

## RESOLUTION 2025-014

### **A resolution approving Boulder County Community Planning & Permitting Docket DC-24-0005: Text Amendments to the Land Use Code Related to Exemption Plats**

#### Recitals

A. The Board of County Commissioners of Boulder County (the “Board”) is authorized to amend the text of the County’s Zoning Regulations according to the procedures in Article 16 of the Boulder County Land Use Code and C.R.S. § 30-28-112, -116 and -133.

B. Under other statutory authority, the Board is empowered to adopt regulations related to the control of land use, including but not limited to Article 65.1 of Title 24 (Areas and Activities of State Interest); Articles 67 and 68 of Title 24 (Planned Unit Developments and Vested Rights); Article 20 of Title 29 (Local Land Use Enabling Act); Articles 11 and 15 of Title 30 (County Powers and Police Power); Article 1 of Title 32 (Special District Control); and Article 2 of Title 43 (County Highways), C.R.S.

C. By Resolution 94-185, adopted October 18, 1994, the Board approved a unified Boulder County Land Use Code (the “Code”), which the Board has amended on subsequent occasions.

D. In the present docket, DC-24-0005 (the “Docket”), authorized by the Board at a public meeting on December 17, 2024, Boulder County Community Planning & Permitting staff proposed text amendments to the Code (the “Proposed Amendments”) related to Exemption Plats, as set forth in the Boulder County Community Planning & Permitting Department’s memorandum and recommendation dated February 25, 2025, with its attachments (the “Staff Recommendation”).

E. As outlined in **Exhibit A**, the Proposed Amendments include updates to Article 9-300.A, specifically 9-300.A.2 and 9-300.A.3, to include an updated reference within those sections to Article 9-100 of the Code.

F. The Boulder County Planning Commission (the “Planning Commission”) held a duly noticed public hearing on the Proposed Amendments on January 15, 2025. The Planning Commission unanimously recommended approval of the Proposed Amendments as presented by staff and certified the Docket for action to the Board.

G. On February 25, 2025, the Board held a duly noticed public hearing on the Docket (the “Public Hearing”) and considered the Staff Recommendation, documents, and testimony presented by County Community Planning & Permitting Department staff. No members of the public spoke at the Public Hearing.

H. Based on the Public Hearing, the Board finds that the Proposed Amendments outlined in **Exhibit A** meet the criteria for text amendments contained in Article 16-100.B of the Code, in that the existing text is in need of amendment; the Proposed Amendments are not contrary to the

intent and purpose of the Code; and the Proposed Amendments are in accordance with the Boulder County Comprehensive Plan.

Therefore, the Board resolves:

1. The Proposed Amendments in **Exhibit A** are approved, effective as of February 25, 2025.
2. Under § 30-28-125, C.R.S., the Board authorizes the Clerk to the Board to transmit this Resolution, with its **Exhibit A**, to the County Clerk and Recorder for filing and appropriate indexing.

A motion to approve the Docket was made by Commissioner Ashley Stolzmann, seconded by Commissioner Marta Loachamin, and passed by a 2-0 vote. Commissioner Claire Levy was excused from the Public Hearing.

**[Signature Page to Follow]**

**ADOPTED** as a final decision of the Board on this 11th day of March 2025.

The signatures below indicate approval of the text of the Resolution but are not necessarily reflective of the votes taken at the Public Hearing.

**BOARD OF COUNTY COMMISSIONERS  
OF BOULDER COUNTY:**

*Marta Loachamin*

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Marta Loachamin, Chair

**Excused March 11, 2025**

\_\_\_\_\_  
Claire Levy, Vice Chair

*Ashley Stolzmann*

\_\_\_\_\_  
Ashley Stolzmann, Commissioner

ATTEST:

*Matthew Ramos*

\_\_\_\_\_  
Clerk to the Board

Exhibit A

**9-300 Exemption Plat**

A. Eligibility For Exemption Plat

2. No Exemption Plat approval shall permit an increase in the number of Subdivided Lots unless any additional resulting Subdivided Lot is 35 acres or more, unless the additional density was recognized through a court action where the county was given timely notice of the pending action by the court and given the opportunity to join as a party in interest in the proceeding, or unless the Parcel adding the additional density meets the definition of a Building Lot in Article 9-100:~~A.7.~~

**9-300 Exemption Plat**

A. Eligibility for Exemption Plat

3. Unsubdivided Land is not eligible for an exemption Plat unless:
  - a. It is part of an application to add it to Subdivided Land to create a Subdivided Lot of 35 acres or more; or
  - b. The county has received proper notice in a judicial process and a court has entered an order changing the boundary lines shown on a Plat or the action has been settled through a boundary line agreement; or
  - c. It is part of an application involving Subdivided Land where both Parcels meet the definition of a Building Lot, as described in 9-100:~~A.7.~~