimum Relative Compaction (Percent)	AASHTO T 180 Minimum Relative Compaction (Percent)	Moisture Percent of Optimum
CL, CH, SC, SM A-6, A-7, A-2-6, A-2-7	0-20 >20*	95 100		-1, +3 -2, +2
A-1 through A-5 (except A-2-6 and A-2-7) and all others	0-20 >20*	95 100	90 95	-3, +3 -3, +3
*Portion of fill which exceeds 20 feet in depth.				

(6) Moisture density curves shall be constructed for each predominant soil type encountered. Maximum dry density and optimum moisture for materials found in the field which are of limited extent and amounts, and which are not representative of predominant soil types, may be estimated based upon a one-point curve. (reloc. 7-12-05)

- h. Density Tests: Field density tests shall be made by the soils engineer at locations and depths of their choosing unless otherwise specified by Transportation and Engineering. At least one (1) test shall be taken for each 2,000 cubic yards with a minimum of 4 tests for overlot grading. At least one (1) test per 200 cubic yards is required for structure backfill with a minimum of one (1) test. When performing compaction testing along proposed street/road alignments for subgrade sub-excavation or for completed embankment work, at least one (1) test every 200 feet shall be required for each compacted layer. For utility main pipes, at least one (1) compaction test every 100 feet shall be required for each compacted layer. Lateral pipes shall have the at least one (1) compaction test for each layer for every third lateral. Where sheepsfoot rollers are used, the soil may be disturbed to a depth of several inches. Density tests shall be taken in compacted material below the disturbed surface. When density tests indicate the density or moisture content of any layer of fill or portion thereof is below that required, the particular layer or portion shall be reworked until the required density or moisture content has been achieved. The criteria for acceptance of fill shall be as follows: (am. 7-12-05)
- (1) Moisture: The allowable ranges of placement and moisture content given in the Compaction provisions are based on design considerations. The moisture shall be controlled so that moisture content of the compacted earth fill, as determined by tests performed by the soils engineer, shall be within the limits given. The soils engineer shall notify the developer and document when the placement moisture is less than or exceeds the limits specified above, and the developer shall immediately make adjustments in procedures as necessary to maintain placement moisture content within the specified limit. Materials represented by tests falling outside of the optimum moisture content range by a 1/2 percent or less shall be wetted or dried as required and may be approved by the soils engineer without retesting. The maximum number of failing tests which can be rewetted or dried with retesting shall be limited to 3 percent of the total amount of tests taken. All such tests shall be documented in the grading report. (am. 7-12-05)
 - (2) Density: Material represented by samples tested having a dry density more than one (1) percent below the minimum relative compaction given in the Compaction provisions shall be rejected. Such rejected materials shall be reworked until a dry density equal to or greater than the minimum relative compaction is obtained as indicated by retests. Materials represented by tests zero (0) to one (1) percent below the minimum relative compaction shall be rerolled and may be approved by the soils engineer without retesting. The maximum number of failing tests which can be rerolled without retesting shall be limited to 3 percent of the total amount of tests taken. All such tests shall be documented in the grading report. (am. 7-12-05)
 - (3) Grading Reports: Compaction tests shall be taken under the direct supervision of a geotechnical engineer. The geotechnical engineer or his designated representative shall observe grading activities on a full time basis and shall take sufficient compaction tests to enable the engineer to determine that the site is ready for the intended uses and shall so state on the compaction report. Compaction reports shall be signed and sealed and dated by a registered professional engineer. Compaction reports shall include the moisture density curves, location of test sites, soil type(s), density results, type of test and if a failing test, retesting of the site. The engineer shall provide a complete set of all tests and observations and a report stating that the grading activities have been completed in substantial conformance with the approved grading plan and the requirements of this Section. A Certificate of Compliance will not be issued until a compaction report is submitted which shows conformance to the applicable grading requirements. (reloc. 7-12-05)

7. Slope Standards

- a. General: All grading and excavation work shall be in accordance with the approved grading plans, Zoning Resolution and the Jefferson County Transportation Design and Construction Manual. (am. 7-12-05; am. 11-24-15)

b. Construction

- (1) Cut slopes (i.e., excavated slopes) shall be no steeper than two (2) horizontal to one (1) vertical. (am. 7-12-05)
- (2) Fill slopes shall not exceed two (2) horizontal to one (1) vertical. (am. 7-12-05)
- (3) All permanent cut and fill slopes shall be constructed at slopes which ensure long term slope stability and will not cause accelerated erosion. (reloc. 7-12-05)
- (4) The tops and toes of cut and fill slopes shall be set back from property boundaries as far as necessary for safety of the adjoining properties and to prevent damage resulting from water run-off or erosion of the slope. The tops and toes of cut and fill slopes shall be set back from structures as far as it is necessary for adequacy of foundation support and to prevent damage as a result of water run-off or erosion of the slopes. In general, the height of the cut or fill slope is related to the setback requirements as follows. (reloc. 7-12-05)

$$\frac{\text{Height of cut or fill slope}}{3} = \text{Setback (minimum setback is 7 feet)}$$

- (5) Terraces at least eight (8) feet in width shall be established at not more than 30-foot vertical intervals to control surface drainage and debris. (am. 7-12-05)
- (6) At least a two (2) percent gradient shall be maintained from building pads to drainage facilities. (am. 7-12-05)

8. Exemptions

- a. Excavation below finished grade and foundation wall backfill for basements and footings of a building, retaining wall, or other structures authorized by a valid building permit are exempt from these specifications. With the exception of foundation wall backfill, this shall not exempt any fill made with the material from such excavation nor exempt any excavation having an unsupported height greater than five (5) feet after the completion of such structure. (am. 7-12-05)
- b. Cemetery graves. (reloc. 7-12-05)
- c. Refuse disposal sites which are permitted by Public Health and the Colorado Department of Public Health and Environment. (reloc. 7-12-05; am. 12-21-10)
- d. Excavations for wells, tunnels, or utilities. (reloc. 7-12-05)
- e. Mining operations which are permitted by Jefferson County. (reloc. 7-12-05)
- f. Exploratory excavations. (reloc. 7-12-05)
- g. Excavations which are less than two (2) feet in depth, or which do not create a cut slope greater than five (5) feet in heights and steeper than one (1) and 1.5 horizontal to one (1) vertical. (am. 7-12-05)
- h. Fills less than two (2) feet in depth, and placed on natural terrain with a slope flatter than 5 horizontal to one (1) vertical, or less than three (3) feet in depth, not intended to support structures, which do not exceed 200 cubic yards on any one (1) lot and do not obstruct a drainage course. (am. 7-12-05)

Section 18 - Drainage

A. Standards

1. In compliance with the Federal Emergency Management Agency's National Flood Insurance Program, all proposed developments shall: (reloc. 7-12-05; am. 10-25-05)
 - a. Be consistent with the need to minimize flood damage. (reloc. 7-12-05; am. 10-25-05)
 - b. Have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage. (reloc. 7-12-05; am. 10-25-05)
 - c. Have adequate drainage provided to reduce exposure to flood damage. (reloc. 7-12-05; am. 10-25-05)
2. Drainage shall be designed in compliance with Storm Drainage Design and Technical Criteria. (orig. 10-25-05)
3. Drainage Easements shall be required for all onsite drainage facilities and for offsite drainage facilities in accordance with the Storm Drainage Design and Technical Criteria. (orig. 10-25-05)

B. Drainage Report and Plans

The Drainage Report(s) and Drainage Plans shall be prepared and approved in accordance with the Storm Drainage Design and Technical Criteria. (am. 7-12-05; am. 10-25-05)

Section 19 - Subsurface Groundwater Collection Systems

A. Standards

1. Subsurface Groundwater Collection Systems shall be required for all proposed developments in which any part is located in the Designated Dipping Bedrock Overlay District if a crawl space and/or basement is proposed. (reloc. 07-12-05; am. 10-25-05)
2. Subsurface Groundwater Collection Systems shall be required for all proposed developments based on the findings in the Geological/Geotechnical Report. (orig. 10-25-05)
3. All subsurface groundwater collection systems shall meet the following requirements unless an alternative design is approved by the County Engineering Geologist. (reloc. 07-12-05, am. 10-25-05)

a. Location

Subsurface groundwater collection lines or systems located within a public right-of-way shall be located in the same trench as the sanitary sewer system in accordance with The Sanitary Sewer with Underdrain Figure. If the Water and Sanitation District will not permit the co-location, the lines or systems may be located in a separate trench as determined by the County Engineering Geologist. (reloc. 07-12-05; am. 10-25-05)

b. Dimensions

All lines shall be of sufficient size and adequate slope to discharge projected volume. No line shall be smaller than 4 inches in diameter and no slope shall be less than 0.5 percent. If topographical constraints limit the slope to less than 0.5 percent, the County Engineering Geologist may require use of the next largest pipe size. (orig. 10-25-05)

c. Stubouts

- (1) Provisions for service line connection stubouts, at each lot boundary, of individual lot foundation drains or sumps to the subsurface groundwater collection system shall be provided. (reloc. 07-12-05)
- (2) Service lines for residential lots shall be stubbed to the lot boundary. (reloc. 07-12-05)

d. Drainage/Discharge

- (1) All segments of the subsurface groundwater collection pipe and the gravel bedding shall have positive drainage. This includes segments dammed by manhole bases, or the gravel bedding shall be continuous beneath manhole bases. (reloc. 07-12-05)
- (2) All individual lot foundation drain or sump connections shall be to the groundwater collection system main lines and not to the gravel bedding or sanitary sewer. (reloc. 07-12-05)
- (3) All segments of the subsurface groundwater collection pipe and the gravel bedding shall discharge to a daylight point(s) and not to the sanitary sewer system. (reloc. 07-12-05; am. 10-25-05)
- (4) Water collected from individual lots or central subsurface groundwater collection systems shall not discharge directly or indirectly onto a street surface or curb and gutter located within a public right-of-way. (reloc. 07-12-05)

e. Maintenance

- (1) All subsurface groundwater collection systems shall have a maintenance plan(s). All maintenance plan(s) for subsurface groundwater collection systems shall be recorded with the Clerk and Recorder. (reloc. 07-12-05; am. 10-25-05)
- (2) Cleanouts shall be placed at bends or junctions in the main collection lines and at least every 400 feet along the main collection lines. The cleanouts shall be of sufficient size to allow for proper maintenance. When allowed by the applicable sanitation district, such cleanouts shall be placed in the sewer system manholes. (reloc. 07-12-05)
- (3) The main collection lines from daylight points to lot boundaries shall be inspected at least once every five years. In order to ensure the system has positive drainage, the entire length of the main collection lines shall be inspected with a camera system to detect pipe failure and clogged pipes. Documentation of the inspections shall be kept for review by Jefferson County. If inspection shows blockage and/or repairs are necessary, maintenance and repairs shall be completed. Appropriate permits shall be obtained to make repairs. (orig. 10-25-05)

4. Dipping Bedrock Overlay District

All developments, where any portion of the site is located in the Dipping Bedrock Overlay District and any portion of the collection system is located within 5 feet of the top of claystone bedrock, shall be subject to the following additional restriction(s): (reloc. 07-12-05; am. 10-25-05)

- a. Pipe materials shall be constructed of solid wall AWWA C-900 Class 200 polyvinyl chloride (PVC) or pipe material of equivalent or better strength characteristics. Perforated pipe may be used for main collection lines, if approved by the applicable sanitation district. Perforated pipe may also be used for the service line from the lot boundary to the structure. (reloc. 07-12-05)

B. Subsurface Groundwater Collection System Plan(s)

1. Preparation

- a. The Subsurface Groundwater Collection System Plan(s) shall be prepared and signed by a professional engineer qualified in the field of civil engineering. (am. 07-12-05; am. 10-25-05)
- b. The Subsurface Groundwater Collection System Plan(s) shall be required, as determined by Planning and Zoning. The County Engineering Geologist shall evaluate the findings in the Geological/Geotechnical Report to determine the necessity of the Subsurface Groundwater Collection System Plan(s). (orig. 10-25-05)

2. Content

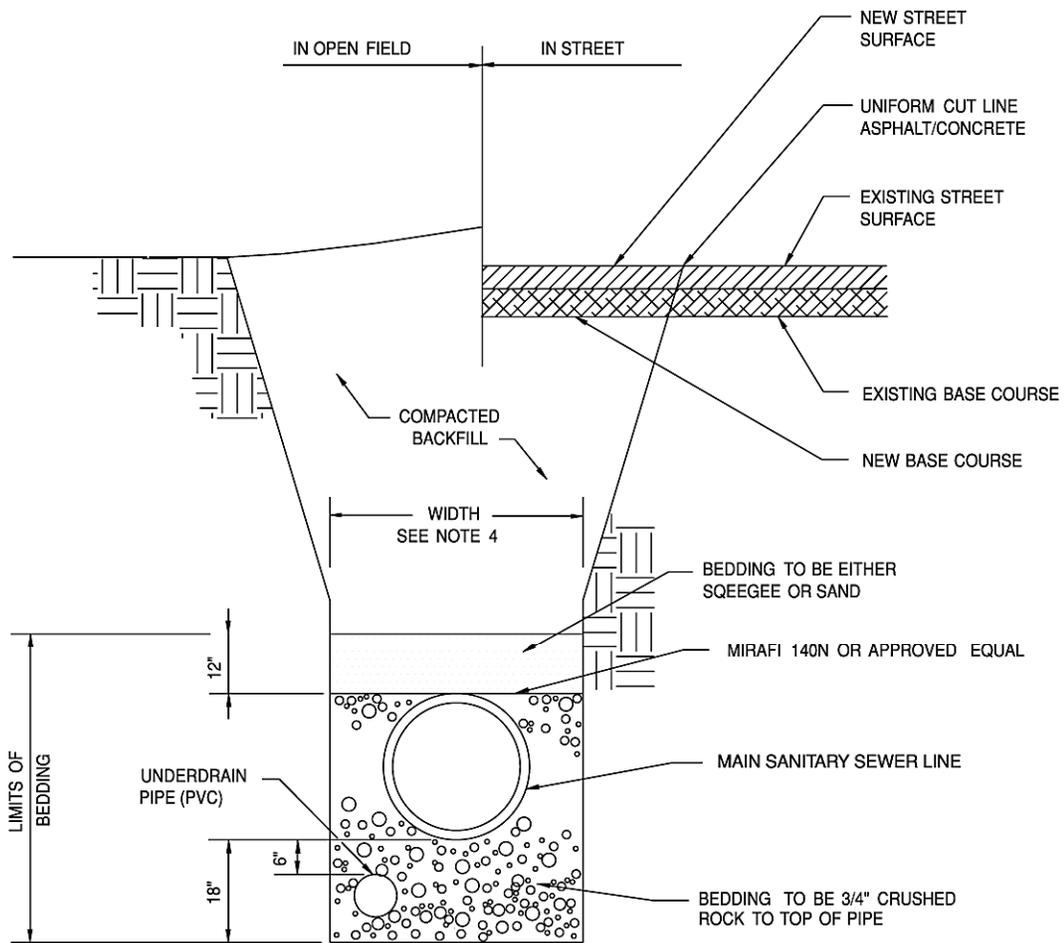
The Subsurface Groundwater Collection System Plan(s) shall include, but not be limited to, the following: (am. 07-12-05; am. 10-25-05)

- a. Designs, maintenance plans, standards and specifications for clean out ports, discharge points, bedding materials, pipe materials and grade. (reloc. 07-12-05; am. 10-25-05)
- b. The entity/entities that will implement the plan, construct the required improvements, and be responsible for the maintenance of the improvements and appropriate easements. (reloc. 07-12-05)

3. Approval

- a. The Subsurface Groundwater Collection System Plan(s) shall be approved by Planning and Zoning prior to the development's approval. (am. 07-12-05; am. 10-25-05)
- b. Where subsurface groundwater collection systems are located in the same trench as the sewer system, the construction plans for repairs or modifications after initial installation, shall be approved by the applicable sanitation district prior to issuance of a permit. (reloc. 07-12-05)

SANITARY SEWER WITH UNDERDRAIN FIGURE



TYPICAL TRENCH SECTION

NOTES:

1. MINIMUM COVER TO BE 4.5' BELOW OFFICIAL STREET GRADE.
2. TRENCH TO BE BRACED OR SHEETED AS NECESSARY FOR THE SAFETY OF THE WORKMAN AND PROTECTION OF OTHER UTILITIES IN ACCORDANCE WITH APPLICABLE LOCAL, STATE AND FEDERAL SAFETY REGULATIONS.
3. PIPE SHALL BE BEDDED FROM 18" BELOW THE BOTTOM OF THE PIPE TO 12" ABOVE THE TOP OF THE PIPE.
4. TRENCH WIDTH SHALL NOT BE MORE THAN 16" NOR LESS THAN 12" WIDER THAN THE LARGEST OUTSIDE DIAMETER OF THE PIPE.
5. COMPACTION SHALL BE AS FOLLOWS: PIPE ZONE BEDDING 18" UNDER AND 12" OVER PIPE WILL REQUIRE 90% S.P.D OR 70% RELATIVE. TRENCH ZONE ABOVE BEDDING MATERIALS, FULL TRENCH SECTION IN ROADWAY OR STREET R.O.W. LIMITS WILL REQUIRE 95% S.P.D. TRENCH ZONE ABOVE BEDDING MATERIALS, OUTSIDE OF STREET R.O.W. WILL REQUIRE 90% S.P.D.

Section 20 – Reserved for Future Use

Section 21: Water Supply

(orig. 4-30-13)

A. Public Water System

A Public Water System is an integrated arrangement of components for the treatment and/or distribution of a water supply in accordance with Federal, State and County regulations. Entities providing such services include public water districts and private water companies. These systems are permitted by the State and have a Public Water System Identification (PWSID) number. (orig. 4-30-13)

1. Standards

- a. The water supply in terms of quality, quantity and dependability shall be in compliance with all State and County laws and regulations. (reloc. 7-12-05, am. 4-30-13)
- b. A public water district shall be operating within State and County regulations or have received approval of a service plan in accordance with Section 32-1-201, et. seq., C.R.S. and approval for site location in accordance with Section 30-28-110(1) and (2), C.R.S. (reloc. 7-12-05, am. 4-30-13)
- c. A private water company shall be operating or have approval to operate within State and County regulations. (reloc. 4-30-13)

2. Requirements for Development

Based on the type of development proposed, the applicant shall submit the following documentation when service is to be provided by a Public Water System:

- a. All development proposals (except as qualified below) shall submit a letter from the district or company indicating that the proposed development:
 - (1) is within the boundaries or service area of the district, or is within the service area of the company; or (reloc. 7-12-05; am. 4-30-13)
 - (2) will be included within the district boundaries in accordance with Section 32-1-301 et. seq., C.R.S., or will be included in the service area of the company; or (reloc. 7-12-05; am. 4-30-13)
 - (3) has a contract for service with the district or company. (reloc. 7-12-05, am. 4-30-13)

For a Plat, Site Development Plan, Exemption or Minor Adjustment, the letter must also indicate that the district or company will, pursuant to their rules and regulations, supply water to the proposed development. (reloc. 7-12-05, am. 4-30-13)

- b. All development proposals shall provide a completed Water Supply Summary on the form provided by Planning and Zoning. This document will be sent to the Division of Water Resources for review and comment. (orig. 4-30-13)

3. Approval of Public Water System Construction Plans

Public Water System Construction Plans may be required for a development as part of the Construction Plan set identified in the Submittal Requirements Section of this Regulation and of the Zoning Resolution. When required, these plans shall be in accordance the following: (orig. 4-30-13)

- a. The plans shall be prepared by a professional engineer, registered in the State of Colorado and qualified in the field of civil engineering. (orig. 4-30-13)

- b. The plans shall be prepared in accordance with the requirements of the applicable service authority. (reloc. 4-30-13)

B. Well Water Supply System

A Well Water Supply System is an integrated arrangement of water supply components that does not meet the qualifications of a Public Water System. These systems will collect, store, and distribute water to one or more properties. These systems are typically individually-owned and maintained by the individual property owners. (orig. 4-30-13)

1. Standards

The water supply in terms of quality, quantity and dependability shall be in compliance with all applicable State and County laws and regulations. (orig. 4-30-13)

2. Requirements for Development

When a proposed development is to be served by a Well Water Supply System the following documents shall be provided as indicated:

- a. The applicant shall submit: (orig. 4-30-13)
 - (1) Proof of Legal Water: Information related to the proof of the legal right to the water supply. (orig. 4-30-13)
 - (a) Rezoning or Special Use:
 - (a-1) Documentation must be submitted demonstrating that the water source is legally available for the proposed use (except as qualified below). Such documentation may include, but not be limited to: water court decrees and well permits, which can be obtained from the Colorado Division of Water Resources. (orig. 4-30-13)
 - (a-2) If a subsequent Plat, Site Development Plan or Exemption process is required after the Rezoning or Special Use process, a letter shall be submitted describing the plan for obtaining legal rights to the water supply in lieu of the above requirement. (orig. 4-30-13)
 - (b) Plat, Site Development Plan, Exemption or Minor Adjustment applications must submit documentation that demonstrates that the water source is legally available for the proposed use. Such documentation may include, but not be limited to: water court decrees and well permits, which can be obtained from the Colorado Division of Water Resources. The water requirement for the proposed development shall not exceed the legally available water per the well permit or water court decree. (orig. 4-30-13)

Exemption: Water Supply Proof must either be provided as a part of the process or an improvements agreement must be created restricting the sale and/or the issuance of building permits until such time as Water Supply Proof has been satisfied. (orig. 4-30-13)
 - (2) Water Supply Summary: The completed summary form (available from Planning and Zoning) shall be submitted for all development proposals (orig. 4-30-13)
 - (3) Well Water Supply Report and Well Water Supply Report Summary: All Plat and Site Development Plan applications shall submit a Well Water Supply Report in accordance with the requirements of this Section. A Well Water Supply Report Summary on the form created and provided by Planning and Zoning shall be submitted as a part of the Well Water Supply Report. (orig. 4-30-13)

- (4) Aquifer Test: An Aquifer Test meeting the standards identified in this Section shall be included as a part of the Well Water Supply Report under the following circumstances: (orig. 4-30-13)
 - (a) If the development proposal is for Rezoning or Special Use that has a water requirement greater than 0.28 acre feet per acre per year (the equivalent of 250 gallons per day per acre). (orig. 4-30-13)
 - (b) If the development proposal is for a Plat or Site Development Plan that has a water requirement greater than 0.10 acre feet per acre per year (the equivalent of 90 gallons per day per acre). (orig. 4-30-13)

b. County Staff will provide:

Water Availability Analysis: The Water Availability Analysis (WAA) shall be in accordance with the requirements of this Section. The intent of the WAA is to provide information about the water supply in terms of quantity and dependability. (orig. 4-30-13)

3. Approval of Well Water Supply Report

- a. The Well Water Supply Report shall be prepared by either a professional Geologist (as defined by C.R.S. 34-1-201, as amended) or a professional engineer (registered in the State of Colorado), either of which shall be qualified in the field of water resource engineering. (orig. 4-30-13)
- b. The Well Water Supply Report shall be reviewed and approved by Planning and Zoning, and Public Health. (orig. 4-30-13)

C. Standards

1. Well Water Supply Report

The purpose of the Well Water Supply Report is to provide additional information to determine if the proposed water supply is sufficient in terms of quantity, dependability, and quality (orig. 4-30-13)

Content:

- a. The following information shall be provided on a representative well located within the proposed development: (reloc. 7-12-05; am. 4-30-13)
 - (1) Potability data shall include the following: (reloc. 7-12-05)
 - (a) Total Coliform, Presence/Absence (reloc. 7-12-05; am. 4-30-13)
 - (b) Standard Chemical Analysis, including the following: (reloc. 7-12-05, am. 4-30-13)

Turbidity	Silver	Radium 226	Dissolved Solids
Arsenic	Selenium	Color	Iron
Barium	Endrin	Total hardness of CaCO3	Manganese
Cadmium	Lindane	Calcium as CaCO3	Copper
Chromium	Methoxychlor	Magnesium	Zinc
Fluoride	Toxaphene	Sodium	Molybdenum
Lead	2,4-D	Chloride	Ammonia as N
Mercury	2,4,5-TP	Sulfate	Phosphate as P
Nitrate	Gross Alpha	Specific Conductance	Boron

- (c) Any exceedances of the Colorado Primary Drinking Water Regulations will be noted on the development plan document (orig. 4-30-13)
 - (2) Depth and location. (reloc. 7-12-05)
 - (3) Pumping rate expressed in gallons per minute. (reloc. 7-12-05)
 - (4) Duration of pump test. (reloc. 7-12-05)
 - b. The expected water requirements of the subdivision at full development, including the various water uses to be permitted. (reloc. 7-12-05)
 - c. The estimated consumptive use of water by the subdivision. (reloc. 7-12-05)
 - d. The source of water for the subdivision and the dependability of this source. (reloc. 7-12-05)
 - e. An evaluation of the potential for material injury to existing water rights as a result of the subdivision, including the cumulative effect of on-lot wells. (reloc. 7-12-05; am. 7-10-07)
 - f. Historic use and estimated yield of claimed water rights. (reloc. 7-12-05)
 - g. Amenability of existing water rights to a change in use. (reloc. 7-12-05)
 - h. Type of sewage disposal system proposed. (reloc. 7-12-05)
2. Aquifer Test:

The purpose of the Aquifer Test is to demonstrate the aquifer's ability to yield withdrawal rates that would satisfy the proposed uses. When required, the data from the Aquifer Test will be included in the Well Water Supply Report and the Well Water Supply Report Summary. In addition, the data from the Aquifer Test may be used to supplement the Water Availability Analysis. (orig. 7-10-07; am. 4-30-13)

Content:

- a. At least one viable Aquifer Test shall be conducted where individual wells are proposed. (orig. 7-10-07; am. 4-30-13)
 - b. Production wells shall be pumped for a minimum of 8-hours. (orig. 7-10-07, am. 4-30-13)
 - c. The yield of a well shall be determined as a stabilized production rate where the withdrawal rate and the drawdown do not change by more than 10 % during the last hour of the test. (orig. 4-30-13)
 - d. All existing wells within the proposed development should be monitored and if permission is granted, offsite wells within 600 feet of the production well. (orig. 7-10-07)
 - e. Water levels in the production well and observation wells, if any, shall be monitored for at least 24 hours after pumping stops, or until 90% recovery has occurred. (orig. 7-10-07)
 - f. Documentation of the aquifers hydraulic properties, including a narrative that evaluates the adequacy of the water supply for the proposed uses. (orig. 4-30-13)
3. Water Availability Analysis

The Water Availability Analysis will be completed by staff and used to determine if there is a sufficient water supply in terms of quantity and dependability for the proposed uses. The Water Availability Analysis will take into account the area of the sub basin, estimated hydrogeologic parameters based on published documents, estimated precipitation rates, existing land development in the basin, and existing allowed land uses in relation to the proposed

development. If the applicant does not agree with the results of the Water Availability Analysis they may complete their own water availability study which could be in the form of a similar Water Availability Analysis or an Aquifer Test. (orig. 4-30-13)

4. The Aquifer Test and the Water Availability Analysis applicable to a property shall only be valid for 3 years, unless Planning and Zoning determines that the hydrogeologic or land use conditions have not changed since the time of the last test or analysis. (orig. 4-30-13)

Section 22 – Wastewater

A. Public Wastewater Disposal System

Public Wastewater Disposal Systems are an integrated arrangement of components for the collection, transportation and/or treatment of commercial and residential wastewater in accordance with Federal, State and County regulations. Entities providing such services include private and public sanitation and metropolitan districts. These systems are typically permitted by the State. (orig. 4-30-13)

1. Standards

- a. The Public Wastewater Disposal System for the development shall be in compliance with all Federal, State and County laws and regulations. (orig. 4-30-13)
- b. A public sanitation district shall be operating in compliance with Federal, State and County regulations or have received approval of a service plan in accordance with Section 32-1-201, et. seq., C.R.S., and approval for site location in accordance with Section 30-28-110 (1) and (2), C.R.S. (am. 4-4-06; am. 4-30-13)
- c. A private sanitation company shall be operating or have approval to operate in compliance with Federal, State and County regulations. (orig. 4-30-13)

2. Requirements for Development

Based on the type of development proposed, the applicant shall submit the following documentation when service is to be provided by a Public Wastewater Disposal System: (orig. 4-30-13)

- a. All development proposals (except as qualified below) shall submit a letter from the district or company indicating that the proposed development: (orig. 4-30-13)
 - (1) is within the boundaries or service area of the district or is within the service area of the company; or (orig. 7-12-05; am. 4-4-06; am. 4-30-13)
 - (2) will be included within the district boundaries in accordance with Section 32-1-401 et. seq., C.R.S. or will be included in the service area of the company; or (orig. 7-12-05; am. 4-4-06; am. 4-30-13)
 - (3) has a contract for service with the district or company. (orig.. 7-12-05; am. 4-4-06; am. 4-30-13)
- b. For a Plat, Site Development Plan, Exemption or Minor Adjustment, the letter must also indicate that the district or company will, pursuant to their rules and regulations, transport and/or treat the effluent from the proposed development. (orig. 7-12-05; am. 4-4-06; am. 4-30-13)

3. Approval of Public Wastewater Disposal System Plans

Public Wastewater Disposal System Construction Plans may be required for a development as part of the Construction Plan set identified in the Submittal Requirements Section of this Regulation and of the Zoning Resolution. When required, these plans shall be in accordance with the following: (orig. 4-30-13)

- a. The plans shall be prepared by a professional engineer, registered in the State of Colorado and qualified in the field of civil engineering. (orig. 4-4-06; am. 4-30-13)
- b. The plans shall be prepared in accordance with the requirements of the applicable service authority. (orig. 7-12-05; am. 4-4-06; am. 4-30-13)

B. Onsite Wastewater Treatment System

An Onsite Wastewater Treatment System is an integrated arrangement of components for a residence, or other place not connected to a public sewer system. These systems will convey, store,

treat, and/or provide subsurface soil treatment and disposal of the effluent on the property where it originates or upon adjacent or nearby property. These systems include the piping, treatment devices, other accessories, and soil underlying the disposal component. These systems are typically owned and maintained by the individual property owners. These systems typically are permitted by the County. (orig. 4-30-13)

1. Standards

- a. An Onsite Wastewater Treatment System shall be designed, installed and operated in accordance with Public Health’s Onsite Wastewater System Regulations. (orig. 4-4-06; am. 4-30-13)
- b. The Onsite Wastewater Treatment System shall be designed by a professional engineer, registered in the State of Colorado. (orig. 4-4-06; am. 4-30-13)

2. Requirements for Development

- a. When a proposed development is to be served by an Onsite Wastewater Treatment System, the applicant shall submit the following information: (am. 4-30-13)
 - (1) An Onsite Wastewater Report using the form that has been created by Public Health. The Report information shall be in accordance with Public Health’s Onsite Wastewater System Treatment Regulations. (orig. 4-30-13)
 - (2) Any existing Onsite Wastewater Treatment System permit(s) that have been issued for the development property. An existing system that has been permitted, but is not functioning in accordance with the approved permit will need to be addressed during the development process. To address this type of issue, the applicant will be required to fix the system that is not operating properly or will be required to have a restriction requiring the system to be fixed as a part of the development process. (orig. 4-30-13)
 - (3) Information on any existing Onsite Wastewater Treatment System that has not been permitted through Public Health. An existing system that has not been permitted will need to be addressed during the development process. To address this type of issue, the applicant will be required to obtain a permit or will be required to have a restriction requiring the issuance of the permit as a part of the development process. (orig. 4-30-13)
- b. Planning and Zoning may, at its discretion, defer the submittal of the Onsite Wastewater Treatment System report to a subsequent process if it is determined that the information required for the subsequent process has sufficient requirements to ensure proper design of the system. (orig. 4-30-13)
- c. Planning and Zoning may at its discretion, determine that the Onsite Wastewater Treatment System report is not required for one or more of the following reasons: (orig. 4-30-13)
 - (1) The development consists of proposed residential lots that will meet the minimum lot size requirements for an Onsite Wastewater Treatment System that have been established by Public Health. (orig. 4-30-13)
 - (2) The development consists of proposed residential lots that have received an Onsite Wastewater Treatment System permit and the system has been determined to be functioning properly. (orig. 4-30-13)

3. Approval

The Onsite Wastewater Report shall be approved by Public Health. (orig. 4-4-06; am. 12-21-10)

Section 23 – Utilities

A. Standards

1. Utilities
 - a. Electric and communication service shall be provided to all lots and tracts. (reloc. 7-12-05)
 - b. Street lighting shall be provided at street intersections with any arterial. (reloc. 7-12-05)
 - c. Utilities shall be located underground in the plains area. In the mountains area, utilities shall be located underground unless otherwise approved by the serving entity. (reloc. 7-12-05)
 - d. All subdivision proposals shall have public utilities and facilities located and constructed to minimize flood damage. (reloc. 7-12-05)
2. Utility Easements
 - a. Utility easements in the plains area shall be provided along all lot and tract lines in accordance with the serving entity or applicable authority and the following minimum standards. No blanket utility easements shall be allowed. (reloc. 7-12-05)
 - b. A 16-foot easement along rear lot lines, eight (8) feet each on abutting lots. (am. 7-12-05)
 - c. A 10-foot easement along rear lot lines on lots adjoining unsubdivided land and nonresidential areas. (reloc. 7-12-05)
 - d. A 10-foot easement along side lot lines, five (5) feet each on abutting lots where required. (am. 7-12-05)
 - e. A 10-foot easement along side lot lines on lots adjoining unsubdivided land and where required along nonresidential areas and streets/roads. (reloc. 7-12-05)
 - f. A 6-foot easement along front lot lines where required. (reloc. 7-12-05)
3. Compaction within Utility Trenches:
 - a. Pipe zone bedding 18 inches under and 12 inches over pipe shall require 90 percent S.P.D. or 70 percent relative. (reloc. 7-12-05)
 - b. Trench zone above bedding materials, full trench section in street/road or Street R.O.W. limits shall require 95 percent S.P.D. (reloc. 7-12-05)
 - c. Trench zone above bedding materials, outside of Street R.O.W., shall require 90 percent S.P.D. (reloc. 7-12-05)

B. Utility Report

1. Preparation
 - a. The Utility Report(s) shall be prepared by the developer or his agent. (am. 7-21-05)
2. Content

The Utility Report shall include, but not be limited to the following: (am. 7-12-05; am. 4-4-06)

 - a. The availability of and provision for electric, gas, lighting, communication and cable television services. (reloc. 7-12-05)

- b. The utility requirements, as specified by the Official Development Plan, if applicable. (reloc. 7-12-05)

3. Approval

When such plans are not prepared by the serving utility company, the plans shall be approved by Planning and Zoning prior to the development's approval. (am. 7-12-05; am. 4-4-06)

C. Utility Plan(s)

1. Preparation

- a. Utility Plan(s) shall be prepared by the serving utility company. (am. 7-12-05; am. 4-4-06)
- b. If the Utility Plan(s) is not prepared by the serving utility company, the plan(s) shall be prepared and signed by a professional engineer qualified in the field of civil engineering. (reloc. 7-12-05; am. 4-4-06)

2. Content

If the Utility Plan is not prepared by the serving utility company, it shall include, but not be limited to, the following:

- a. Designs, standards, and specifications for utility appurtenances and installation as proposed by the developer. (reloc. 7-12-05; am. 4-4-06)
- b. The entity/entities that will implement the plan, construct the required improvements, and be responsible for the maintenance of the improvements and appropriate easements. (reloc. 7-12-05)
- c. Bond. In those instances where an acceptable utility company obtains the permit, a Letter of Responsibility may be substituted for the bond. (reloc. 7-12-05; am. 4-4-06)

3. Approval

When such plans are not prepared by the serving utility company, the plans shall be approved by Planning and Zoning prior to the development's approval. (am. 7-12-05; am. 4-4-06)

4. Report and Plan Preparation

- a. The utility report(s) shall be prepared by the developer or his agent. (am. 7-21-05)

Section 24 - Fire Protection

A. Planning Standards

Fire protection measures, in accordance with standards, codes, and regulations adopted by serving fire districts shall be required.

1. Fire Hydrants

Fire hydrants shall be provided when a water distribution system will serve the proposed development. (reloc. 07-12-05; am. 8-14-07)

- a. The water distribution system shall be capable of delivering the serving fire district's required fire flow to the distribution system within the proposed development. (reloc. 07-12-05, am. 8-14-07)
- b. Fire hydrants shall be located at the intervals as defined in the current codes adopted by the serving fire district. (reloc. 07-12-05, am. 8-14-07)
- c. Fire hydrants shall be located in the public right-of-way or at other locations as required by the serving fire district. Fire hydrants shall have hydrant markers. Fire hydrant easements shall be provided and dedicated to the appropriate fire and/or water authority when the hydrants are not within a public or private street/road or emergency vehicle lane right-of-way. (reloc. 07-12-05, am. 8-14-07)
- d. Fire hydrants shall be accessible and clearly visible to the serving fire district apparatus from County maintained streets/roads, privately maintained streets/roads or unobstructed emergency vehicle lanes. (reloc. 07-12-05, am. 8-14-07)
- e. Fire hydrants shall be installed in accordance with the serving fire district's adopted standards. Construction of fire hydrants shall conform to adopted codes, standards and regulations. (reloc. 07-12-05, am. 8-14-07)

2. Cisterns

Fire cisterns and dry hydrant systems shall be provided in developments which are not served by hydrants unless the responsible serving fire district has approved an alternative fire protection water supply system. (reloc. 07-12-05; am. 8-14-07)

- a. Dry hydrants may be required in combination with fire cisterns or other approved fire protection water supply systems. (reloc. 07-12-05; reloc. 8-14-07)
- b. Fire cistern and/or dry hydrant systems easements shall be provided and dedicated to the serving fire district to afford accessibility of the cistern from a public or private street/road. Easements shall be of sufficient size to facilitate maintenance. (reloc. 07-12-05; am. 8-14-07)
- c. Construction of fire cisterns shall be in accordance with the serving fire districts' approved plans. (reloc. 07-12-05, am. 8-14-07)

3. Access

- a. All emergency vehicle lanes shall be designed and constructed according to the Circulation Section of the Jefferson County Land Development Regulation, the Jefferson County Transportation Design and Construction Manual and the serving fire districts' adopted codes. (am. 07-12-05, am. 8-14-07; am. 11-24-15)
- b. All streets/roads, including emergency vehicle lanes, shall be designed to maintain a minimum unobstructed clearance of 3 feet around fire hydrants and dry hydrants. (reloc. 07-12-05, reloc. 8-14-07)

B. Fire Protection Will Serve Letter

Content

A will serve letter from the serving fire district indicating that the fire district will provide fire protection services for the proposed development is required. (am. 07-12-05, am. 8-14-07)

C. Fire Protection Construction Plan(s)

1. Preparation

The Fire Protection Construction Plan(s) shall be prepared and signed by a professional engineer, licensed in the State of Colorado and qualified in the field of civil engineering or fire protection engineering. (reloc. 07-12-05, am. 8-14-07)

2. Content

The Fire Protection Construction Plan(s) shall include, if applicable, but not be limited to, the following: (am. 07-12-05, am. 8-14-07)

a. Fire Hydrants (reloc. 07-12-05, reloc. 8-14-07)

- (1) Detailed water system design and specifications. (reloc. 07-12-05, reloc. 8-14-07)
- (2) Detailed descriptions of the water system construction standards. (reloc. 07-12-05, reloc. 8-14-07)
- (3) Locations and fire flows of hydrants. (reloc. 07-12-05, reloc. 8-14-07)

b. Fire Cisterns and/or Dry Hydrants (reloc. 07-12-05, reloc. 8-14-07)

- (1) Detailed design and specifications. (reloc. 07-12-05, reloc. 8-14-07)
- (2) Detailed descriptions of the construction standards. (reloc. 07-12-05, reloc. 8-14-07)
- (3) Locations and capacities of the cisterns and/or dry hydrants. (reloc. 07-12-05, reloc. 8-14-07)

3. Approval

a. Where the development is located within the boundaries of a serving fire district, the serving fire district and Jefferson County shall approve:

- (1) Construction Plans of the locations of hydrants, cisterns and dry hydrants;
- (2) the design and specifications of the hydrants, cisterns and dry hydrants;
- (3) the fire flow of hydrants and capacity of cisterns; and
- (4) access. (am. 8-14-07)

b. The Water District, where applicable, shall approve the designs and specifications of the Water Supply System to the hydrants. (reloc. 07-12-05, reloc. 8-14-07)

D. Forest Management Plan(s)

1. Preparation

A Forest Management Plan(s), if recommended by the Colorado State Forest Service, shall be prepared by a graduate forester with a minimum of two (2) years of wildfire fighting experience in the Rocky Mountain Area. (reloc. 07-12-05, am. 8-14-07)

2. Contents

A Forest Management Plan(s) shall conform to the criteria for this type of plan as described in the current Colorado Landowner Forest Stewardship Plan Development Guidelines of the Colorado State Forest Service and shall include the following: (am. 07-12-05, am. 8-14-07)

- a. A statement of objectives. (reloc. 07-12-05, reloc. 8-14-07)
 - b. A general property analysis addressing soil types, topographic and biologic features, and wildfire evaluation. (reloc. 07-12-05, reloc. 8-14-07)
 - c. A forest inventory and analysis which identifies and assesses the major timber stands according to the criteria utilized by the current Colorado Landowner Forest Stewardship Plan Development Guidelines of the Colorado State Forest Service. (reloc. 07-12-05, reloc. 8-14-07)
 - d. A schedule of general implementation activities, including wildfire mitigation actions. (reloc. 07-12-05, reloc. 8-14-07)
3. Approval
The Forest Management Plan(s) shall be reviewed by the Colorado State Forest Service. The plan shall incorporate all comments as given by the Colorado State Forest Service. (reloc. 07-12-05, am. 8-14-07)

Section 25 - Geologic and Geotechnical

A. Standards

The following standards were adopted to protect lots, tracts and structures from geologic hazards, including, but not limited to, Dipping Bedrock, Rockfall, Potentially Unstable Slopes, Swelling Soils, and Subsidence. (orig. 10-25-05)

1. Buildable areas within lots, tracts, and areas designated for streets/roads and drainage improvements shall be: (am. 10-25-05)
 - a. Reasonably free from geologic hazards or adequately mitigated from geologic hazards. (orig. 10-25-05)
 - b. Free of adverse soil conditions, constructed away from adverse soil conditions, or constructed in areas where adverse soil conditions have been abated. (orig. 10-25-05)
2. All areas which fall within the Dipping Bedrock Overlay District shall be subject to the restrictions in the Dipping Bedrock Overlay District of the Jefferson County Zoning Resolution. (am. 10-25-05)

B. Geologic Report

1. Preparation
 - a. The Geologic Report shall be prepared and signed by a qualified professional geologist (as defined in 34-1-201 C.R.S, as amended) and shall be in substantial conformance with the content requirements of this section. If the development in the Dipping Bedrock Overlay District, the geologist shall have extensive first hand knowledge of and experience with the geology of eastern Jefferson County. (reloc. 7-12-05; am. 10-25-05)
 - b. The Geologic Report and the Geotechnical Report may be combined in a single report, or may be two separate Reports. (orig. 10-25-05)
2. Content
 - a. Bedrock Geology
 - (1) Rock types present, including formation names and ages, if possible. (reloc. 7-12-05)
 - (2) Bedrock characteristics including, but not limited to the following: (reloc. 7-12-05)
 - (a) Degree of weathering, including depth of weathering, presence of expansive claystones. (reloc. 7-12-05)
 - (b) Erodibility, including the range of normal angles of slopes. (reloc. 7-12-05)
 - (c) Aquifer characteristics, including moisture content and permeability. (reloc. 7-12-05)
 - (d) Shrink-swell potential, potential differential heave and range of swelling pressures. (reloc. 7-12-05)
 - (e) Potential response to seismic activity. (reloc. 7-12-05)
 - (f) Radioactivity (naturally occurring and man-made). (reloc. 7-12-05)

- (g) Slope stability in natural and excavated states, including mudflows, rockfall, creep, subsidence, settlement and slumping. (reloc. 7-12-05)
 - (h) Strike and dip of bedding planes, foliation, joints and faults and the frequency and distribution of any such features. (reloc. 7-12-05)
 - (i) Well and Individual Sewage Disposal System suitability. (reloc. 7-12-05; am. 10-25-05)
 - (j) Detailed description of the bedrock surface topography. (reloc. 7-12-05)
- (3) The following items may be required if any portion of the proposed development is located in the Dipping Bedrock Overlay District, and the plans do not conform to the provisions of the Dipping Bedrock Section of the Jefferson County Zoning Resolution: (am. 7-12-05; am. 10-25-05)
- (a) Trenching or other test methods to determine attitudes of bedding planes, depth to bedrock, detailed bedrock stratigraphy and to determine the interface between weathered claystone and clay. Where claystone or weathered claystone is present, the evaluation shall include a detailed description of discrete or zones of highly expansive claystone and/or bentonite beds and a detailed description of filled or open fractures. (reloc. 7-12-05)
 - (b) Cross-sections, which show subsurface bedrock relationships including depth to bedrock, dip of beds and detailed stratigraphy of the bedrock may be required. Frequency and distribution of joints and faults should be noted on the cross-sections using drawings or written descriptions. (reloc. 7-12-05)
- b. Surficial Geology
- (1) Location and description of all surficial materials present, including artificial fill, utilizing unit names and ages, if possible. (reloc. 7-12-05)
 - (2) A discussion of the thickness and distribution of surficial materials. (reloc. 7-12-05)
 - (3) Surficial material characteristics including, but not limited to the following: (reloc. 7-12-05)
 - (a) Erodibility. (reloc. 7-12-05)
 - (b) Degree of weathering, including types of clay minerals. (reloc. 7-12-05)
 - (c) Aquifer characteristics, including permeability and soil moisture. (reloc. 7-12-05)
 - (d) Shrink-swell potential and the potential for differential heave. (reloc. 7-12-05)
 - (e) Potential response to all seismic activity. (reloc. 7-12-05)
 - (f) Radioactivity (naturally occurring and man-made). (reloc. 7-12-05)
 - (g) Slope stability in natural and excavated states, including mudflows, rockfall, creep, subsidence, settlement and slumping. (reloc. 7-12-05)
 - (h) Well and Individual Sewage Disposal System suitability. (reloc. 7-12-05; am. 10-25-05)
 - (i) Discussion and evaluation of the suitability of structure foundations. (reloc. 7-12-05)

- (j) If any portion of the proposed development is within the Dipping Bedrock Overlay District, a description and map of the general condition and performance of existing roads and structures. Descriptions shall include degree of driveway, flatwork and road damage and/or repair, and any other evidence of ground deformation or movement such as linear heave trends. Areas of investigation shall include the site plus an outlying adjoining area of at least 1/2-mile from the site boundaries in the direction of regional strike and perpendicular to the strike. The map of the area outside the proposed development may be a separate map at a scale of one (1) inch equals 1,000 feet. (reloc. 7-12-05; am. 10-25-05)
 - (4) A description of the surficial geomorphology. (reloc. 7-12-05)
 - (5) Cross-sections which show bedrock/surficial material relationships may be required in order to illustrate the depth to bedrock and any structural features such as faulting. (reloc. 7-12-05)
- c. Hydrology
- (1) Depth to groundwater, utilizing isopach map. (reloc. 7-12-05)
 - (2) Perched water tables, including existing conditions and potential post-development perched water table conditions. (reloc. 7-12-05)
 - (3) Expected seasonal variations in groundwater. (reloc. 7-12-05)
 - (4) A description of the possible effects of surface water on structure performance, including the potential for erosion and flooding. (reloc. 7-12-05)
- d. Mineral Resources
- (1) Amount and quality of any mineral resources, including, but not limited to sand and gravel, quarry aggregate, coal, limestone, mineral fuels (e.g., oil, gas, uranium), metallic resources (e.g., gold, copper), and nonmetallic resources (e.g., clay). (reloc. 7-12-05)
 - (2) Existing mining site or prospects. (reloc. 7-12-05)
- e. Geologic Map
- (1) Preparation
 - The Geologic Map shall be legible at a suitable scale not greater than 1:24,000.(reloc. 7-12-05; am. 10-25-05)
 - (2) Content
 - (a) The boundaries of the proposed developmentl, including lots, tracts and street/road alignments or the area to be rezoned. (reloc. 7-12-05; am. 10-25-05)
 - (b) The natural and proposed final topography as shown by contour lines. (reloc. 7-12-05)
 - (c) Location of borings, pits, trenches, seismic traverses, etc. (reloc. 7-12-05)
 - (d) Bedrock geology conditions, including the following where applicable: (am. 7-12-05; am. 10-25-05)
 - (d-1)Test holes, trenches or test pits used in the investigation. (am. 7-12-05; am. 10-25-05)

(d-2) Sites of special geologic interest (e.g., fossil beds or unusual mineral formations). (reloc. 7-12-05)

(d-3) Geologic Hazard Overlay Zone. (reloc. 7-12-05)

(e) Surficial geology conditions. (am. 7-12-05; am. 10-25-05)

(f) Groundwater hydrology conditions. (am. 7-12-05)

(g) Mineral resource conditions. (am. 7-12-05; am. 10-25-05)

(h) Formation contacts. (reloc. 7-12-05; am. 10-25-05)

(i) Outcrops. (reloc. 7-12-05)

(j) Isopach map showing the thickness and distribution of surficial materials (unconsolidated natural soils and artificial fill). (reloc. 7-12-05)

(k) An elevation contour map of the top of the bedrock surface for areas of the proposed development which fall within the Dipping Bedrock Overlay District. For areas which contain claystone, the top of the weathered claystone shall be considered as the top of the bedrock. (reloc. 7-12-05; am. 10-25-05)

f. The date of all fieldwork performed and a list of references and other supportive data used. (orig. 10-25-05)

3. Approval

The Geologic Report shall be approved by the County Engineering Geologist prior to the proposed development's approval. (orig. 10-25-05)

C. Geologic Plans

1. Preparation

a. The Geologic Plan(s) (excluding plans for engineered structures) shall be prepared and signed by a qualified professional geologist (as defined in 34-1-201 C.R.S, as amended). If the proposed development is in the Dipping Bedrock Overlay District, the geologist shall have extensive first hand knowledge of and experience with the geology of eastern Jefferson County. (reloc. 7-12-05; am. 10-25-05)

b. Plans for engineered structures shall be prepared and signed by a professional engineer, registered in the State of Colorado, and qualified in the field of civil engineering. (reloc. 7-12-05)

c. Geologic Plan(s) shall assure that geologic factors affecting the planning, design, construction, operation, and maintenance of engineered structures are recognized, adequately interpreted, and presented for use in engineering practice. (am. 7-12-05; am. 10-25-05)

2. Content

a. The geologic processes, constraints, and hazards which will or could affect proposed structures or the intended uses of the site. Recommendations for additional site exploration, testing, development which are necessary to assure adequate performance of mitigation methods. (reloc. 7-12-05)

b. Methods to mitigate adverse geologic conditions on proposed structures. (reloc. 7-12-05)

- c. Mineral resource recovery, if applicable, in accordance with the Jefferson County Mineral Extraction Policy Plan. (reloc. 7-12-05)
 - d. The entity/entities that will implement the mitigation recommendations, construct required improvements, and be responsible for the maintenance of the improvements and appropriate easements, if any. (reloc. 7-12-05)
3. Approval
- a. The Geologic Plans shall be approved by County Engineering Geologist prior to the proposed development's approval. (reloc. 7-12-05; am. 10-25-05)
 - b. Plans for engineered structures shall be approved by Planning and Zoning prior to the proposed development's approval. (reloc. 7-12-05; am. 10-25-05)

D. Geotechnical Report

1. Preparation
- a. Any Geotechnical Report shall be prepared and signed by a qualified professional engineer, registered in the State of Colorado and qualified in the field of geotechnical engineering and shall be in substantial conformance with the content requirements of this section. (orig. 10-25-05)
 - b. The Geologic and Geotechnical Reports may be combined in a single report, or may be two separate Reports. (orig. 10-25-05)
2. Content
- a. Geotechnical Investigation Standards
 - (1) All sites shall be investigated to evaluate the potential impacts of adverse soil and bedrock conditions on proposed structures, pavements, drainage structures, and utilities. The objectives of this investigation shall be to establish the depth to bedrock across the site with respect to the proposed final grades and foundation elevations of proposed structures and to develop recommendations to mitigate the impacts of adverse soils and bedrock conditions and/or the impacts of steeply dipping bedrock on the proposed development. (reloc. 7-12-05; am. 10-25-05)
 - (2) Dipping Bedrock Overlay District
 - (a) At least one (1) exploratory boring shall be drilled every 250,000 square feet to a minimum depth of 35 feet, or to 25 feet provided bedrock is found. A minimum of 4 borings shall be drilled. (reloc. 7-12-05)
 - (b) If bedrock is not found within 15 feet of anticipated foundation levels (after site grading), the site or portions of the site may be exempted from further requirements for special investigation requirements, such as increased testing upon approval by the Engineering Geologist. In order to qualify for this exemption, the geotechnical engineer shall submit findings to the Engineering Geologist in a letter requesting exemption. The letter shall include a plan showing existing site topography and location of borings, and graphical logs of the borings. If grading plans are available, they shall also be provided. The anticipated cut/fill shall be indicated on the boring logs. The Engineering Geologist shall respond to this request in writing within 14 calendar days. If grading plans are not provided, exemption granted for all or a portion of a site will be subject to review upon review of grading plans by the Engineering Geologist. The Engineering Geologist may refer an exemption request to the Colorado Geological Survey for review and comment. (reloc. 7-12-05; am. 10-25-05)

- (3) All Other Areas in the Plains: At least one (1) exploratory boring shall be drilled every 250,000 square feet to a minimum depth of 25 feet. A minimum of 4 borings shall be drilled. (reloc. 7-12-05)
- (4) On comparatively small sites (less than 5 acres) a minimum of 4 borings is required. Boring locations and elevations shall be accurately located and shown on the soils and bedrock map. All borings shall be sampled at approximately 5-foot intervals using a modified California sampler (nominal 2 inch inside diameter) or similar device to obtain relatively undisturbed samples. The minimum depth of all boring shall be 25 feet unless drilling refusal in bedrock is encountered. If deep cuts (in excess of 15 feet) are anticipated during site grading, the borings in cut areas shall extend at least 25 feet below the anticipated cut. The depth of free groundwater shall be measured in each boring at the time of drilling and at least 48 hours after drilling. If rain or snow melt occurs between time of drilling and subsequent measurements, these occurrences shall be noted. (reloc. 7-12-05)
- (5) Laboratory testing of soil and bedrock shall be conducted to verify field classifications and provide indications of soil and bedrock material properties. Tests shall include the following: (reloc. 7-12-05)
 - (a) Moisture content and a dry density profile for all intervals sampled on at least four borings. (reloc. 7-12-05)
 - (b) Atterberg Limits and percent passing the No. 200 sieve on representative samples of each clay or claystone strata. (reloc. 7-12-05)
 - (c) Percent passing the No. 200 sieve from representative samples of each sand or sandstone strata. (reloc. 7-12-05)
 - (d) One dimensional swell-consolidation tests and/or soil suction tests on representative samples of each clay or claystone strata. Swell tests may be performed using a surcharge of 500 psf, 1000 psf, or the anticipated overburden pressure after site grading. Swell tests are not required for non-expansive strata provided other laboratory tests are performed to confirm classification. (reloc. 7-12-05)
- (6) For sites where sub-excavation of bedrock and construction of fill is planned, bulk samples of the cut materials shall be obtained, preferably from exploratory test pits excavated with a backhoe. Standard Proctor tests (ASTM D698) shall be performed on each of the materials. Atterberg Limits and percent passing the No. 200 sieve tests shall be performed for each sample. The proposed fill materials shall be tested for swell using samples compacted to 95 to 98 percent of maximum dry density as determined using ASTM D698 at molding moisture contents of approximately 2 percent below optimum moisture, optimum moisture, 2 percent above optimum moisture, and 4 percent above optimum moisture. These tests shall be performed using a surcharge of 500 psf or 1000 psf. The remolded swell moisture and density data points shall be indicated on the corresponding Proctor Curve. (reloc. 7-12-05)
- (7) Required test frequency per type of material sample is set forth in the following table: (reloc. 7-12-05)

REQUIRED TEST FREQUENCY PER TYPE OF MATERIAL SAMPLED						
Unified Soil Classification or Equivalent Soil Classification	Moisture Content ASTM D2216-80	Dry Density	Atterberg Limits ASTM D424-59 D423-66	Passing #200 Sieve ASTM D1140-54	Hydrometer	One Dimensional Swell/Consolidation or Soil Suction
Sand, clean to silty (SM, SW & SP)	X			X		
Sand, clayey (SC)	X	X	X	X		X
Clay (ML, CL, MH, & CH), Weathered Claystone	X	X	X	X	X	X
Sandstone, clean to silty (SM, SW & SP)	X	(where possible)		X		
Sandstone, clayey (SC)	X	X	X	X		
Claystone (ML, CL, MH, & CH)	X	X	X	X	X	X
Dipping Bedrock Overlay District - A minimum of 2 test series per strata sampled for every 4 borings, except for hydrometer tests which are required at a minimum rate of one (1) test per strata sampled for every 4 borings. All Other Areas In the Plains - A minimum of one (1) test series per strata sampled for every four (4) borings and hydrometer tests are not required. However, in areas of highly expansive clays, additional testing may be required.						

b. Geotechnical Investigation Findings

- (1) A description of the site including existing vegetation, evidence of previous construction, nearby water sources, and the slope of the existing site. (reloc. 7-12-05)
- (2) A description of the proposed construction, including site grading, anticipated maximum cut and fill depths, the types of structures planned, and any anticipated sources of water such as detention or retention ponds, lakes and water features. (reloc. 7-12-05)
- (3) Results of field and laboratory investigations and tests. (reloc. 7-12-05; am. 10-25-05)
- (4) Graphical logs of the exploratory borings. All measurements of moisture content, dry density, Atterberg Limits, percent passing the No. 200 sieve, and measured percent swell of relatively undisturbed samples shall be summarized on the graphical logs. Boring logs shall indicate existing surface elevations, proposed surface elevations, foundation limits and bearing elevation limits of over-excavation if applicable. (reloc. 7-12-05; am. 10-25-05)
- (5) Results of laboratory tests in graphic or tabular form. (reloc. 7-12-05)
- (6) If applicable, discussion of dipping bedrock on the proposed development and the methods recommended to mitigate these impacts. If sub-excavation of bedrock and replacement by compacted fill is recommended, the recommended compaction and moisture contents for the fill shall be in accordance with the Compaction procedures in Excavation and Grading Section. (am. 7-12-05)

c. Geotechnical Map

(1) Preparation

The Geotechnical Map shall be a legible map of the area of investigation, at a suitable scale not greater than 1:24,000. (orig. 10-25-05)

(2) Content

(a) The proposed development's boundary, including lots, tracts, and street/road alignments. (reloc. 7-12-05; am. 10-25-05)

(b) The existing site topography based upon a topographic survey performed by a professional land surveyor. (am. 7-12-05; am. 10-25-05)

(c) The surface elevation of the bedrock beneath the site in the form of a contour map if not already included in the geologic reports. (am. 7-12-05; am. 10-25-05)

(d) Delineation and designation of soil types present. (reloc. 7-12-05)

(e) Natural and artificial soil hazard areas. (reloc. 7-12-05)

d. The date of all fieldwork was performed and a list of references and other supportive data used. (orig. 10-25-05)

3. Approval

The Geotechnical Report shall be approved by the County Engineering Geologist prior to the proposed development's approval. (orig. 10-25-05)

E. Geotechnical Plans

1. Preparation

a. The Geotechnical Plans shall be prepared and signed by a qualified professional engineer, registered in the State of Colorado, and qualified in the field of geotechnical engineering. (reloc. 7-12-05; am. 10-25-05)

b. Plans for engineered structures shall be prepared and signed by a professional engineer, registered in the State of Colorado, and qualified in the field of civil engineering. (reloc. 7-12-05)

c. Plans shall assure that soil and bedrock factors affecting the planning, design, construction, operation, and maintenance are recognized, adequately interpreted, and presented for use in engineering practice. (am. 7-12-05; am. 10-25-05)

2. Content

a. Alternative and solutions to abate and/or minimize the adverse soil and bedrock conditions on structures. (reloc. 7-12-05)

b. The entity/entities that will implement the plan, construct required improvements, and be responsible for the maintenance of the improvements and appropriate easements, if any. (reloc. 7-12-05)

3. Approvals

The Geotechnical Plan(s) shall be approved by the County Engineering Geologist prior to the proposed development's approval. (reloc. 7-12-05; am. 10-25-05)

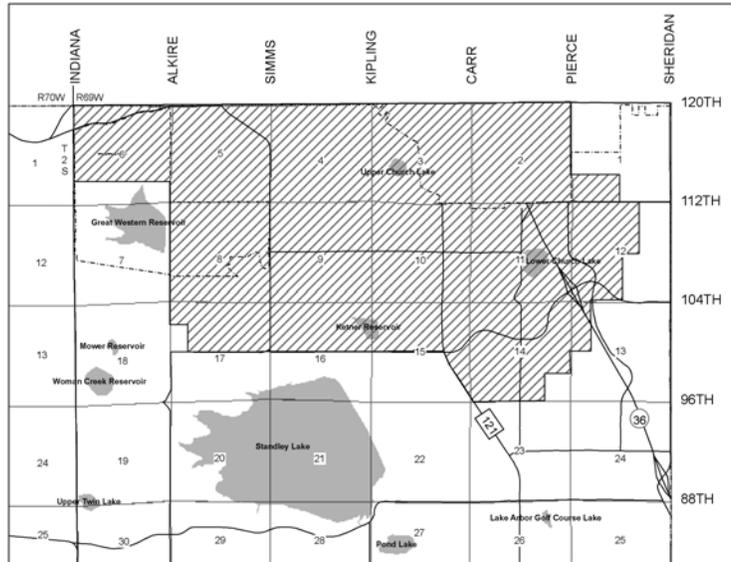
Section 26 - Sensory Impact

A. Standards

1. Proposed developments shall not create Sensory Impacts, including noise, odor, and visual impacts. (orig. 4-4-06)
2. Proposed development shall be designed to prevent sensory impacts on future occupants. Buildable areas shall be oriented away or buffered from the impacts of conflicting land uses, including its lighting, odors, visual impacts, and noise. (orig. 4-4-06)
3. Odor: Proposed developments shall meet the standards set forth in "Colorado Air Quality Control Regulations and Ambient Air Quality Standards." (reloc. 7-12-05; am. 4-4-06)
4. Noise
 - a. Noise generated from the proposed development shall not exceed the dBA levels set forth in 25-12-103, C.R.S. or as may be amended from time to time. The dBA levels are depicted in the dBA Table: (reloc. 7-12-05; am. 4-4-06)

dBA TABLE					
TIME	7 a.m. to 7 p.m.	7 a.m. to 7 p.m.	7 a.m. to 7 p.m.	7 p.m. to 7 a.m.	7 p.m. to 7 a.m.
FREQUENCY	L ₂₅	L ₀	Periodic/ Impulsive	L ₀	Periodic/ Impulsive
Park/School, Residential	55	65	50	50	45
Commercial	60	70	55	55	50
Light Industrial	70	80	65	65	60
Industrial	80	90	75	75	70

- b. Noise projected from existing roadways and uses onto proposed park, school, or residential developments shall not exceed the dBA levels as shown in the dBA Table. If noise levels exceed the dBA levels set forth in the dBA Table, mitigation that reduces levels to or below the required dBA shall be provided. (orig. 4-4-06)
- c. Avigation easements within the Airport Influence Area, as delineated by diagonal hatching on the following Map, shall be provided. (reloc. 7-12-05; am. 4-4-06)



B. Sensory Impact Assessment

1. Preparation

The Sensory Impact Assessment shall be prepared and signed by a qualified professional planner, certified industrial hygienist, or landscape architect or engineer, registered in the State of Colorado. (orig. 4-4-06)

2. Content

a. Identification of all existing and or projected Sensory Impacts. (orig. 4-4-06)

3. Approval

a. The Sensory Impact Assessment shall be verified by Planning and Zoning and Public Health. (orig. 4-4-06; am. 12-21-10)

b. If the Sensory Impact Assessment yields evidence of adverse Sensory Impacts, a Sensory Impact Report shall be required. (orig. 4-4-06)

C. Sensory Impact Report

1. Preparation

The Sensory Impact Report shall be prepared and signed by a certified industrial hygienist or acoustical engineer registered in the State of Colorado. (orig. 4-4-06)

2. Content

a. A study of all existing and/or projected Sensory Impacts, including levels, occurrences, and frequencies. (reloc. 7-12-05; am. 4-4-06)

b. A Sensory Impact Map showing:

(1) The proposed development including lots, tracts, and street/road alignments. (reloc. 7-12-05; am. 4-4-06)

(2) The natural topography as shown by contour lines. (reloc. 7-12-05; am. 4-4-06)

- (3) The location of all emission sources.(reloc. 7-12-05; am. 4-4-06)
- (4) The distance between emission sources and the receiver. (reloc. 7-12-05; am. 4-4-06)
- (5) Intervening structures, vegetation and terrain that affect the relationship between emission sources and the receiver. (reloc. 7-12-05; am. 4-4-06)

3. Approval

- a. The Sensory Impact Report shall be verified by Planning and Zoning and Public Health. (orig. 4-4-06; am. 12-21-10)
- b. If the Sensory Impact Report yields evidence of adverse Sensory Impacts, a Sensory Impact Plan shall be required. (orig. 4-4-06)

D. Sensory Impact Plan(s)

1. Preparation

- a. The Sensory Impact Plan(s) (excluding plans for engineered structures) shall be prepared and signed by a qualified certified industrial hygienist or acoustical engineer registered in the State of Colorado. (reloc. 7-12-05; am. 4-4-06)
- b. Plans for engineered structures shall be prepared and signed by a professional engineer, registered in the State of Colorado and qualified in the field of civil engineering. (reloc. 7-12-05)
- c. Sensory Impact Plans shall assure that sensory impact factors affecting the planning, design and construction of the proposed development or being emitted from the proposed development are recognized and mitigated. (am. 7-12-05; am. 4-4-06)

2. Content

- a. Solutions and alternatives to abate, minimize, and/or improve the emission levels including, if applicable, but not limited to the following: (reloc. 7-12-05)
 - (1) Aesthetically designed barriers including earth berms, walls, fences, and dense vegetation that will withstand climatic conditions and not create unsafe traffic conditions located between the emission source and the receiver. (reloc. 7-12-05)
 - (2) Open space, such as parks and greenbelts, located between the emission source and the receiver. (reloc. 7-12-05)
 - (3) Architectural design and/or construction techniques. (reloc. 7-12-05)
- b. Evidence that the identified solutions and alternatives will abate the impacts. (orig. 4-4-06)
- c. The entity/entities that will implement the plan, construct required improvements and be responsible for the maintenance of the improvements and appropriate easements, if any. (reloc. 7-12-05)
- d. Avigation easement if required. (orig. 4-4-06)

3. Approvals

The Sensory Impact Plans shall be verified by Planning and Zoning and Public Health prior to the development's approval. (am. 7-12-05; am. 4-4-06; am. 12-21-10)

Section 27 – Radiation

A. Standards

1. The proposed development shall evaluate and mitigate naturally occurring and man-made radiation hazards through the following: (reloc. 7-12-05; am. 4-4-06, am. 12-13-16)
 - a. A radon mitigation system shall be required for new residential construction in accordance with the International Residential Code to address the health hazard associated with radiation from radon gas. (orig. 12-13-16)
 - b. During the evaluation of the Environmental Questionnaire/Assessment, if radiation not associated with radon gas is identified as a potential hazard, a Radiation Assessment will be required. (orig. 12-13-16)

B. Radiation Assessment

1. Preparation

The Radiation Assessment shall be prepared and signed by a professional engineer, registered in the State of Colorado. (orig. 4-4-06)
2. Content

Identification of all existing and potential radiation hazards, such as radon, uranium mill tailings, nuclear reactors, processing, handling or disposal and/or deposition of radioactive materials. (orig. 4-4-06, am. 12-13-16)
3. Approval
 - a. The Radiation Assessment shall be verified by Public Health in conjunction with the Colorado Department of Public Health and Environment. (orig. 4-4-06; am. 12-21-10)
 - b. If the Radiation Assessment yields evidence of radiation hazards, a Radiation Report shall be required. (orig. 4-4-06)

C. Radiation Report

1. Preparation

The Radiation Report shall be prepared and signed by a professional engineer, registered in the State of Colorado and qualified in the field of nuclear engineering or health physics. (orig. 4-4-06)
2. Content
 - a. Land use histories of the proposed development shall include, if applicable, but not be limited to, the following: (reloc. 7-12-05; am. 4-4-06)
 - (1) Areas of virgin or undisturbed ground. (reloc. 7-12-05)
 - (2) Areas that have had, but not limited to, the following type disturbances (specify depth). (reloc. 7-12-05)
 - (a) Specific dates of any on-site excavations. (reloc. 7-12-05)
 - (b) Routine (yearly) excavation which includes, but is not limited to, contour or strip plowing. (reloc. 7-12-05)
 - b. Areas of concern shall include, if applicable, but not be limited to the following: (reloc. 7-12-05)
 - (1) General areas of natural deposits of uranium and/or thorium identified by the U.S. Geological Survey as possessing significant quantities and concentrations or as otherwise identified. (reloc. 7-12-05)
 - (2) General areas surrounding nuclear production and/or utilization facilities, as defined by the U.S. Nuclear Regulatory Commission regulations. (reloc. 7-12-05)

- c. The method of taking representative samples shall be in accordance with the following: (reloc. 7-12-05)
 - (1) Detailed description of sample acquisition and its justification in relation to hazard analysis. (reloc. 7-12-05)
 - (2) Depth of sample of the disturbed/undisturbed soil situation. (reloc. 7-12-05)
 - (3) Involved surface area of individual sample. (reloc. 7-12-05)
 - (4) The number of samples taken per unit of land area indicating how different land forms and/or water bodies and/or streams affected the number of samples taken. (reloc. 7-12-05)
 - d. The method of analysis of samples shall be in accordance with the following: (reloc. 7-12-05)
 - (1) Describe the method in detail, or if by documented procedure, reference the procedure and qualify any changes in that referenced procedure. (reloc. 7-12-05)
 - (2) Quality control procedures for the analytical procedure employed. (reloc. 7-12-05)
 - (a) Number of analyses per sample (replicates). (reloc. 7-12-05)
 - (b) Participation of currently available federal government inter-laboratory crosscheck programs. (reloc. 7-12-05)
 - (c) Standards used must be traceable to the National Bureau of Standards. (reloc. 7-12-05)
 - e. Evaluation of the analysis shall include, but not be limited to the following: (reloc. 7-12-05)
 - (1) Methods of "averaging" and handling anomalous data. (reloc. 7-12-05)
 - (2) Criteria or guidelines used in the hazard evaluation. (reloc. 7-12-05)
 - (3) All assumptions used and their use qualified. (reloc. 7-12-05)
 - f. The date the fieldwork was performed, and a list of references and other supportive data used. (reloc. 7-12-05; am. 4-4-06)
 - g. Radiation Area Map showing
 - (1) The proposed development including lots, tracts, and street/road alignments. (reloc. 7-12-05; am. 4-4-06)
 - (2) The natural topography as shown by contour lines. (reloc. 7-12-05)
 - (3) Radioactive conditions. (reloc. 7-12-05; am. 4-4-06)
3. Approval
- a. The Radiation Report shall be approved by Public Health in conjunction with the Colorado Department of Public Health and Environment. (orig. 4-4-06; am. 12-21-10)
 - b. If the Radiation Report yields evidence of radiation hazards, a Radiation Plan shall be required. (orig. 4-4-06)

D. Radiation Plan(s)

- 1. Preparation
 - a. Radiation Plan(s) shall be prepared and signed by a professional engineer, registered in the State of Colorado and qualified in the field of nuclear engineering or health physics. (reloc. 7-12-05; am. 4-4-06)
 - b. The Radiation Plans shall assure that radiation factors are recognized and mitigated. (am. 7-12-05; am. 4-4-06)
- 2. Content
 - a. The radioactive processes, constraints and hazards which will or could affect the proposed development. (reloc. 7-12-05; am. 4-4-06)

- b. The results of the final evaluation of the analysis shown by a table and map identifying specific sampling sites, land use histories and areas of concern. (reloc. 7-12-05)
- c. Alternatives, solutions and methods for abatement and/or control of the radiation hazard. (reloc. 7-12-05)
- d. The entity/entities that will implement the Radiation Plan, construct required improvements and be responsible for the maintenance of the improvements and appropriate easements, if any. (reloc. 7-12-05; am. 4-4-06)

3. Approvals

The Radiation Plans shall be approved by Public Health in conjunction with the Colorado Department of Public Health and Environment prior to the proposed development's approval. (reloc. 7-12-05; am. 4-4-06; am. 12-21-10)

Section 28 – Wildlife, Vegetation And Landscaping

A. Standards

1. Wildlife habitat shall be preserved. (am. 07-12-05; am. 4-4-06)
2. Noise and light sources shall be oriented away from wildlife habitat. (am. 07-12-05; am. 4-4-06)
3. Vegetation habitat shall be preserved supplemented by landscaping to control erosion, buffer and screen adjoining land uses, enhance the appearance of the property, buffer man-made structures on the property where necessary, present a streetscape or other perimeter landscape treatment that will be compatible with the surrounding community, and protect wildlife. (am. 07-12-05; am. 4-4-06)

B. Wildlife, Vegetation And Landscaping Report

1. Preparation

The Report shall be prepared and signed by a qualified professional planner or landscape architect. (reloc. 07-12-05; am. 4-4-06)

2. Content

The Report shall include, but not be limited to, the following: (reloc. 07-12-05; am. 4-4-06)

- a. Wildlife habitat and species. (reloc. 07-12-05)
- b. Vegetative habitat and species, both existing and proposed. (reloc. 07-12-05)

Map showing:

- (1) The proposed development including lots, tracts, and street/road alignments. (reloc. 07-12-05)
- (2) Existing wildlife habitat and existing and proposed vegetation areas. (reloc. 07-12-05)

3. Approval

The Report shall be approved by the Case Manager prior to the development's approval. (orig. 4-4-06)

C. Wildlife, Vegetation, and Landscaping Plan(s)

1. Preparation

- a. The Plan(s) shall be prepared and signed by a qualified professional planner or landscape architect. (reloc. 07-12-05)
- b. The Plan(s) shall assure that wildlife and vegetation factors affecting the planning, design, and construction of the proposed development are recognized, adequately interpreted and presented for use in the development. (reloc. 07-12-05; am. 4-4-06)

2. Content

The Plan(s) shall include, but not be limited to, the following:

- a. The wildlife and vegetation habitat conditions which should be preserved or improved within the proposed development. (reloc. 07-12-05; am. 4-4-06)
- b. Solutions and alternatives to preserve and/or improve the wildlife and vegetative habitat including, if applicable, but not limited to the following: (reloc. 07-12-05)

- (1) Development or preservation of open space and wildlife runs. (reloc. 07-12-05)
 - (2) Buffering and screening of light and noise sources and orientation of such sources away from wildlife runs. (reloc. 07-12-05)
 - (3) Disposition of infected and diseased vegetation. (reloc. 07-12-05)
 - c. Location of all existing and proposed streets, drives, parking areas, walkways, plazas, buildings, and other major site elements. (reloc. 07-12-05)
 - d. The entity/entities that will implement the plan, construct required improvements and be responsible for the maintenance of the improvements and appropriate easements, if any. (reloc. 07-12-05)
3. Approval
- a. The Plan(s) shall be approved by the Case Manager. (am. 07-12-05; am. 4-4-06)

Section 29

RESERVED FOR FUTURE USE

Section 30 - Environmental Assessments

A. Standards

1. An Environmental Questionnaire and Disclosure Statement (EQDS Form 6000) shall be completed. The purpose of the EQDS is to provide Staff with information to conduct a preliminary assessment of the land interest for the likely presence of recognized environmental conditions. (orig. 10-25-05, am. 12-13-16)
2. Recognized environmental conditions are the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substance(s) of petroleum product(s) into structures on the property or into the ground, ground water, or surface water of the property. (orig. 10-25-05)
3. A Phase I, Phase II, and/or Phase III Environmental Site Assessment shall be required if recognized environmental conditions are found to be present in a street, road, lot, tract, parcel or strip of land is to be dedicated to the County. (orig. 10-25-05)

B. Environmental Questionnaire and Disclosure Statement (EQDS Form 6000)

1. Preparation
 - a. The Case Manager shall provide the Environmental Questionnaire and Disclosure Statement form to the applicant. (orig. 10-25-05)
 - b. The Environmental Questionnaire and Disclosure Statement shall be completed by the property owner(s), or officer, or general partner of the present property owner(s). (orig. 10-25-05)
2. Content

Public Health shall prepare, amend and update the Environmental Questionnaire and Disclosure Statement form as deemed necessary. (orig. 10-25-05; am. 12-21-10)
3. Approval
 - a. The contents of the Environmental Questionnaire and Disclosure Statement submitted by the applicant will be reviewed and verified by Public Health. A Site Visit may be conducted. (orig. 10-25-05; am. 12-21-10)
 - b. If the Environmental Questionnaire and Disclosure Statement yields any evidence of recognized environmental conditions, additional assessments, such as a Phase I, Phase II, and/or a Phase III Environmental Site Assessment and/or site remediation may be required. (orig. 10-25-05)

C. Phase I Environmental Site Assessment

1. Preparation

When a Phase I Environmental Site Assessment is required, it shall be prepared by a qualified environmental professional in accordance with the American Society for Testing and Materials (ASTM) E1527-00 "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process" requirements. (reloc. 07-12-05; am. 10-25-05)
2. Content

The Phase I Environmental Site Assessment shall include all (ASTM) E1527-00 requirements. (reloc. 07-12-05; am. 10-25-05)
3. Approval
 - a. The Phase I Environmental Site Assessment will be reviewed by Public Health. (orig. 10-25-05; am. 12-21-10)
 - b. If the Phase I Environmental Site Assessment yields any evidence of recognized environmental conditions, a Phase II Environmental Site Assessment may be required. (reloc. 07-12-05; am. 10-25-05)

D. Phase II Environmental Site Assessment

1. Preparation
 - a. When a Phase II Environmental Site Assessment is required, it shall be prepared by a qualified environmental professional in accordance with the American Society for Testing and Materials (ASTM) E1903-97 (re-approved 2002) "Standard Guide for Environmental Site Assessments: Phase II Environmental Site Assessment Process" requirements. (orig. 10-25-05)
 - b. The Phase II shall be sufficient to evaluate the risk of potential liability from acquisition and use of the property for the intended purpose (e.g. roads, detention ponds, parks, schools, etc.) and provide pertinent public/worker health and safety information. (reloc. 07-12-05; am. 10-25-05)
2. Content

The Phase II Environmental Site Assessment shall include all (ASTM) E1903-97 (re-approved 2002) requirements. (orig. 10-25-05)
3. Approval
 - a. The Phase II Environmental Site Assessment will be reviewed by Public Health. (reloc. 07-12-05; am. 10-25-05; am. 12-21-10)
 - b. If the Phase II Environmental Site Assessment yields any evidence of recognized environmental conditions, a Phase III Environmental Site Assessment may be required. (reloc. 07-12-05; am. 10-25-05)

E. Phase III Environmental Site Assessment

1. Preparation
 - a. When a Phase III Environmental Site Assessment is required, it shall be prepared by a qualified environmental professional in accordance with applicable industry standards, such as an American Society for Testing and Materials (ASTM) standard or equivalent. (orig. 10-25-05)
 - b. The Phase III shall be sufficiently detailed to adequately characterize the nature and extent of contamination on the property and to enable development of the plan of remediation and to design the remediation project, if any, to be constructed on the property. (reloc. 7-12-05; am. 10-25-05)
2. Content

The Phase III Environmental Site Assessment shall include all applicable industry standard requirements. (orig. 10-25-05)
3. Approval
 - a. The Phase III, including the remediation recommendations, will be reviewed by Public Health. (reloc. 07-12-05; am. 10-25-05; am. 12-21-10)
 - b. If the Phase III Environmental Site Assessment recommends remediation, the remediation shall be conducted prior to the development's

Section 31 – Historical, Archaeological And Paleontological

A. Standards

1. Historical, archaeological and paleontological resources shall be identified and preserved as required by the Board of County Commissioners. (am. 7-12-05; am. 4-4-06)
2. If historical, archaeological and paleontological resources are present or discovered during site preparation, the applicant shall notify Planning and Zoning and the proper authorities to determine the disposition and necessary protection, excavation, or recovery of the resource(s). (orig. 4-4-06)

B. Historical, Archaeological and Paleontological Report

1. Preparation

The historical, archaeological and paleontological report and plans shall be prepared and signed by a qualified archaeologist, paleontologist or historian. (reloc. 7-12-05; am. 4-4-06)

2. Content

The Historical, Archaeological and Paleontological Report shall include, but not be limited to, the following: (orig. 4-4-06)

- a. List and description of the historical, archaeological and paleontological sites as recorded in the National Register of Historic Places, the State Register of Historic Places, or the Historical Commission's Cultural Resource Survey and the Historic Landmark Program. (am. 7-12-05; am. 4-4-06)
- b. List and description of the resources discovered on the site. (orig. 4-4-06)
- c. Historical, Archaeological and Paleontological Map of the area of investigation which shows (reloc. 7-12-05; am. 4-4-06)
 - (1) The proposed development, including lots, tracts, and street/road alignments. (reloc. 7-12-05; am. 4-4-06)
 - (2) The locations of the historical, archaeological and paleontological resources. (reloc. 7-12-05; am. 4-4-06)

3. Approval

The Historical, Archaeological and Paleontological Report shall be reviewed and commented on by the State Historical Society and the Historical Commission. . (reloc. 7-12-05; am. 4-4-06)

C. Historical, Archaeological and Paleontological Plans:

1. Preparation

- a. The historical, archaeological and paleontological report and plans shall be prepared and signed by a qualified archaeologist, paleontologist or historian. (reloc. 7-12-05; am. 4-4-06)
- b. Plans shall assure that historical, archaeological, and paleontological sites affecting the planning, design, and construction of the subdivision are recognized, adequately interpreted and presented for use in the subdivision development. The plans shall include the following: (am. 7-12-05; am. 4-4-06)

2. Content

The Historical, Archaeological and Paleontological Report shall include, but not be limited to, the following: (orig. 4-4-06)

- a. Solutions and alternatives to protect significant historical, archaeological and paleontological sites. (reloc. 7-12-05)
- b. The entity/entities that will implement the plan, construct required improvements, and be responsible for the maintenance of the improvements and appropriate easements, if any. (reloc. 7-12-05)

3. Approval

The plans shall be reviewed and commented on by the State Historical Society and/or the Historical Commission. (reloc. 7-12-05; am. 4-4-06)

Section 32 - Park and School Requirements

(orig. 7-24-78; am. 9-14-99; am. 7-12-05; am. 4-20-10; am. 9-24-13)

A. Intent and Purpose

The purpose of this section is to set forth the park and school requirements for residential developments. This section establishes the method for calculating park and school fees, which is the typical way of satisfying the requirements. It also provides the method and restrictions associated with land dedication that may occur to offset the required fees. Finally, this section puts in place a procedure by which the collected fees will be distributed to the appropriate park and recreation district, Open Space, or the school district. (reloc. 7-12-05; am. 4-20-10; am. 9-24-13)

B. Fees

Park and school requirements shall be satisfied by the payment of fees. The park and school fees shall be calculated using the formula provided below, and in accordance with the applicable "unit fee" indicated on the fee schedule of the County Policies and Procedures. The "unit fee" is a combined fee for a residential unit, with 60% of the fee being applicable to the park requirement and 40% of the fee being applicable to the school requirement. (orig. 9-24-13)

$$\text{total fee} = \text{number of units} \times \text{unit fee} \text{ (orig. 9-24-13)}$$

1. Provisions applicable to the fee calculation are:

- a. An applicant may propose to have the "total fee" for a particular development reduced through the dedication of land area for park and/or school sites. Land areas proposed for dedication must be in accordance with criteria of this section. (orig. 9-24-13)
- b. The number of units may be reduced by the number of properly permitted dwelling units that are currently in existence within the development. (orig. 4-20-10; am. 9-24-13)
- c. The requirements will not apply if a previous proposal dedicated land or paid fees-in-lieu of dedication, unless the new proposal is increasing the number of units. (orig. 4-20-10; am. 9-24-13)
- d. The requirements for schools shall not apply when the residential uses are for nursing homes, retirement facilities, or similar uses. (reloc. 7-12-05, am. 4-20-10; am. 9-24-13)

2. Calculation of Land Value:

In order to translate the "total fee" for a development into a dollar per acre figure, it is necessary to establish a way of calculating the dedication requirement in terms of land area. The land area requirements and associated per acre valuation shall be determined based on the following: (reloc. 7-12-05, am. 4-20-10; am. 9-24-13)

a. Population standards (reloc. 7-12-05; am. 4-20-10; am. 9-24-13)

Type of Dwelling Unit	Population per dwelling unit
Single-family detached	3.00
Single-family attached	2.50
Multi-family	2.00

b. Land area standard (reloc. 7-12-05; am. 4-20-10; am. 9-24-13)

There shall be 16 acres of combined park and school land to serve every 1000 people. The breakout of the 16 acres will be 9.6 acres for parks and 6.4 acres for schools.

c. Land dedication formula (am. 4-20-10; am. 9-24-13)

$$\text{land dedication requirement} = \frac{\text{number of units} \times \text{population per unit}}{1000 \text{ people}} \times 16 \text{ acres}$$

d. Per-acre valuation (orig. 9-24-13)

$$\text{per acre valuation} = \frac{\text{total fee}}{\text{land dedication requirement}}$$

C. Land Dedication

1. Parks: The intention of this regulation is to allow the dedication of park land in order to offset fee requirements. Park land dedication credit may be granted in accordance with the procedure below for public parks, and for private parks that exceed the minimum Common Usable Area and the Communal Amenity requirements of the Landscaping section of the Zoning Resolution. (orig. 9-24-13)
 - a. The types of land areas that may be considered for fulfilling the park land dedication requirements are listed below. (orig. 9-24-13)
 - (1) Park areas that include play fields, picnic areas, play structures, or other similar recreational facilities. (orig. 7-12-05; am. 9-24-13)
 - (2) Pedestrian transportation corridors such as walkways, bikeways and trails. (orig. 7-12-05; am. 9-24-13)
 - (3) Open areas that may include public or private trail systems. These open areas may be determined to have preservation value in relation to wildlife, view corridors or other natural landscape features. The credit for the use of these areas shall not exceed 50 % of the developer's park land dedication requirement. (orig. 9-24-13)
 - (4) Lakes, ponds, reservoirs, wetlands, swamps and boggy lands, if such bodies of water are contiguous to other acceptable park land. The credit for the use of these areas shall not exceed 50% of the developer's park land dedication requirement. (reloc. 7-12-05; am. 9-24-13)
 - (5) Cumulative, combined park land credit for open areas and water bodies as specified above shall not exceed 50% of the developer's park land dedication requirement. (orig. 9-24-13)
 - (6) Recreation facilities that require mechanical equipment such as, but not limited to, swimming pools, batting cages and ice skating rinks. (orig. 7-12-05)
 - b. When an applicant is proposing to offset the park fee through the dedication of park land, the following procedure will occur: (orig. 9-24-13)
 - (1) Planning and Zoning staff will evaluate the applicant's proposal related to qualifying park land and will present a recommendation to the Director of Planning and Zoning for decision. (orig. 9-24-13)
 - (2) The Director of Planning and Zoning will approve or deny the park land dedication request based on the information provided in the applicant's request, the recommendation from the appropriate Park and Recreation District or Open Space (as applicable), and the staff recommendation. (orig. 9-24-13)
 - (3) The decision by the Director of Planning and Zoning may be appealed to the Board of County Commissioners by either the applicant, the Park and Recreation District or Open Space. The appeal must be in writing and must be submitted within 14 days of the decision by the Director of Planning and Zoning. The appeal to the Board of County Commissioners may be a part of the hearing for the overall development proposal, if applicable, or it may be a separate hearing to discuss this specific issue which shall occur prior to or concurrent with the final decision on the development application . (orig. 9-24-13)
 - (4) The decision by the Director of Planning and Zoning or by the Board of County Commissioners, in the case of an appeal, will be considered the "qualifying park land" for the proposed development and will be used in the unit fee reduction identified within this section. (orig. 9-24-13)
2. Schools: The school district may choose to accept the dedication of land for public school sites, which will offset the the fee requirements. (orig. 9-24-13)
3. The following provisions apply to the dedication of land areas as applicable. (orig. 9-24-13)
 - a. Land areas that support multi-use functions for both park and school uses are encouraged. These types of land areas shall be approved by the appropriate park and recreation district and/or Open Space and the school district. A master agreement to share and manage

such combined sites shall be required. Land areas that qualify under this provision shall receive a dedication credit for both the park and the school portions of the fee calculation. (orig. 4-20-10; am. 9-24-13)

- b. All park and school sites shall have sufficient buildable areas to contain the planned structures. All buildable areas shall be excluded from easements, unless otherwise approved by Planning and Zoning and/or the applicable easement authority, and shall not encroach into hazardous areas unless the hazards are abated. Buildable areas shall include provisions for ingress and egress as determined appropriate by Planning and Zoning. (orig. 4-20-10; am. 9-24-13)
- c. Easements for utilities are permitted within park and school sites so long as the easement placement and utility installation does not interfere with the park and/or school function. If the proposed park and/or school sites are to be conveyed to the park and recreation district, Open Space or the school district, then the placement of easements and utilities within those sites shall be approved by those applicable entities. (orig. 9-24-13)
- d. The dedication of park sites to offset the fee requirements shall be considered separate from other development requirements identified in the Landscaping section of the Zoning Resolution. (orig. 9-24-13)
- e. The appropriate park and recreation district shall approve any sites that are to be dedicated to the district as public park sites. In addition, the park and recreation district may provide an opinion related to a park dedication proposal that will not result in the site being dedicated to the district. (orig. 4-20-10; am. 9-24-13)
- f. Open Space shall approve any sites that are to be dedicated to Open Space as public park sites. In addition, the Open Space may provide an opinion related to a park dedication proposal for land that is not being dedicated to Open Space. (orig. 4-20-10; am. 9-24-13)
- g. The school district shall approve any sites that are to be dedicated as public school sites. (orig. 4-20-10)
- h. A park dedication may include a tract that represents a larger acreage than the qualifying park land acreage; however, the developer will only get dedication credit for those areas within the tract that are deemed to be qualified park land, in accordance with these regulations. (orig. 4-20-10, am. 9-24-13)
- i. Any park or school land dedication that exceeds the minimum required may be banked for use in satisfying the land dedication needs for a future development. Banked credits may only be used to satisfy the dedication requirements of a development that is considered to be a part of the overall original development. The determination of whether a subsequent development is considered a part of overall original development shall be made by Planning and Zoning. This requirement shall not serve to supersede or eliminate any dedication credits that may have been accumulated under previous versions of this Regulation, and such accumulated credits shall be allowed to be used in accordance with the regulation that was in effect at the time of the original dedication. (orig. 4-20-10; am. 9-24-13)
- j. Public sites that receive park dedication credit shall include provisions that allow for public use. (orig. 9-24-13)

D. Unit Fee Reduction

A reduction in the park and school fees required for a development may be achieved through the dedication of park and/or school sites that qualify under the provisions above. If a proposed land area meets the dedication criteria, then the applicable "unit fee" indicated on the fee schedule of the County Policies and Procedures will be reduced in accordance with the following: (orig. 9-24-13)

- 1. unit fee = base unit fee - fee reduction (orig. 9-24-13)
- 2. Fee reduction Formula (orig. 9-24-13)

$$\text{fee reduction} = \frac{\text{dedication credit (acres)} \times \text{per acre valuation}}{\text{total number of units}}$$

3. The type of land dedication credit received by an applicant will cause the percentage distribution of the fee between parks and schools to be revised as applicable. (orig. 9-24-13)

E. Procedures

1. Conveyance
 - a. All park and school areas shall be conveyed in accordance with the following: (reloc. 7-12-05; am. 4-20-10)
 - (1) Dedication Certificate: A development proposal that qualifies to use a dedication certificate on the development mylar shall convey the park and/or school land to the County, in fee simple, by dedication certificate. (reloc. 7-12-05; am. 4-20-10)
 - (2) Dedication by Deed: The park and/or school land shall be deeded to the County, in fee simple, by a warranty deed approved as to form by the County Attorney's Office. (reloc. 7-12-05; am. 4-20-10)
2. Reconveyance
 - a. Any park and school land dedicated or conveyed to the County pursuant to the provisions of this section may be reconveyed by the Board of County Commissioners in accordance with the following. The reconveyance will be conditioned upon a reversion clause providing that said property will revert to the County in the event that the property is not used for park or school purposes. (am. 7-12-05; 4-20-10; am. 9-24-13)
 - (1) School land will be reconveyed to the school district. (am. 7-12-05; am.4-20-10)
 - (2) Public park land established at the request of a park and recreation district will be reconveyed to the appropriate park and recreation district. (am. 7-12-05; am.4-20-10)
 - (3) Other public/private park land will be reconveyed to an owners' association or another similar entity. The owners association or other entity shall be required to manage or control said lands for the benefit of the public or for the benefit of the future owners of the proposed development, depending on the requirements established during the development process. (am. 7-12-05; am. 4-20-10; am. 9-24-13)
3. Fees
 - a. Fees paid pursuant to this Section shall be made payable to the Jefferson County Treasurer. The fees shall be paid prior to recordation of the development mylar or in accordance with Development Agreements, Warranties and Guarantees section of this Regulation. Such funds paid prior to recordation of the development mylar shall be deposited in interest bearing escrow accounts with accounting books maintained to identify the amount held in the name of the subdivision for which the payment was made. The funds that are paid in accordance with the Development Agreements, Warranties and Guarantees section of this Regulation shall include the payment of the lump sum fee as indicated in the Improvements List and the accrued interest, as if deposited in interest bearing escrow accounts; the accrued interest shall be calculated from the date of the development mylar recordation to the date of payment. The current value of the accounts shall be made available upon request to the park and recreation districts, Open Space, the school district, and general public. (am. 7-12-05; am. 4-20-10; am. 9-24-13)
 - b. Funds shall be categorized by Planning and Zoning as either "committed funds" or "uncommitted funds". (orig. 4-20-10)
 - (1) "committed funds": Funds that are collected for development proposals that are located within park district boundaries and all funds collected to meet school requirements. (orig. 4-20-10)
 - (2) "uncommitted funds": Park funds that are collected for developments that are located outside of district boundaries shall be considered "uncommitted funds". (orig. 4-20-10)

c. Appeal of Fees

- (1) In the event the applicant disagrees with the established park and school fees and is of the opinion that said fees do not represent the fair market value of land dedication requirement as required by CRS 30-28-133(4)(a), then they may request that the fee be revised and the following procedure will occur: (orig. 9-24-13)
 - (a) Planning and Zoning staff will evaluate the request and the supporting information from the applicant, and will present a recommendation to the Director of Planning and Zoning. (orig. 9-24-13)
 - (b) The Director of Planning and Zoning will approve or deny the request based on the information provided in the applicants request, the recommendation from the appropriate School District, Park and Recreation District or Open Space (as applicable), and the staff recommendation. (orig. 9-24-13)
 - (c) The decision by the Director of Planning and Zoning may be appealed to the Board of County Commissioners by either the applicant, the School District, Park and Recreation District or Open Space. The appeal must be in writing and must be submitted within 14 days of the decision by the Director of Planning and Zoning. The appeal to the Board of County Commissioners may be a part of the hearing for the overall development proposal, if applicable, or it may be a separate hearing to discuss this specific issue which shall occur prior to or concurrent with the final decision on the development application. (orig. 9-24-13)
 - (d) If the decision by the Director of Planning and Zoning or by the Board of County Commissioners, in the case of an appeal, is to accept a revised land valuation, then this accepted dollar per acre value shall be used to calculate the fees required for the development. (orig. 9-24-13)
- (2) The documents that are required to be submitted by the applicant for the appeal process are identified below: (orig. 9-24-13)
 - (a) A cover letter describing the applicant's position related to the fee requirement and the land valuation. (orig. 9-24-13)
 - (b) A Land Valuation: The valuation shall be an appraisal and shall indicate the actual market value of the property based on the criteria listed below: (orig. 9-24-13)
 - (a-1) The valuation shall be done by a qualified appraiser. A qualified appraiser shall be a member of the Appraiser Institute (M.A.I.) or an Accredited Rural Appraiser (A.R.A.). (orig. 9-24-13)
 - (a-2) The appraised value shall be provided as a dollar per acre figure. (orig. 9-24-13)
 - (a-3) The valuation shall be of the buildable land area based on the proposed development. (orig. 9-24-13)
 - (a-4) The infrastructure costs for the proposed development may be subtracted from the overall value of the property. (orig. 9-24-13)
 - (a-5) The date of the appraisal must be within one year of the hearing or determination date for the proposed development. If the appraisal date is not in accordance with the one year rule, then Planning and Zoning may require that an updated appraisal be submitted prior to the hearing or determination. (orig. 9-24-13)

F. Inclusion

During the processing of a development application a Park and Recreation District may request that a proposed development be included in the Park and Recreation District's boundaries. A request may occur in instances where the location of the development and the types of park amenities proposed within the development would not be sufficient, in the opinion of the Park and Recreation District, to support the population generated by the development. When such a request is submitted by the Park and Recreation District, the following procedure will occur: (orig. 9-24-13)

1. Planning and Zoning staff will evaluate the request and will present a recommendation to the Director of Planning and Zoning. (orig. 9-24-13)
2. The Director of Planning and Zoning will determine if inclusion into the Park and Recreation District will be required for the proposed development. The development should be included when the location of the development is in close proximity to an existing park and recreation district, and the park amenities proposed within the development, together with existing park facilities in the surrounding area, is not sufficient to serve the population generated by the development. The decision will be made based on the information provided by the applicant, the recommendation from the appropriate Park and Recreation District, and the staff recommendation. (orig. 9-24-13)
3. The decision by the Director of Planning and Zoning may be appealed to the Board of County Commissioners by either the applicant or the Park and Recreation District. The appeal must be in writing and must be submitted within 14 days of the decision by the Director of Planning and Zoning. The appeal to the Board of County Commissioners may be a part of the hearing for the overall development proposal, if applicable, or it may be a separate hearing to discuss this specific issue which shall occur prior to or concurrent with the final decision on the development application. (orig. 9-24-13)
4. If the decision by the Director of Planning and Zoning or by the Board of County Commissioners, in the case of an appeal, is to require the inclusion of the property into the Park and Recreation District Boundaries, then such inclusion will be required prior to the final approval of the development application. (orig. 9-24-13)

G. Post Development

1. Dedicated Land
 - a. Land dedicated for park and school sites shall be used for the intended purpose identified during the development process. (orig. 4-20-10)
 - b. Any park or school land dedicated for use by a park and recreation district, Open Space, or the school district, may be sold in accordance with the following provisions. (orig. 4-20-10)
 - (1) The district or Open Space has declared that the dedicated property is surplus land. (orig. 4-20-10)
 - (2) The district or Open Space agrees to sell the land through a process that legitimately establishes the fair market value of the land. If the dedicated land has not been held by the district or Open Space for more than 20 years, then the original developer has the right of first refusal to purchase the dedicated property in accordance with the statutory requirements. (orig. 4-20-10)
 - (3) The district or Open Space declares that proceeds from the sale will be used to purchase new land or will be used to pay for improvements to existing facilities. (orig. 4-20-10)
 - (4) The sale of the property must be approved by the Board of County Commissioners in a public hearing. Notification of the hearing shall include Community Mailing and Sign Posting in accordance with the Level I requirements of the Notification Section of this Regulation. (orig. 4-20-10)
2. Fees
 - a. Funds may be dispersed from the special escrow accounts upon request by the appropriate park and recreation district, Open Space, or the school district in accordance with the following: (orig. 4-20-10)
 - (1) "Committed Funds"
 - (a) Park funds shall be distributed to the park and recreation district within which the specific development is located. (orig. 4-20-10)
 - (b) School funds shall be distributed to the school district for use within the senior high school attendance area within which the specific development is located. (orig. 4-20-10)

- (c) The park and recreation district or school district shall submit a resolution from their board requesting that the County disburse the funds. (orig. 4-20-10; am 9-24-13)
 - (d) The park and recreation district or school district shall provide a certification, on a form provided by Planning and Zoning, stating that the requested funds will be used within the park and recreation district service area or within the senior high school attendance area of the school district, for the following specific purposes: (orig. 4-20-10)
 - (d-1) Acquiring reasonably necessary land areas for parks and/or schools. (orig. 4-20-10)
 - (d-2) Capital improvement of park and/or school sites. (orig. 4-20-10)
 - (d-3) Growth related planning functions for educational purposes. This provision is only applicable to school funds. (orig. 4-20-10)
- (2) “Uncommitted Funds”
- (a) If the specific development is located outside of a park and recreation district boundary, but is located within the service area (2.5 miles outside of the district boundary) of one or more park and recreation districts, then the park funds shall be available for disbursement to those districts in accordance with the provisions listed below. If after 10 years, the funds have not been fully disbursed to the park and recreation districts, then Open Space may apply for and receive the remaining funds upon satisfying conditions (c) and (d) below. (orig. 4-20-10; am. 9-24-13)
 - (a-1) The first 50% of the available funds shall be divided evenly amongst the applicable park and recreation districts. (orig. 4-20-10)
 - (a-2) The second 50% of the available funds shall be divided amongst the applicable park and recreation districts based on their percentage of district area within a 2.5 mile radius from the boundary of the specific development. (orig. 4-20-10)
 - (a-3) If Open Space and/or any of the applicable park and recreation districts have entered into an agreement identifying how fees should be disbursed, then the County upon review of the agreement may disburse the applicable funds in accordance with the terms of the agreement. (orig. 4-20-10)
 - (b) If the specific development is located outside of a park and recreation district boundary and outside of any park and recreation district service area (2.5 miles outside of the district boundary), then the park funds shall be available for disbursement in accordance with the provisions listed below. If after 10 years, the funds have not been fully disbursed to the park and recreation districts or to Open Space, Open Space may apply for and receive the remaining funds upon satisfying conditions (c) and (d) below. (orig. 4-20-10; am. 9-24-13)
 - (b-1) 100% of the available funds shall be divided amongst any applicable park and recreation district and Open Space based on the percentage of the district and Open Space area within a 5 mile radius from the boundary of the specific development. If Open Space chooses not to apply for the specific fees, then the evaluation will include only district area within the 5 mile radius. If Open Space chooses not to apply for the specific fees and there are not any park and recreation boundaries within the 5 mile radius area, then the radius area will be increased by 2.5 mile intervals until one or more district boundaries are within the radius area. (orig. 4-20-10)
 - (b-2) If Open Space and/or any of the applicable park and recreation districts have entered into an agreement identifying how fees should be disbursed, then the County upon review of the agreement may disburse

the applicable funds in accordance with the terms of the agreement.
(orig. 4-20-10)

- (c) The park and recreation district and/or Open Space shall submit a resolution from their board requesting that the County disburse the park funds. (orig. 4-20-10)
- (d) The park and recreation district and/or Open Space shall provide a certification, on a form provided by Planning and Zoning, stating that the requested funds will be used within the park and recreation district service area or within the radius established in (b) above for the following specific purposes: (orig. 4-20-10)
 - (d-1) Acquiring reasonably necessary land areas for parks or Open Space. (orig. 4-20-10)
 - (d-2) Capital improvement of parks or Open Space. (orig. 4-20-10)

Section 33 - Development Agreements, Warranties And Guarantees

A. Development Improvement Requirements

1. The developer shall construct, at his/her cost, all public and private improvements (development improvements) necessitated by the development itself and required to mitigate impacts associated with the development. (orig. 7-12-05; am. 12-5-06)
2. These development improvements shall be constructed as shown on the approved construction and landscaping plans and shall include development improvements both within and outside the subdivision boundary as required by this Regulation. If the work to be performed is outside the subdivision, the developer must obtain an easement from the fee simple property owner authorizing the work and authorizing repair, replacement and maintenance of the improvements in the event the fee simple property does not wish to retain these responsibilities. (orig. 7-12-05; am. 12-5-06)
3. List of Development Improvements: All development improvements required, both interior or exterior to the development, shall be identified during the review process for each specific development proposal and shall be shown on the appropriate construction plans. All development improvements and construction plans shall meet and comply with Jefferson County standards set forth throughout this Regulation, and any other applicable County, state, or federal regulations. The following items may be considered development improvements. Not all of the items listed will apply for each development proposal. (orig. 7-12-05; am. 12-5-06)
 - a. Grading, Erosion and Sediment Control Measures: as shown on the approved construction plans. (orig. 7-12-05; am. 8-27-13)
 - b. Public and Private Street(s)/Road(s): both interior or exterior to the development, as shown on the approved construction plans. (orig. 7-12-05; am. 5-20-08)
 - c. Stormwater Control Structures: as shown on the approved construction plans. (orig. 7-12-05)
 - d. Connecting Utility Services: as required by the serving entities. (orig. 7-12-05)
 - e. Geohazard Abatement Measures: as shown on the approved construction plans. (orig. 7-12-05)
 - f. Landscaping: as shown on the approved landscape plans. (orig. 7-12-05)
4. Improvement Options: The developer shall insure the completion of development improvements using one, or some combination, of the following methods: (orig. 7-12-05; am. 12-5-06)
 - a. The developer may choose to construct all of the required development improvements; however, building permits will not be issued until completion and acceptance. (orig. 7-12-05; am. 12-5-06; am. 5-20-08)
 - b. The developer may choose to secure the required development improvements through a development improvement guarantee. The guarantee will be held by the County until the improvements are completed and accepted. (orig. 7-12-05; am. 12-5-06; am. 5-20-08)
 - c. The County may choose to accept fees in lieu of construction on any public improvement. (orig. 7-12-05; am. 12-5-06)
5. Installation: Development improvements shall be installed within one (1) year of the occupancy of the building, unless otherwise approved by Planning and Zoning. In the cases of multi-phased, multi-unit, or multi-lot developments, the common public or open space areas shall be attributed to the nearest set of phases, units, or lot(s). (am. 7-12-05; am. 12-5-06; am. 5-20-08)
6. Phases: Construction of development improvements may be phased provided all phases are pre-approved by Planning and Zoning and/or Transportation and Engineering. Guarantee collateral for development improvements may be phased to correspond with construction phasing. (am. 7-12-05; am. 12-5-06; am. 5-20-08; am. 12-21-10)
7. Reimbursement of Right-of-Way Acquisition Costs: If adjoining arterial streets/roads and collector roads have been constructed or improved to Jefferson County standards subsequent

to June 7, 1988 but prior to plat approval and the improvements were funded from the Jefferson County Road and Bridge Fund, the Jefferson County Arterial Development Fund, or a sales tax authorized pursuant to Part 6, Article 20, Title 30, C.R.S., the developer shall be required to pay to Jefferson County a sum of money equal to the actual cost of right-of-way acquisition for that portion of the adjoining one-half of the contiguous arterial street/road. (orig. 7-12-05)

Reimbursement by the developer of right-of-way acquisitions shall be made payable to Jefferson County. The Board of County Commissioners shall receive such funds prior to recordation and deposit them with the Treasurer. (am. 7-12-05)

- a. Such funds shall be deposited in a special interest-bearing escrow account with accounting books maintained to identify the amount held in the name of the subdivision for which the payment was made. (orig. 7-12-05)
 - b. Funds may be withdrawn from the special escrow account by the Board of County Commissioners for the specific purpose of improving arterial streets/roads and collector roads or freeways within 3 miles of the subdivision as measured from any point on the subdivision boundary. (am. 7-12-05)
 - c. The special escrow account shall be closed when all funds have been expended. If after 10 years the funds have not been expended, the Board of County Commissioners shall refund the moneys not expended plus interest to the developer having made the original payment. (am. 7-12-05)
8. Traffic Impact Fees: Prior to obtaining building permits for any development approved under this Regulation, the building permit applicant shall pay to Jefferson County the traffic impact fees as set forth in the Jefferson County Policy and Procedures Manual. Said fees shall be in addition to all other fees, charges and improvement requirements of this Regulation. (am. 7-12-05)
9. Park and School Fees: The developer may elect to pay park and school fees in accordance with the Park and School Requirements Section of this Regulation as an item indicated on the Improvements List of this Section. (orig. 9-24-13)

B. Subdivision Improvements Agreement

1. During the development review process, the developer and Jefferson County shall execute and record a Subdivision Improvements Agreement stipulating the procedures by which the development improvement requirements shall be satisfied by the developer. The Subdivision Improvements Agreement shall include an itemized improvements list specifying all required development improvement items (known as the Exhibit "A" to the Subdivision Improvements Agreement). The Subdivision Improvements Agreement between the developer and Jefferson County shall stipulate that prior to any issuance of a building permit or conveyance, sale or transfer of any lot within the subdivision, the developer shall first satisfy the agreement conditions and receive a Certificate of Compliance from the Improvements Coordinator for that lot(s). (orig. 7-12-05; am. 12-5-06)
2. Procedure
 - a. Improvements List: The developer shall prepare a detailed list of all required development improvements and submit this list to the Case Manager at least 21 days prior to the Board of County Commissioners hearing. (am. 7-12-05; am. 12-5-06)
 - (1) Upon receipt, Planning and Zoning shall review and either approve or deny the improvements list or, if denied, instruct the developer to make such changes as necessary to satisfy the requirements of this Regulation and any other regulations that may apply. (am. 7-12-05; am. 5-20-08)
 - (2) Upon execution by the preparer and the developer, and acceptance by Planning and Zoning, the improvements list shall be submitted to the Attorney's Office and become known as the Exhibit "A" to the Subdivision Improvements Agreement. (am. 7-12-05; am. 5-20-08)
 - b. Subdivision Improvements Agreement: No plat shall be approved or released for recording until a Subdivision Improvements Agreement is approved by the Board of County Commissioners. (am. 7-12-05)

- (1) The Attorney's Office shall prepare a Subdivision Improvements Agreement upon receipt from the Case Manager the name of the subdivision, the name of the developer and the Holders of Deeds of Trust (if any), plus any other specific requirements. Upon completion, the Attorney shall submit the Subdivision Improvements Agreement to Planning and Zoning, which will deliver the Agreement to the developer for execution. The developer will then return the executed Agreement to the Attorney's Office. (am. 7-12-05; am. 5-20-08)
 - (2) The Subdivision Improvements Agreement shall include, where applicable, provision for the submission of development improvement collateral for erosion control prior to any disturbance or removal of vegetation. (orig. 7-12-05; am. 12-5-06)
 - (3) The Attorney's Office, within 7 days after receipt of the executed Subdivision Improvements Agreement, shall review said agreement as to legal form and if found not to be in proper form, shall notify the Case Manager of any deficiencies. (am. 7-12-05)
 - (4) The Case Manager shall work with the developer to resolve any deficiencies in the Subdivision Improvements agreement prior to the plat hearing before the Board of County Commissioners. (am. 7-12-05)
3. Enforcement of Plat Restrictions: Notice is hereby given that, pursuant to the provisions of Section 30-28-137 (3) C.R.S., Jefferson County or any purchaser of any lot(s) subject to a plat restriction, which is the security portion of a Subdivision Improvements Agreement, shall have the authority to bring an action in any District Court to compel the enforcement of any Subdivision Improvements Agreement on the sale, conveyance, or transfer of any such lot(s) or of any provision of Part I of Article 28 of Title 30, C.R.S. Such authority shall include the right to compel rescission of any sale, conveyance or transfer of any lot(s) contrary to the provisions of any such restrictions set forth on the plat or in any separate recorded instrument, but any such action shall be commenced prior to the issuance of a building permit by Jefferson County. (orig. 7-12-05)

C. Improvements List

1. The improvements list prepared by the developer shall list all required development improvements and fees on an item-by-item basis plus the item's associated quantities in accordance with, but not limited to, the following table and the provisions of this Regulation. All itemized improvements submitted by the developer shall reflect items completed, in place, and operational. This improvements list, once completed and approved by the County and executed by the developer, preparer, and Planning and Zoning shall be attached to the Subdivision Improvements Agreement and be known as the Exhibit "A" to the Subdivision Improvements Agreement. (am. 7-12-05; am. 12-5-06; am. 5-20-08; am. 9-24-13; am. 11-24-15)

	IMPROVEMENTS LIST PRICING	
Work Category	Improvement Item	Unit
Construction	Vehicle Tracking Pad	EACH
	Dewatering	LUMP SUM
Sediment Control	Silt Fence	LIN FT
	Straw Bales	EACH
	Inlet Protection	EACH
	Check Dams	LIN FT
	Concrete Washout Area	EACH
	Reinforced Rock Berms	CU YD
	Sediment Control Logs	LIN FT
	Sediment Basin (per contributory acre)	ACRE
	Sediment Traps	EACH

Erosion Control	Erosion Control Blankets	SQ YD
	Gravel	CU YD
	Diversion Dikes/Ditches	LIN FT
	Mulching (Straw)	SQ YD
	Mulching (Wood)	CU YD
	Outlet Protection (Type L Riprap)	CU YD
	Temporary seeding	ACRE
Grading	Grading	CU YD
	Grading (Import)	CU YD
	Grading (Export)	CU YD
	Compacting	CU YD
Final Stabilization	Permanent Seeding	ACRE
	Sod	SQ FT
	Seedbed Preparation	SQ YD
	Topsoil (Import)	CU YD
	Topsoil (CIP)	CU YD
	Mulch (straw)	SQ YD
PRIVATE CIRCULATION ITEMS		
Storm Drainage	Drainage Channels (i.e. drop structures, etc.)	CU YD
	Drainage Appurtenances (i.e. subdrains, hydraulic structures, etc.)	EACH
	Type 'C' Inlet	EACH
	Inlets Type R, 5'	EACH
	Inlets Type R, 10'	EACH
	Inlets Type R, 15'	EACH
	Inlets Type 13 - Combination, single	EACH
	Inlets Type 13 - Combination, double	EACH
	Inlets Type 13 - Combination, triple	EACH
	Drop Inlets (size, type)	EACH
	6" PVC Underdrain	LIN FT
	4' PVC Underdrain Service Line	LIN FT
	Cleanout	EACH
	Baffles (type, size)	EACH
	Culverts CMP 15"	LIN FT
	Culverts CMP 18"	LIN FT
	Culverts CMP 24"	LIN FT
	Culverts CMP 30"	LIN FT
	Culverts CMP 36"	LIN FT
	Culverts CMP 48"	LIN FT
	Culverts CMP 60"	LIN FT
	Flared End Sections CMP (size)	EACH
	Storm Sewer RCP 18"	LIN FT
	Storm Sewer RCP 21"	LIN FT
	Storm Sewer RCP 24"	LIN FT

	Storm Sewer RCP 27"	LIN FT
	Storm Sewer RCP 30"	LIN FT
	Storm Sewer RCP 36"	LIN FT
	Concrete End Sections (size)	EACH
	Manholes (size)	EACH
	Riprap 6" (VL)	CU YD
	Riprap 9" (L)	CU YD
	Riprap 12" (M)	CU YD
	Riprap 18" (H)	CU YD
	Riprap 24" (VH)	CU YD
	Urban Drainage District Final Inspection & Repair	EACH
	Abatement Structures	EACH
PRIVATE CIRCULATION ITEMS		
Detention/Retention (Outlet Structure)	Outlet Structure (include grates, orifice plates, etc.	EACH
	Pond grading	CU YD
	Trickle channel	LIN FT
	Permanent Seeding	ACRE
	Riprap (size)	CU YD
Private Circulation (Streets/Roads)	Pavement Rotomilling	SQ YD
	Hot Bituminous Pavement- (thickness, width, inches)	TON
	Construction Seal	SQ YD
	Aggregate Base Course	CU YD
	Fine Grading & Shaping	CU YD
	Soil Reconditioning (soil treatment, etc)	SQ YD
	Lime Treated Subgrade	SQ YD
	Cross Pans	SQ YD
	Combination Curb, Gutter & Sidewalk	LIN FT
	6" Vertical Curb and Gutter	LIN FT
	V Gutter Pan	LIN FT
	Detached Sidewalks (width)	SQ YD
	Crosswalks (concrete/pattern pavers)	SQ YD
	Bridges	SQ FT
	Trails (width)	SQ YD
	Handicap Ramps	EACH
	Special Structures (guardrail, etc.)	LIN FT
	Striping	LIN FT
	Signs (street, stop, road name, traffic, etc.)	EACH
	Street Lighting (at street intersections with Arterial, etc.)	EACH
	Traffic Control Devices (signals)	EACH
	Median Treatment (stamped concrete, pavers, seeding)	SQ YD
	Trench Gravel (in place)	TON
	Geotextiles	SQ YD

PUBLIC CIRCULATION ITEMS		
Storm Drainage	Drainage Channels (i.e. drop structures, etc.)	CU YD
	Drainage Appurtenances (i.e. subdrains, hydraulic structures, etc.)	EACH
	Type 'C' Inlet	EACH
	Inlets Type R, 5'	EACH
	Inlets Type R, 10'	EACH
	Inlets Type R, 15'	EACH
	Inlets Type 13 - Combination, single	EACH
	Inlets Type 13 - Combination, double	EACH
	Inlets Type 13 - Combination, triple	EACH
	Drop Inlets (size, type)	EACH
	6" PVC Underdrain	LIN FT
	4' PVC Underdrain Service Line	LIN FT
	Cleanout	EACH
	Baffles (type, size)	EACH
	Culverts CMP 15"	LIN FT
	Culverts CMP 18"	LIN FT
	Culverts CMP 24"	LIN FT
	Culverts CMP 30"	LIN FT
	Culverts CMP 36"	LIN FT
	Culverts CMP 48"	LIN FT
	Culverts CMP 60"	LIN FT
	Flared End Sections CMP (size)	EACH
	Storm Sewer RCP 18"	LIN FT
	Storm Sewer RCP 21"	LIN FT
	Storm Sewer RCP 24"	LIN FT
	Storm Sewer RCP 27"	LIN FT
	Storm Sewer RCP 30"	LIN FT
	Storm Sewer RCP 36"	LIN FT
	Concrete End Sections (size)	EACH
	Manholes (size)	EACH
	Riprap 6" (VL)	CU YD
	Riprap 9" (L)	CU YD
	Riprap 12" (M)	CU YD
	Riprap 18" (H)	CU YD
	Riprap 24" (VH)	CU YD
	Urban Drainage District Final Inspection & Repair	EACH
	Abatement Structures	EACH
PUBLIC CIRCULATION ITEMS		
Detention/Retention (Outlet Structure)	Outlet Structure (include grates, orifice plates, etc.)	EACH
	Pond grading	CU YD
	Trickle channel	SQ YD
	Permanent Seeding	ACRE
	Riprap (size)	CU YD

Public Circulation (Streets/Roads)	Pavement Rotomilling	SQ YD
	Hot Bituminous Pavement-(thickness, width, inches)	TON
	Construction Seal	SQ YD
	Aggregate Base Course	CU YD
	Fine Grading & Shaping	CU YD
	Soil Reconditioning (soil treatment, etc)	SQ YD
	Lime Treated Subgrade	SQ YD
	Cross Pans	SQ YD
	Combination Curb, Gutter & Sidewalk	LIN FT
	6" Vertical Curb and Gutter	LIN FT
	V Gutter Pan	LIN FT
	Detached Sidewalks (width)	SQ YD
	Crosswalks (concrete/pattern pavers)	SQ YD
	Bridges	SQ FT
	Trails (width)	SQ YD
	Handicap Ramps	EACH
	Special Structures (guardrail, etc.)	LIN FT
	Striping	LIN FT
	Signs (street, stop, road name, traffic, etc.)	EACH
	Street Lighting (at street intersections with Arterial, etc.)	EACH
	Traffic Control Devices (signals)	EACH
	Median Treatment (stamped concrete, pavers, seeding)	SQ YD
	Trench Gravel (in place)	TON
	Geotextiles	SQ YD
OTHER SITEWORK		
Water Systems		
	Water Line Pipe 6" (ductile Iron)	TON
	Water Line Pipe 8" (ductile Iron)	SQ YD
	Gate Valve (size)	
	Valve Box	LIN FT
	Gate Valve and Box (size)	LIN FT
	Asphalt Trench Resurfacing (depth/width)	EACH
	Gravel Trench Resurfacing (depth/width)	EACH
	Bedding Material	EACH
	Steel Cased Bore	LIN FT
	Bends (size, type)	LIN FT
	Valve Adjustment	TON
Sewer Systems		
	8" PVC Sewer Line (Main)	EACH
	6" PVC Sewer Line	EACH
	4" PVC Sewer Line	
	Fittings (size, type)	LIN FT
	Manholes 4"	LIN FT

	Manholes 5"	LIN FT
	Manholes "6	EACH
	Manhole Adjustment	EACH
Subsurface groundwater collection systems (on Private Property)	Trench Gravel (In place)	CU YD
	Geo Textile (In place)	SQ YD
	8" Collection pipe	LIN FT
	Risers	LIN FT
	Cleanouts	EACH
Fire Protection	Fire Hydrant Assembly	EACH
	Cisterns (gallon capacity)	EACH
Contingency		10%

Fees in Lieu of Public Park and/or School Land Dedication	Park and/or School	*Lump Sum Fee
Fees in Lieu of Construction	(Type of Item)	**Lump Sum Fee

* In addition to payment of the lump sum fee, the developer will be required to pay accrued interest as specified in the Park and School Requirements Section of this Regulation.

** Fees in Lieu of Construction which includes management, design and construction costs, as applicable, for public circulation improvements shall be approved by Transportation and Engineering.

2. Exclusions to the Improvements List: The following items may be excluded from the improvements list: (orig. 7-12-05)
 - a. Water and Sewage Systems: provided evidence is submitted showing that the developer has guaranteed or will be required to guarantee the water and sewer improvements with the water and sanitation district in accordance with the district's requirements. (orig. 7-12-05)
 - b. Internal Streets/Roads: Internal streets/roads within commercial or industrial developments that do not access other lot(s), properties, or any Jefferson County right-of-way. (orig. 7-12-05)
3. Cost Estimates: The developer shall, after recordation of the plat and prior to any disturbance of land, submit to Planning and Zoning a cost estimate based on the items and quantities approved on the Exhibit "A" of the Subdivision Improvements Agreement. Cost estimates shall be for amounts in the judgment of Planning and Zoning to make reasonable provision for the completion and operation of all required development improvements, in accordance with design and time specifications. This cost estimate, once approved by Planning and Zoning, shall become the guarantee amount for the development improvements. Cost estimates shall include overlot grading and contingency costs as outlined below: (am. 7-12-05; am. 12-5-06; am. 5-20-08)

Overlot Grading: The cost estimate for the Overlot Grading work category shall be shown at 100 percent of the total cost of overlot grading. The guarantee amount for overlot grading shall be reduced from 100 percent to 25 percent of the total cost of overlot grading for those lands west of the Hogback Line and 10 percent for those lands east of the Hogback Line, which areas shall be as defined by this Regulation. The contingency cost estimate for Overlot Grading shall be based on the reduced guarantee amounts. (orig. 7-12-05)

Grading within the Floodplain Overlay District: The guarantee amount for grading activities shall be 100 percent of the total cost for those lands in the Floodplain Overlay District. A minimum guarantee of \$1,000 will be required for projects that include moving at least 100 cubic yards of material or with a land disturbance of 3,000 square feet within the Floodplain Overlay District.

Projects completed in the right-of-way by either the Colorado Department of Transportation or by Jefferson County do not have to provide a performance guarantee. (orig. 8-27-13)

D. Certificates of Compliance

1. Issuance of Certificates of Compliance: The Public Improvements Coordinator, or his/her designee, shall be responsible for the issuance of Certificates of Compliance, Compaction Reports and other plat restriction requirements. (orig. 7-12-05; am. 12-5-06; am. 5-20-08)
 - a. Certificates of Compliance may be obtained under the following circumstances: (orig. 7-12-05)
 - (1) Completion of Development Improvements: Where the Public Improvements Coordinator determines that the development improvements necessary to serve those lot(s) described in the Certificate of Compliance have been completed to the satisfaction of Jefferson County or a deposited collateral guarantee, in an amount sufficient to guarantee the costs of repair, replacement, or to warrant development improvements, as provided by this Regulation, has been accepted by the Board of County Commissioners through its designee, the Public Improvements Coordinator or his/her designee. (am. 7-12-05; am.12-5-06; am. 5-20-08)
 - (2) Guarantee of Development Improvements: Where the Improvements Coordinator has accepted a substituted deposited collateral guarantee in an amount sufficient to guarantee the costs of completion of development improvements necessary to serve the specific lot(s) to be covered by a particular Certificate of Compliance and to warrant the costs of repairs or replacement of all development improvements. (orig. 7-12-05; am. 12-5-06)
 - (3) Transfer to Another Developer: Where Jefferson County and all parties to the Subdivision Improvements Agreement have executed an Amended Subdivision Improvements Agreement releasing the original developer from the responsibilities to construct development improvements and substituting a different developer, a Certificate of Compliance may be issued for the sole purpose of allowing sale to another development but not for purposes of issuing a building permit. (orig. 7-12-05; am. 12-5-06)
2. The Improvements Coordinator shall record the Certificate of Compliance with the Clerk and Recorder. (orig. 7-12-05; am. 12-5-06)
3. Developers denied a Certificate of Compliance by the Improvements Coordinator shall have the right to appeal such denial to the Board of County Commissioners. (am. 7-12-05; am. 12-5-06)
4. Building Permits: No building permit shall be issued, except for show homes, until a Certificate of Compliance has been issued by the Improvements Coordinator. (orig. 7-12-05; am. 12-5-06)
5. Show Homes: A Building Permit may be issued without a Certificate of Compliance for one (1) show home per 5 lots to a maximum of 5 show homes for any given development within a water district without completing development improvements or obtaining the necessary water taps provided: (orig. 7-12-05; am. 12-5-06)
 - a. The developer, any Holders of Deeds of Trust or any other person does not sell, offer to sell, lease, rent, convey, transfer, or assign any show home(s) or lot(s) or to occupy as a dwelling or a permanent office any portion of a show home(s) prior to the granting by the Improvements Coordinator of a Certificate of Compliance for such lot(s). (orig. 7-12-05; am. 12-5-06)
 - b. The developer shall provide a compaction report and obtain approval from the appropriate fire protection district for water and access prior to issuance of a Building Permit . Building Safety shall conduct final inspections prior to the use of the show homes. (orig. 7-12-05; am. 11-24-15)
 - c. The developer 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 show home(s) or the use of any show home(s). (orig. 7-12-05)

E. Deposited Collateral Guarantees

1. Procedure

- a. Upon approval of the cost estimate for items shown on the improvements list by Planning and Zoning, the developer shall be directed to obtain development improvement and landscape guarantees. (am. 7-12-05; am. 12-5-06; am. 5-20-08)
- b. The term of Letters of Credit shall be for a minimum of two (2) year intervals. (am. 7-12-05; am. 5-20-08)
- c. Planning and Zoning shall review all Letters of Credit or cash escrows as to amount. Within 2 days of receipt, Planning and Zoning shall submit the Letter of Credit if it is correct to the Attorney. If the cash escrow is in the correct amount, the Improvements Coordinator shall accept the cash escrow. (am. 7-12-05; am. 12-5-06; am. 5-20-08)
- d. Letters of Credit shall be in a form acceptable to the Attorney. If the Letter of Credit is not acceptable, the Attorney's Office will notify the developer of the deficiencies and work with him/her to correct the deficiencies. (orig. 7-12-05)
- e. Upon approval as to form, the Attorney's Office shall forward the Letter of Credit to Planning and Zoning. Planning and Zoning shall accept the Letters of Credit. Upon acceptance, the Attorney and the other appropriate County departments shall be notified of the accepted guarantees. (orig. 7-12-05; am. 5-20-08)
- f. Upon acceptance by the Improvements Coordinator, all guarantees shall be deposited in a safe place. Cash guarantees shall be deposited in an interest-bearing account. (am. 7-12-05; am. 12-5-06)
- g. Guarantees may be submitted for an entire development or for a phase within that development. In no case shall separate guarantees be accepted for individual improvement items. (orig. 7-12-05)
- h. No Certificate of Compliance shall be issued until guarantee collateral has been accepted by Planning and Zoning, or improvements have been completed and accepted by the Developer, inspected by the County and found to be constructed in compliance with the approved construction plans in accordance with the Inspection and Acceptance of Development Improvements provisions. (am. 7-12-05; am. 12-5-06; am. 5-20-08)

F. Monitoring and Enforcement of Guarantees

1. Monitoring

- a. It shall be the responsibility of Planning and Zoning to review and monitor progress and expiration relating to all development improvement guarantees and Subdivision Improvements Agreements. (am. 7-12-05; am. 12-5-06; am. 5-20-08)
- b. The developer, within 10 months of the deposit of the collateral guarantee, shall either request an inspection of development improvements or shall submit written notification that a renewal and extension of the deposited collateral is necessary. (orig. 7-12-05; am. 12-5-06)
- c. Planning and Zoning shall, within no less than 90 days prior to the expiration of any deposited collateral guarantee, notify, in writing, the developer and appropriate other County staff as necessary of such pending expiration. If the improvements are guaranteed by a Letter of Credit, the notification shall include the date that a new or extended Letter of Credit must be received, which date shall be no less than 30 days prior to the expiration date of the original Letter of Credit. (am. 7-12-05; am. 5-20-08)

2. Enforcement

In the event that an extension of a cash escrow has not been requested or a new or extended Letter of Credit is not submitted by the developer within the prescribed time or a complete release of the guarantee has not been requested in accordance with the time frames set forth in this regulation or the improvements have not been completed, Planning and Zoning shall immediately inform the Attorney's Office by written notice of such failure. (am. 7-12-05; am. 5-20-08)

Planning and Zoning has been delegated authority by resolution number CC93-601 to determine whether to extend a performance guarantee, require installation of the improvements being guaranteed, or collect the guarantee. (am. 7-12-05; am. 5-20-08)

- c. By resolution number CC93-601, the County Attorney and all Assistant County Attorneys have been designated as attorneys-in-fact to act on behalf of the Board of County Commissioners for the purpose of collection of payment under any performance guarantee. Upon receipt of such written notice from Planning and Zoning of the Developer's failure to install the improvements or renew or extend the guarantee, Planning and Zoning and the Attorney shall take such steps as necessary to collect the amounts guaranteed (which may include immediate action to demand and collect payment), accept a substitute guarantee, or otherwise preserve the County's rights thereunder. (am. 7-12-05; am. 5-20-08)
- d. Demands and draws upon an irrevocable letter of credit guarantee shall be made not less than 20 calendar days prior to expiration thereof, unless specifically directed to the contrary by resolution of the Board of County Commissioners. The Chair of the Board of County Commissioners, or the Chair Pro-Tem, or in the absence of either of them any other commissioner, is authorized to execute any document that is a condition of payment of a Letter of Credit upon receipt of information in writing from Planning and Zoning establishing the need to collect the Letter of Credit. (am. 7-12-05; am. 5-20-08)
- e. If the Attorney's Office makes demand on a letter of credit, no extension on such letter of credit nor a cash escrow guarantee shall be accepted by Jefferson County until a \$250.00 collection fee is paid by the developer to Jefferson County by cashier's check or certified funds as reimbursement for Jefferson County's costs for staff time and expense for the collection process. (orig. 7-12-05)

G. Inspection and Acceptance of Development Improvements

1. Developer Action Upon Completion of Development Improvements: The developer shall submit the following to Transportation and Engineering prior to requesting a final inspection and acceptance; Transportation and Engineering and Planning and Zoning may review and inspect these items: (orig. 7-12-05; am. 12-5-06; am. 5-20-08; am. 12-21-10)
 - a. Certification by a Colorado Registered Professional Engineer or a qualified professional Landscape Architect for landscaping plans, stating that the improvements have been constructed in compliance with the approved plans. (orig. 7-12-05; am. 5-20-08)
 - b. Certification of retaining walls in compliance with the approved plans by a Colorado Registered Professional Engineer. (orig. 5-20-08)
 - c. Certification for soil amendments and seed mixture in compliance with the approved plans by a Colorado Registered Professional Engineer or a qualified professional Landscape Architect. (orig. 5-20-08)
 - d. Certification of private streets/roads to include the approved design and in compliance with the approved plans by a Colorado Registered Professional Engineer. (orig. 5-20-08)
 - e. All compaction reports. (orig. 7-12-05)
 - f. "As-constructed" drawings for streets/roads submitted in PDF format on CD or DVD. (orig. 7-12-05; am. 12-5-06)
 - g. "As-constructed" drawings for subsurface groundwater collection systems and drainage appurtenances submitted in PDF format on CD or DVD. (orig. 7-12-05; am. 12-5-06)
 - h. "As-constructed" drawings for overlot grading submitted in PDF format on CD or DVD, along with a certification letter signed and stamped by a Colorado Registered Professional Engineer stating "I have reviewed the overlot as-constructed drawings, and the new grades are in substantial conformance ($\pm 0.3'$) with the approved overlot grading elevations." (orig. 12-5-06)
 - i. "As constructed" drawings for drainage facilities and structures in PDF format on CD or DVD and inspection of said facilities and structures is performed by Planning and Zoning. (orig. 5-20-08)

- j. Evidence from the applicable approving authority for the following items indicating that improvements have been completed and if applicable, accepted by the appropriate authority. Evidence shall be in writing and may include letters, agreements, or contracts. (orig. 7-12-05; am. 12-5-06; am. 12-21-10)

ITEM	APPLICABLE APPROVING AUTHORITY
Streets/Roads and Grading Plans	Transportation and Engineering
Trails Plan	Open Space
Drainage Plans	Transportation and Engineering
Detention Ponds and Plans	Transportation and Engineering
Geology Plans	Engineering Geologist
Radiation Plans	Colorado Department of Public Health and Environment
Landscaping Plans	Planning and Zoning
Fire Hydrants or Cisterns	Applicable fire district
Central Water System	Applicable water district
Central Wastewater Collection System	Applicable sanitation district
Subsurface Groundwater Collection System	Transportation and Engineering and, if applicable, the sanitation district.
Test Results of Soils, Asphalt and Concrete	Transportation and Engineering
Pavement Mixes and Designs	Transportation and Engineering

2. Procedure

- a. At least 60 days prior to expiration of the guarantee, the developer shall notify Transportation and Engineering or Planning and Zoning that specific or all improvements are constructed, complete and ready for inspection. (am. 7-12-05; am. 5-20-08; am. 12-21-10)
- b. Transportation and Engineering or Planning and Zoning shall, within 15 days after receipt of the request for an inspection, conduct an inspection of the development improvements. (am. 7-12-05; am. 12-5-06; am. 5-20-08; am. 12-21-10)
- (1) If the inspection determines that the development improvements have been constructed and completed to the satisfaction of Transportation and Engineering or Planning and Zoning then, within 14 days Jefferson County shall submit to the developer, in writing, a letter of acceptance for all development improvements completed. This letter of acceptance will initiate the warranty period for the public circulation improvements. (am. 7-12-05; am. 12-5-06; am. 5-20-08; am. 12-21-10)
- (2) If any development improvements have not been completed, Transportation and Engineering or Planning and Zoning shall notify the developer in writing that guarantee collateral is required, and state the amount of the required collateral. (am. 7-12-05; am. 12-5-06; am. 5-20-08; am. 12-21-10)

3. Field Alterations

- a. The Resident Engineer, or his/her designee, shall be delegated the authority to approve technical field alterations to the plans: (am. 7-12-05; am. 5-20-08)
- (1) The submission, by the developer, of a revised Exhibit "A" and amended collateral amount, if deemed necessary by Planning and Zoning. (am. 7-12-05; am. 5-20-08)
- (2) The technical field alteration does not violate the provisions of this Regulation or any other applicable Jefferson County, state, or federal regulation. (orig. 7-12-05; am. 5-20-08)
- (3) The technical field alteration as indicated on the revised plans is a viable alternative that achieves the intent of the original design and approved construction plan and is approved by Planning and Zoning. (orig. 7-12-05; am. 5-20-08)

- b. Those alterations not meeting the above conditions shall require submission of an amended plat application or an Exemption from Platting application by the developer and subsequent approval by the Board of County Commissioners prior to any alteration of approved plans. (am. 7-12-05)
- c. In the event that all or a significant portion of the development improvement cannot be constructed in accordance with approved plans and field alterations are not feasible, then the following shall apply: (orig. 7-12-05; am. 12-5-06)
 - (1) The Developer shall cease construction of all affected development improvements. (orig. 7-12-05; am. 12-5-06)
 - (2) The Developer shall submit revised plans in conformance with these regulations including the proposed revisions to Planning and Zoning for review and approval. (am. 7-12-05; am. 5-20-08)
 - (3) The Developer shall submit a revised Exhibit "A" and amended collateral amount for the performance guarantee, if deemed necessary by Planning and Zoning. (am. 7-12-05; am. 5-20-08)

H. Renewals, Reductions and Partial Releases of Guarantees

1. Renewal of Guarantee

- a. Pursuant to the Installation provisions of this Section, renewals of guarantees where the accompanying buildings have been occupied for a period of 12 months or more will not be accepted except as approved by Transportation and Engineering or Planning and Zoning. (am. 7-12-05; am. 5-20-08; am. 12-21-10)
- b. If the developer is unable to complete construction of development improvements within the prescribed time, he/she shall submit a new or extended guarantee to Planning and Zoning at least 30 days prior to the expiration date of the original guarantee. (am. 7-12-05; am. 12-5-06; am. 5-20-08)
- c. The County procedure for reviewing a renewed or extended guarantee shall be the same as for the original guarantee. (orig. 7-12-05)

2. Reduction of Guarantee

- a. Upon completion of an entire phase or work category, the developer shall notify Planning and Zoning at least 60 days prior to the expiration date of the guarantee indicating that said phase is ready for inspection. (am. 7-12-05; am. 5-20-08)
- b. Transportation and Engineering or Planning and Zoning, upon receipt of the request for an inspection by the developer, shall conduct an inspection to determine the status of completion of the development improvements for the phase. (am. 7-12-05; am. 12-5-06; am. 5-20-08; am. 12-21-10)
- c. The County procedure for processing a reduction of a deposited collateral guarantee shall be the same as for the original guarantee. (orig. 7-12-05)

3. Partial Release of Guarantee

- a. A partial release of the guarantee shall be considered by Planning and Zoning upon receipt of a written request by the developer. Partial releases of guarantees shall only be granted upon formal acceptance of the work category, in writing, by Transportation and Engineering or Planning and Zoning. (am. 7-12-05; am. 5-20-0; am. 12-21-108)
- b. The County procedure for processing a partial release of a deposited collateral guarantee shall be the same as for the original guarantee. (orig. 7-12-05)
- c. If any development improvements have been partially completed, and a partial release has been granted by Planning and Zoning or Transportation and Engineering then the developer may be required to submit a revised Exhibit "A" and cost estimate indicating development improvements that have not been completed. (am. 7-12-05; am. 12-5-06; am. 5-20-08; am. 12-21-10)

I. Warranty of Public Improvements

1. Warranty Period and Amount: The warranty period and amount for public street/road and drainage improvements that Jefferson County will accept, own and maintain, shall be as shown in the table below. (orig. 7-12-05; am. 12-5-06)

WARRANTY PERIOD AND AMOUNT FOR STREET/ROAD AND DRAINAGE IMPROVEMENTS			
	Overburden Depth	Warranty Period (in years)	Warranty Amount (% of estimated total cost of public improvement)
Inside Dipping Bedrock Area	5-10 feet (inclusive)	3	50 + 10% contingency
	More than 10 feet	3	15 + 10% contingency
Outside Dipping Bedrock Area	Not Applicable	2	15 + 10% contingency

- a. The warranty period shall commence after the date of acceptance of the public improvement, pursuant to this Regulation. (orig. 7-12-05)
 - b. If at the end of the warranty period, no major repairs have been needed or are currently needed, and all minor repairs have been completed and accepted, the applicable improvements shall be accepted by Transportation and Engineering and the warranty amount released. (am. 7-12-05; am. 12-21-10)
 - c. Any repairs required during the warranty period shall be warranted for an additional 2 years. The warranty amount for any repair made during a warranty period shall be as shown in the table above. The warranty period and amount for repairs shall only apply to that segment of the improvement that has failed, which segment shall be delineated and defined by Transportation and Engineering. The extent of repairs resulting from any failure of the public improvement shall be determined by Transportation and Engineering. (am. 7-12-05; am. 12-21-10)
2. Warranty Collateral:
 - a. A deposited collateral guarantee shall be required during warranty and for at least 2 months thereafter to guarantee cost of repairs. (orig. 7-12-05)
 - b. The collateral warranty amount, for the purposes of this Section, shall be determined as follows: (orig. 7-12-05)
 - (1) The estimated total cost for public improvements accepted for the subdivision shall equal the cost estimate for all items specified in the Exhibit "A" minus items not required to be warranted by this Regulation. (orig. 7-12-05)
 - (2) In the event that the public improvements submitted for acceptance did not have an cost estimate and deposited collateral guarantee then the estimated total cost of such public improvements shall be determined by the developer and approved by Planning and Zoning at the time of submission of the completed public improvements for acceptance. (am. 7-12-05; am. 5-20-08)
 3. The developer shall, in any event, be responsible for all costs of repairs to and replacement of public improvements warranted, regardless of the amount of the deposited collateral submitted to and/or retained by the County. (orig. 7-12-05)
 4. During the warranty period, the developer shall be responsible for all maintenance and repairs within the right-of-way, except for snowplowing, unless the damage is caused by another entity to which Jefferson County has issued a construction permit. (orig. 7-12-05)

The developer shall be expected to make all warranty repairs as appropriate, based on an inspection by Transportation and Engineering. (am. 7-12-05; am. 12-21-10)

J. Final Acceptance of Warranted Public Improvements

1. Final Acceptance
 - a. Final acceptance at the end of the warranty period shall be based on the criteria defined in the Jefferson County Transportation Design and Construction Manual for road improvements and the Storm Drainage Design and Technical Criteria for drainage improvements. (orig. 7-12-05)
 - b. The developer shall ensure that streets/roads with curb/gutter are clean and that water is supplied to demonstrate free drainage during the warranty inspection. (orig. 7-12-05)
 - c. Transportation and Engineering shall, within 45 days prior to the expiration date of the warranty for development improvements, make a final inspection of such improvements that are still under warranty and a final determination of all necessary repairs or replacements, and the costs thereof. (am. 7-12-05; am. 12-5-06; am. 12-21-10)
 - d. Transportation and Engineering shall, within 14 days immediately after the final determination of all repairs or replacements, notify the developer in writing of all required repairs and replacements, and advise him/her that all such repairs and replacements are to be completed within a period of not more than 6 months after said notification. (am. 7-12-05; am. 12-21-10)
 - e. The developer shall be responsible to renew or replace any guarantees so that the County holds a guarantee which does not expire less than 8 months prior to the date of the letter described in J.d of this Section. (am. 7-12-05)
2. Jefferson County Action Upon Completion of Development Improvements
 - a. Transportation and Engineering, Planning and Zoning or the Road and Bridge shall inspect the development improvements, as appropriate, and determine if the work has been completed. This determination shall be submitted in a written statement of findings to the developer and the Public Improvements Coordinator. Upon final acceptance of the improvements, all securities will be released by the Public Improvements Coordinator. (am. 7-12-05; am. 12-5-06; am. 5-20-08; am. 12-21-10)
 - b. The County shall accept, conditionally accept, or not accept the completion status of the development improvements by the Public Improvements Coordinator. (am. 7-12-05; am. 12-5-06; am. 5-20-08)

Section 34 - Vested Real Property Rights

A. Vested Real Property Rights

1. Purpose: The purpose of this Section is to provide the procedures necessary to implement the provisions of Article 68 of Title 24, C.R.S., as amended, and to effectuate local control over creation of Vested Real Property Rights to the fullest extent permitted under applicable law. (reloc. 7-12-05)
2. Definitions
 - a. "Vested Real Property Right" means the right to undertake and complete the development and use of property under the terms and conditions of a Site Specific Development Plan that has been approved by the Board of County Commissioners, subject to the provisions of this Section. (reloc. 7-12-05)
 - b. "Application" means substantially complete forms and documents required by Planning and Zoning for approval of a Site Specific Development Plan, as submitted to Planning and Zoning in compliance with all applicable requirements. (am. 7-12-05)
 - c. "Site Specific Development Plan" means only the final subdivision plat, the Exemption from Platting, the development agreement, or the rural cluster map. Site Specific Development Plan does not include final architectural plans or final construction drawings, documents identifying public improvements to be constructed, or documents specifying materials and methods for construction of public or private improvements. (reloc. 7-12-05)
3. Notice and Hearing: No action shall be taken on a Site Specific Development Plan by the Planning Commission or the Board of County Commissioners until after a public hearing, preceded by written notice. The notice may, at the County's option, be combined with any other public notice. At the hearing, interested persons shall have an opportunity to be heard. (reloc. 7-12-05)
4. Approval – Effective Date – Law Applied
 - a. A Site Specific Development Plan shall be deemed approved, and a real property right vested, upon the effective date of the final Board of County Commissioners' action approving or conditionally approving the plan. (reloc. 7-12-05)
 - b. An Application for approval of a Site Specific Development Plan as well as the approval, conditional approval, or denial of the plan shall be governed by the laws and regulations in effect at the time the Application was submitted to Planning and Zoning; however, the County may adopt any new or amended regulation or act when necessary for the immediate preservation of public health and safety and may apply such regulation. (am. 7-12-05)
5. Duration of Vested Real Property Right – Extension – Amendments
 - a. A Vested Real Property Right shall have an original term of 3 years from the effective date of approval, or conditional approval, of a Site Specific Development Plan. However, if the Site Specific Development Plan provides for a longer period for completion of development, the Board of County Commissioners, in its discretion, may provide that the Vested Real Property Right has an original term of up to 10 years. During the original term of the Vested Real Property Right, together with any extension period(s) granted, the landowner must complete the approved site specific development. For purposes of this Section, a landowner has not "completed" the development until all engineering improvements, including, without limitation, water, sewer, streets, curbs, gutter, street lights, fire hydrants and storm drainage, are installed and completed in accordance with

County regulations. Failure to complete the development within the original term of the Vested Real Property Right, together with any extension period(s) granted, shall cause forfeiture of the Vested Real Property Right as provided in Article 68 of Title 24, C.R.S. Forfeiture of a Vested Real Property Right shall not invalidate the Site Specific Development Plan; however, the Site Specific Development Plan shall be subject to, and may require revision to comply with, all current laws and regulations. All dedications as contained in the Site Specific Development Plan shall remain valid unless vacated in accordance with law. (reloc. 7-12-05)

- b. A Vested Real Property Right may be extended by the Board of County Commissioners, in its discretion, for up to 3 successive periods of up to 3 years each. In determining whether to grant an extension, the Board of County Commissioners may consider, among other relevant factors, whether the landowner has undertaken the development during the original term together with any previous extension period(s), and the likelihood that the landowner will complete the development during the requested extension period. Any request for an extension shall be submitted by the landowner to the Board of County Commissioners in writing at least 60 days prior to the date of expiration of the Vested Real Property Right. Failure to submit a written request within the specified time period shall cause forfeiture of any right to request extension of the Vested Real Property Right. Upon receipt of a request for extension, the Board of County Commissioners shall hold a public hearing for the purpose of approving, conditionally approving, or denying the requested extension. (reloc. 7-12-05)
 - c. For purposes of duration of a Vested Real Property Right, any amendments to a Site Specific Development Plan shall relate back to the date of approval of the Site Specific Development Plan, unless the Board of County Commissioners specifically finds to the contrary and incorporates such findings in its approval of the amendment. (reloc. 7-12-05)
6. Notice of Approval: Each document constituting part of the Site Specific Development Plan shall contain the following language: "Approval of this plan may create a Vested Real Property Right pursuant to Article 68 of title 24 C.R.S., as amended, subject to the limitations of the Jefferson County Zoning Resolution, the Jefferson County Land Development Regulation, and the Jefferson County Policies and Procedures Manual." In addition, a notice describing generally the type and intensity of use approved, the specific parcel or parcels of property affected, and stating that a Vested Real Property Right has been created, shall be published once by the County, not more than 14 days after approval of the Site Specific Development Plan, in a newspaper of general circulation within Jefferson County. (reloc. 7-12-05)
7. Payment of Costs: In addition to any and all other fees and charges imposed by the Jefferson County Zoning Resolution, the Jefferson County Land Development Regulation, or the Jefferson County Policies and Procedures Manual, the applicant for approval of a Site Specific Development Plan shall pay all costs incurred by the County as a result of the Site Specific Development Plan review, including publication of notice, public hearing and review costs, as established by the Board of County Commissioners. (am. 7-12-05)
8. Other Provisions Unaffected: Approval of a Site Specific Development Plan shall not constitute an exemption from or waiver of any other provisions of the Jefferson County Zoning Resolution, the Jefferson County Land Development Regulation, or the Jefferson County Policies and Procedures Manual pertaining to the development and use of property. (reloc. 7-12-05)
9. Limitations: This Section is only intended to implement the provisions of Article 68 of Title 24, C.R.S., as amended. If that article is repealed or is judicially determined to be invalid or unconstitutional, this Section shall be deemed to be immediately and automatically repealed, and the provisions hereof no longer effective. Nothing herein shall be construed to prohibit the waiver of a Vested Real Property Right pursuant to mutual agreement between the County and the affected landowner. (reloc. 7-12-05)

10. Prior Approvals: This regulation applies only to Site Specific Development Plans approved on or after January 1, 2000. For Site Specific Development Plans approved between January 1, 1988 and January 1, 2000, the landowner must affirmatively apply for a Vested Real Property Right. The Board of County Commissioners has discretion to grant such a right after notice and hearing in accordance with A.5.a of this Section and to grant up to 3 extensions in accordance with A.5.b of this Section. Site Specific Development Plans approved before January 1, 1988 are not eligible for vesting under this regulation. (am. 7-12-05)

Definitions

ABBREVIATIONS (orig. 10-25-05; am. 10-13-09)

AASHTO shall refer to the American Association of State Highway and Transportation Officials

ASTM shall refer to the American Society for Testing and Materials

BCC shall refer to the Jefferson County Board of County Commissioners

BOARD shall refer to the Jefferson County Board of County Commissioners

CDOT shall refer to the Colorado Department of Transportation.

C.R.S. shall refer to the Colorado Revised Statutes

FIRM shall refer to Floodplain Insurance Rate Map

FIS shall refer to Floodplain Insurance Study

GLA shall refer to Gross Leasable Area

CLOMR shall refer to a Conditional Letter of Map Revision

LOMR shall refer to Letter of Map Revision

ARCHAEOLOGICAL RESOURCE

Any significant evidence of human activity from prehistoric periods including, but not limited to, occupation sites and work areas, evidence of farming, hunting, gathering, burials and other funeral remains and aboriginal artifacts and structures. This definition also includes, for the purpose of convenience, paleontological specimens and sites. (reloc. 07-12-05)

AVERAGE DAILY TRAFFIC (ADT)

The existing or projected total volume during a given time period at a given location divided by the number of days in that time period. (reloc. 07-12-05)

BUILDABLE LAND AREA

That area of a site where a building or other improvements can occur excluding such areas as required setbacks, wetlands, water bodies, excessive slope, floodplain, easements, hazardous areas, etc. (reloc. 07-12-05)

BUILDING

A structure having a roof supported by columns or walls. (reloc. 07-12-05)

BUILDING ENVELOPE

That portion of a lot where building construction will be permitted. (reloc. 07-12-05)

CERTIFICATE OF COMPLIANCE

A written document issued by Planning and Zoning or the Board of County Commissioners certifying compliance with certain land development restrictions or conditions. (reloc. 07-12-05)

DEVELOPER

Any subdivider, applicant, person, firm, partnership, joint venture, association or corporation participating as owner, promoter, developer, or sales agent in the planning, platting, development, promotion, sale or lease of lands which are subject to the provisions of this Regulation. (reloc. 07-12-05)

DIP OF SURFACE

The angle that a stratum or similar geological feature makes with a horizontal plane (slope of ground). (reloc. 07-12-05)

DWELLING

See Lot and Dwelling definitions in the Zoning Resolution. (reloc. 07-12-05; am. 10-13-09)

ENGINEER

A person possessing specialized knowledge in the applicable area, registered as a professional engineer in the State of Colorado pursuant to Title 12, Article 25, C.R.S., as amended. (reloc. 07-12-05)

ENVIRONMENTAL ASSESSMENT

An evaluation of the environmental condition of the property which is included in the proposed development and may consist of an Environmental Questionnaire and Disclosure Statement, Phase I Environmental Site Assessment, Phase II Environmental Site Assessment, Phase III Environmental Site Assessment and remediation as specified in this Regulation. (reloc. 07-12-05 am. 10-25-05)

ENVIRONMENTAL PROFESSIONAL

A person possessing sufficient training and experience necessary to conduct an environmental assessment and from the information generated by such activity having the ability to develop conclusions regarding recognized environmental conditions in connection with the property in question. A person's status as an environmental professional may be limited to the type of assessment to be performed or to specific segments of the assessment for which the professional is responsible. (reloc. 07-12-05)

FLOODPLAIN

See Floodplain or Flood-Prone Area definitions in the Zoning Resolution. (am. 10-13-09)

GEOLOGIC HAZARD

A geological phenomenon which is so adverse to past, current or foreseeable construction or land use as to constitute a significant hazard to public health and safety or to property. This includes, but is not limited to, landslide, rockfall, slope failure complex, mudflow and creep. (reloc. 07-12-05; am. 10-13-09)

GEOLOGIST

A person possessing specialized knowledge in the applicable area, meeting the definition of professional geologist pursuant to Section 34-1-201, C.R.S., as amended. (reloc. 07-12-05)

GREENBELT

Landscaped or natural open areas devoid of building and structures. (reloc. 07-12-05)

GROSS LEASABLE AREA (GLA)

The total floor area designed for the tenants' occupancy and exclusive use (including but not limited to basements, kitchens, restrooms, storage rooms, private corridors, stairways, mezzanines and upper floors), expressed in square feet and measured from the centerline of interior walls or other interior tenant partitions and from outside wall faces. GLA does not include public or common areas (i.e., public restrooms, corridors, stairwells, elevators, lobbies or mall areas) nor does it include mechanical rooms, equipment and/or machine rooms or mechanical chases. (reloc. 07-12-05)

HAZARDOUS MATERIALS

Flammable or explosive materials, petroleum or petroleum based products, oil, crude oil, methane gas or synthetic gas usable for fuel, volatile organic compounds (VOC), radioactive materials, or hazardous toxic or dangerous waste, substance or related materials and includes, without limitations, the following: (reloc. 07-12-05)

Those substances, materials and wastes listed in the United States Department of Transportation Hazardous Materials Table (49 CFR 172.101) or listed as "hazardous material" or "hazardous waste" as defined by the Environmental Protection Agency at 40 CFR Part 302, and amendments thereto and replacements therefor; (reloc. 07-12-05)

Such substances, materials or wastes as are regulated by the Resource Conservation and Recovery Act of 1976 (42 U.S.C. 6901) as amended and any successor statute or orders, regulations, directions or requirements thereunder; (reloc. 07-12-05)

Such substances, materials or wastes as are regulated by the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. 9601, et. seq.) as amended and any successor statute or orders, regulations, directions or requirements thereunder (including, but not limited to PCB's, asbestos and radon); (reloc. 07-12-05)

Any "hazardous waste" as defined by the Colorado Waste Act, C.R.S. 25-15-101, as amended, and any successor statute or any regulations promulgated thereunder; and

Any "regulated substances" as defined by the Underground Storage Tank Law, C.R.S. 8-20-501, as amended, and any successor statute or regulations promulgated thereunder; or

Such hazardous or toxic substances, materials or wastes that are regulated under any other applicable County, municipal, state or federal law, rule, ordinance, direction or regulation. (reloc. 07-12-05)

HISTORICAL RESOURCE

Sites, districts, structures or other evidence of human activities existing for more than 50 years which represent facets of history in the locality, state or nation which have been officially included in the National or State Register of Historic Places or in the Jefferson County inventory of historical sites. (reloc. 07-12-05)

KEY FACILITIES

Major installations including, but not limited to those required for airports, public utilities, arterial highway interchanges and mass transit systems. (reloc. 07-12-05)

LANDSCAPE ARCHITECT

A person who engages in the practice of landscape architecture in the State of Colorado. (reloc. 07-12-05)

LOT

See Lot and Dwelling definitions in the Zoning Resolution. (am. 10-13-09)

MAJOR REPAIRS OF PUBLIC IMPROVEMENTS

Major repairs are as defined in the County Road Acceptance Criteria portion of the Policies and Procedures Manual. (reloc. 07-12-05)

MOUNTAINS

See "Mountains" definition in the Zoning Resolution. (reloc. 07-12-05; am. 10-25-05; am. 10-13-09)

MYLARS

Plastic material on which the plat is reproduced. It shall be a minimum of 0.003 inches in thickness, black line and have a matte finish on both sides. (reloc. 07-12-05)

NOISE

Any sound which is unwanted or which causes or tends to cause an adverse psychological or physiological effect on human beings. (reloc. 07-12-05)

Decibel: A logarithmic (dimensionless) unit of measure often used in describing the amplitude of sound. (reloc. 07-12-05)

- L²⁵: Occurs no more than 25 percent of a specific time frame. (reloc. 07-12-05)
- L⁰: Does not occur at any time during a specific time frame. (reloc. 07-12-05)

PARKS

Parks as set forth in this Regulation include parks, recreation areas or open space areas. (reloc. 07-12-05)

PARTIAL RELEASE

A decrease in the guarantee collateral for non-warranted public improvements as a result of the completion, either for the entire development or within a phase, of a major work category. (am. 07-12-05)

PHASE

A delineated geographical area, as indicated on a map, outlining one (1) contiguous, functional, self-contained area of development or a grouping of specific improvements global to the development. All phases shall be approved by Transportation and Engineering or Planning and Zoning. (reloc. 07-12-05; am. 12-21-10)

PLAINS

See "Plains" definition in the Zoning Resolution. (reloc. 07-12-05; am. 10-25-05; am. 10-13-09)

PLANNING ENGINEER

The Jefferson County Planning Engineer or alternate as designated by the Planning Engineer or the Director of Planning and Zoning. (am. 07-12-05)

PLAT

A map(s) or plan(s) complete with all written provisions located thereon prepared in compliance with this Regulation and which is submitted to the County for the purpose of obtaining approval thereof and recordation. (reloc. 07-12-05)

PUBLIC OR SEMIPUBLIC USES

Land on which is constructed a building(s) or structure(s) within which members of the general public shall congregate, including, but not limited to churches, private schools, theaters, amusement parks and golf courses. (reloc. 07-12-05)

PUBLIC IMPROVEMENT GUARANTEE

A public improvement guarantee shall be one or some combination of the following types of collateral: (reloc. 07-12-05)

Deposited Collateral: A guarantee secured by an irrevocable letter of credit or cash escrow. (reloc. 07-12-05)

Plat Restriction Collateral: A guarantee secured by a plat restriction or by some other separate instrument. (reloc. 07-12-05)

Intergovernmental Agreement Collateral: A subdivision improvements agreement between a municipal or quasi-municipal corporation, authorized to complete the required public improvements, and the appropriate developer, complete with evidence satisfactory to Jefferson County of available

funds from proceeds of general obligation municipal bonds issued for said public improvements by the contracting municipal or quasi-municipal corporation. Intergovernmental Agreement collateral as provided for herein may, in the sole discretion of the Board, be substituted for collateral previously supplied pursuant to this Regulation. (reloc. 07-12-05)

REDUCTION

A decrease in the guarantee collateral as a result of the completion, acceptance and warranty of all public improvements within a County-approved phase. (reloc. 07-12-05)

REGISTERED ASSOCIATION

Any association registered with Planning and Zoning.

REMEDIATION

The action or measures taken, or to be taken, to lessen, clean-up, remove or mitigate the existence of hazardous materials existing on the property to such standards, specifications or requirements as may be established or required by federal, state or County statute, rule or regulation. (reloc. 07-12-05)

ROADS

Shall mean public or private rights-of-way within the Mountains of the County. (am. 10-13-09)

ROADWAY CLASSIFICATION:

A classification given to a particular street/road based on traffic volumes, geographic location, existing land use and anticipated growth. Classifications include freeways, parkways, arterials, collectors and locals. Streets/roads are classified in the Jefferson County Major Thoroughfare Plan and in the Jefferson County Transportation Design and Construction Manual (JCRDCM). The JCRDCM identifies specific geometric requirements for streets/roads based on classification and other specific design requirements. (orig. 10-13-09; am. 11-24-15)

STREETS

Shall mean public or private rights-of-way within the Plains of the County. (reloc. 07-12-05; am. 10-13-09)

SUBDIVIDER

See "Developer". (reloc. 07-12-05)

SUB-EXCAVATION

The removal and recompaction of on-site soils according to Jefferson County or AASHTO specifications. Jefferson County's specifications take precedence where described. (reloc. 07-12-05)

TOTAL IMPERVIOUS AREA

That area which does not readily allow water to infiltrate into the ground including, but not limited to such surfaces as buildings, concrete and asphalt surfaces, gravel surfaces with compacted subgrade, rock surfaces, and landscaped areas with plastic underlining. (reloc. 07-12-05)

WILDFIRE HAZARD

A wildfire phenomenon which is so adverse to past, current or foreseeable construction or land use as to constitute a significant hazard to public health, safety or property. (reloc. 07-12-05)