



Boulder County  
Land Use Department  
Publications

# Post-Approval Requirements for Subdivision Exemptions

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## Post-Approval Requirements for Subdivision Exemptions

Applicants for Subdivision Exemptions: Boundary Line Adjustments; Lot Splits or Community Facility Lot Splits; and Lot Recognitions.

Section 3-206(C) of the Boulder County Land Use Code sets the following requirements for completion of a Subdivision Exemption after its approval by the Board of County Commissioners. All requirements not explicitly waived by the processing planner shall be met **Within One Year** of approval date (see Article 9-300 of the Code), or the approval expires and becomes void.

Following approval or conditional approval of an exemption, the following actions may be required:

1. \_\_\_\_ The applicant shall obtain all signatures necessary for execution of the appropriate documents (i.e., Warranty or Quit-Claim deeds reflecting the properties approved by the exemption, and any necessary easements).

The Director shall be responsible for obtaining the signature of the Chair of the Board of County Commissioners (on a separate Subdivision Exemption Form).

2. \_\_\_\_ The applicant shall supply a title report as defined in Section 3-203(G) of the Code which includes all owners of record as of the date of recordation.
3. \_\_\_\_ The applicant shall obtain a certification from the County Treasurers' Office that there are no outstanding *ad-valorem* taxes to be paid on the property being exempted.
4. \_\_\_\_ The Director shall verify that the proper signatures have been secured on the exemption documents (as may be required in the conditions of approval).
5. \_\_\_\_ The Director shall verify that references to the docket number of the exemption and date of approval are included on the deeds. Please include the following language:

**"This deed given to implement the Board of County Commissioners' approval of Docket # SE-\_\_\_\_\_ on (date) \_\_\_\_\_, 20\_\_\_\_."**

6. \_\_\_\_ The applicant shall be responsible for all recording fees (as set by the Boulder County Clerk and Recorder).

Upon finding that all corrections have been made to the Exemption documents, the proper signatures have been received, that all payments have been received, and the documents are in proper order and ready for recordation, the Director shall authorize the documents to be filed for recording with the Clerk and Recorder.

Please contact the processing planner with any questions regarding these requirements, and return the items checked or initialed above to the planner in order to properly record the exemption documents.

# Code Excerpts



## Post Approval Requirements

### Excerpt from Article 3 • Processes

#### 3-206 Post Approval Requirements

- A. No activity or use authorized pursuant to an approval granted subject to the provisions of this Article shall be permitted or allowed to commence unless all post- approval requirements as required by this Code and all conditions of approval have been met.
- B. Development Agreements
  1. For special use approvals and final plat or final plat replat approvals under the Subdivision Regulations, a development agreement must be reviewed and approved by County staff, signed by the applicant, and then signed by the Chair of the Board. The approved and executed development agreement shall be recorded in the real property records of Boulder County at the same time the other required post-approval documents implementing the approval are recorded. The development agreement shall embody the terms and conditions of the site specific development plan creating a vested property right pursuant to Section 3-207.
  2. The development agreement typically will include the following (as applicable):
    - a. description of the approved development,
    - b. site plan depicting the approved development,
    - c. provisions for construction of improvements,
    - d. performance guarantees and letters of credit,
    - e. evidence of payment of sewer and water tap fees and other necessary fees,
    - f. phasing schedule,
    - g. evidence of transfer of water rights,
    - h. agreements to provide 'as built' plans,
    - i. methods of providing perpetual maintenance of common property and equipment,
    - j. provisions for a home owners association,
    - k. methods for amending the agreement,
    - l. enforcement provisions, and
    - m. language establishing a vested property right in conformity with Part I of Article 68 of Title 24, C.R. S., as amended.
  3. The development agreement shall be signed by all owners of the subject property.