

# 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.