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 Manger 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. Proof of 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)

    a. Evidence must be submitted demonstrating that the applicant has right of access in accordance with the Access Standards of Section 2 of the Zoning Resolution and the following: (orig. 4-20-10)

        (1) The provision for "road of record" may only be considered for applications that meet the conditions listed below. The determination of "road of record" for a development process shall be made by the Director of Planning and Zoning. (orig. 4-20-10; am. 12-21-10)

            (a) Any application where the proposal does not increase the number of existing building sites and where there are existing properly permitted dwelling structures within the building sites. (orig. 4-20-10)

(b) Any application where the proposal does not increase the number of existing building sites within a platted subdivision, regardless of whether there are existing properly permitted dwelling structures. (orig. 4-20-10)

(2) If a development is proposing to create or authorize additional lots or building sites, then the access must be shown to be transferable to the future owners within the development. (orig. 4-20-10)

b. The required width of the access right must be in accordance with the Access Standards of Section 2 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 of the access and the physical standards of the access. (orig. 4-20-10)

Note: 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)

6. 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)

7. The Director of Planning and Zoning may waive submittal requirements if the information would not materially aid in reviewing the application. (orig. 4-20-10; am. 12-21-10; am. 9-27-11)

8. All documents submitted for a referral process must be collated and packaged by the applicant. The applicant is responsible for the postage required to mail the referral documents to outside reviewing agencies. (orig. 7-12-05; am.4-20-10)

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. x-xx-xx)

	Document Type	**Preliminary and Final Plat**	**Preliminary Plat**	**Final Plat**	**Rural Cluster**	**Exemption**	**Minor Adjustment**	**Residential Structure Exclusion**	**Vacation**
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						

Table Key	
R	A document that is required to be submitted for an application
A	A document that can be required by the Case Manager based on the specific circumstances of an application

	Document Type Table Key R: A document that is required to be submitted for an application A: A document that can be required by the Case Manager based on the specific circumstances of an application	**Preliminary and Final Plat**	**Preliminary Plat**	**Final Plat**	**Rural Cluster**	**Exemption**	**Minor Adjustment**	**Residential Structure Exclusion**	**Vacation**
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.	Traffic 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		
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		
~~36.~~	~~Land Valuation~~	~~A~~		~~A~~		~~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. x-xx-xx)

	Document Type Table Key R: A document that is required to be submitted for an application A: A document that can be required by the Case Manager based on the specific circumstances of an application	**Preliminary and Final Plat**	**Preliminary Plat**	**Final Plat**	**Rural Cluster**	**Exemption**	**Minor Adjustment**	**Residential Structure Exclusion**	**Vacation**
~~37~~36.	Tax Certificate						A		
~~38~~37.	Mylar						A	R	
~~39~~38.	Improvements Agreement Letter	A		A	A	A			
~~40~~39.	Improvements Agreement						A		
~~41~~40.	Executed Deeds/Easements/Agreements						A		A
~~42~~41.	Final Documents						A		A
~~43~~42.	Recording Fees						R	R	
~~44.~~	~~Fees-in-Lieu of Land Dedication Letter~~	~~A~~		~~A~~		~~A~~			
~~46~~43.	Mineral Estate Notification Form	A	A	A	A	A			
~~47~~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. x-xx-xx)

	Document Type Table Key R: A document that is required to be submitted for an application A: A document that can be required by the Case Manager based on the specific circumstances of an application	Preliminary and Final Plat	Final Plat	Rural Cluster	Exemption	Vacation
~~37~~36.	Tax Certificate	A	A	A	A	
~~38~~37.	Mylar	R	R	R	R	
~~40~~39.	Improvements Agreement	A	A	A	A	
~~41~~40.	Executed Deeds/Easements/Agreements	A	A	A	A	A
~~42~~41.	Final Documents	A	A	A	A	A
~~43~~42.	Recording Fees	R	R	R	R	A
~~45.~~	~~Fees-in-lieu Land Dedication~~	~~A~~	~~A~~		~~A~~	
~~47~~44.	Cash-in-Lieu of Construction	A	A	A	A	
~~48~~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 commitment shall be approved by the County Attorney's office. 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)

6. Access: The applicant shall submit the memorandum from Planning and Zoning that verifies the legal right of access and width of the access for the property in accordance with the proof of access provisions listed above. If the location of the access for the development changes from that originally verified, then additional access information may be required by the Case Manager. 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 Roadway 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)

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)

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 Jefferson County Roadway 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)

    b. Trail construction plans, as required by the Trails Section of this Regulation. (orig. 4-20-10)

    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, ~~and~~ 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. x-xx-xx)

    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. Traffic Information: Detailed Traffic 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 traffic 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 trips being generated. (am. 7-12-05; am. 4-20-10)

    a. Traffic Analysis: A Traffic Analysis may be required by Planning and Zoning to determine the amount and\or distribution of traffic generated from a proposed development. A traffic analysis is a computation of the traffic that is generated by a proposed development that is expected to generate less than 1000 average daily trips. The analysis should address any offsite improvements that may be necessary to mitigate traffic impacts from the proposed development. (orig. 4-20-10)

    b. Minor Traffic Study: A Minor Traffic 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 offsite improvements that may be necessary to mitigate traffic impacts from the proposed development, such as signalization and turning lanes. (orig. 4-20-10)

    c. Major Traffic Study: A Major Traffic 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, such as signalization, turning lanes and interchanges. (orig. 4-20-10)

    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 traffic analysis or study or an amendment to the analysis or study on file as a part of the previous development. (orig. 4-20-10)

    Final Plats: A Traffic 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)

    Vacation: Traffic 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)

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)

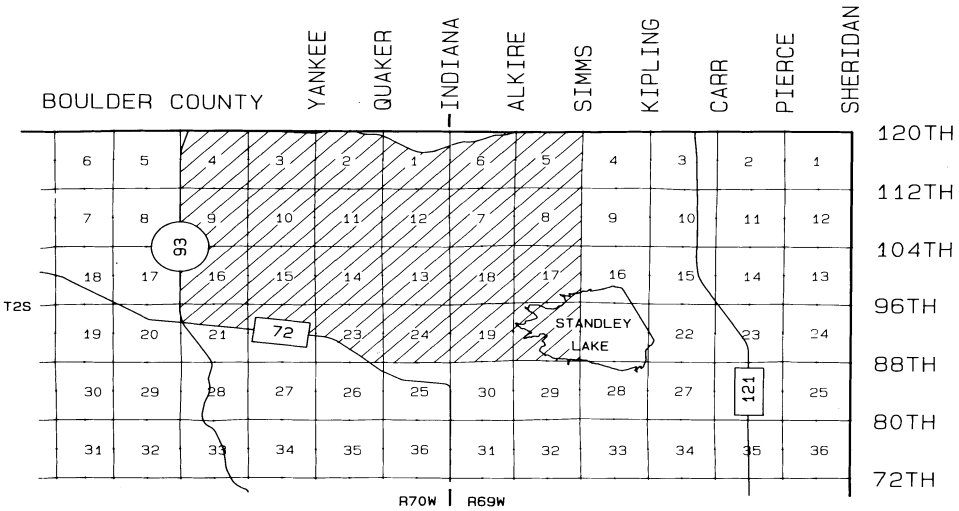
26. Geologic and Geotechnical Report: A Geologic and Geotechnical Report prepared in accordance with the Geologic and Geotechnical Section. The County Engineering Geologist may defer the submittal of the report to a subsequent development process or to the building permit process, if he/she determines 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: Radiation Assessment/Report/Plan prepared in accordance with the Radiation section, applicable to those proposed developments located within any potential radiation hazards that may be identified by the Colorado Department of Public Health and Environment and/or Public Health, and for the area as delineated by diagonal hatching on the following Map. (am. 7-12-05; am. 10-25-05; am. 4-20-10)



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

    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. Land Valuation: A development proposal that creates additional residential lots or units is required to meet the provisions of the Park and School Requirement Section of this Regulation. This Park and School Requirements Section identifies that the requirements can be met through the dedication of land or the payment of fees. When fees-in-lieu of land dedication is to occur, documentation such as an appraisal or comparison pricing analysis shall be submitted to and approved in accordance with the Park and School Requirements Section. (am.7-12-05; am. 4-20-10)~~

~~Rural Cluster: A division of land through the Rural Cluster process is not required to meet the provisions of the Park and School Requirement Section of this Regulation. (orig. 12-21-10)~~

~~37~~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)

~~38~~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)

~~39~~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)

~~40~~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 ~~for public improvements and landscape improvements~~ that ~~have~~ has been signed by the developer and by the preparer of the exhibit. (orig. 4-20-10; am. x-xx-xx)

~~41~~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)

~~42~~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)

~~43~~42. Recording Fees: Recording fees shall be those currently charged by and made payable to the Clerk and Recorder. (reloc. 7-12-05)

~~44. Fees-in-Lieu of Land Dedication Letter: Prior to scheduling a case for hearing, the applicant must submit a letter indicating that they agree to pay the calculated fees prior to recordation of the Mylar. (orig. 4-20-10)~~

~~45. Fees-in-Lieu of Land Dedication: If the applicant is proposing to satisfy some or the entire park or school land dedication requirement through the payment of fees, then the fees must be paid prior to recordation of the Mylar. Prior to scheduling a case for hearing, the applicant must submit a letter indicating that they agree to pay the calculated fee prior to recordation of the Mylar. (am. 7-12-05; am. 4-20-10)~~

~~46~~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)

~~47~~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)

~~48~~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)