



CITY OF ASPEN

427 Rio Grande Place, Aspen, CO 81611

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www.aspen.gov

**NOTICE OF EXEMPTION AND AUTHORIZATION TO APPLY FOR LAND USE/
BUILDING PERMITS DURING THE EFFECTIVE TERM OF ORDINANCE #27,
SERIES OF 2021 AND ORDINANCE #6, SERIES OF 2022**

Property Address:

Parcel ID Number:

Property Owner:

Representative/email:

Scope of Work (Provide narrative here and a separate pdf which is a succinct and clear set of supporting documents, to be attached to this form as Exhibit A, such as Letters of Completeness, Resolutions, Development Orders, Land Use Case numbers, Building Permit numbers etc. If the representation being made is that the work does not involve dimensional changes prohibited by the moratorium provide existing and proposed calculations, floor Plans and elevations to be attached:

Due to the circumstances noted below, the above referenced project as defined by the Scope of Work is exempt from the application of Ordinance #27, Series of 2021 and Ordinance #6, Series of 2022, and is authorized to pursue a land use review and/or building permit review during the effective terms of Ordinance #27, Series of 2021 and Ordinance #6, Series of 2022, ordinances which generally place a moratorium on residential development. This authorization does not guarantee issuance of a building permit or approval of any land use application. The applicant must submit complete information and pursue all authorized approvals in a timely fashion, adhering to all deadlines for submission, terms of Vested Rights, response times required to maintain an active building permit, and all other Land Use Code and Building Code requirements in effect as of December 8, 2021. Any amendments and or additional approvals not addressed or identified in the application, may be subject to Ordinance #27, Series of 2021 or Ordinance #6, Series of 2022.

The project described above is permitted to proceed with land use review because (check all that apply):

- A land use application for a Development Order or Notice of Approval was submitted to the Community Development Department prior to final passage of the ordinance on December 8, 2021, and was subsequently deemed to be complete by the Community Development Department Director.
- The land use application is seeking a Development Order or Notice of Approval for a project consisting of 100% Affordable Housing as that term is defined at §26.104.100 of the Aspen Municipal Code, or as may be deemed necessary for the issuance of Certificates of Affordable Housing for a 100% Affordable Housing project, or as determined by the Community Development Director.
- The land use application involves Voluntary AspenModern designation processes that meet the requirements of Section 26.415.025.C and 26.415.030.
- The land use application or administrative request may be necessary to issue exempt building permits as described below, and as determined by the Community Development Director.

The project described above is permitted to submit for building permit review because (check all that apply):

- A building permit application was submitted to the Community Development Department prior to final passage of the ordinance on December 8, 2021, and was subsequently deemed to be complete by the Chief Building Official.
- It is a building permit for a project that will not increase the gross square footage of development, Net leasable area, or Net livable area of any building and does not meet the definition of demolition.
- It is a building permit for a project that will not increase the Height of any building. This includes additions to or replacement of mechanical equipment or energy efficiency systems pursuant to height exemptions as set forth at §26.575.020 of the Aspen Municipal Code, or as determined by the Community Development Director.
- It is a building permit for commercial and lodge development as stand-alone uses on a parcel or property.
- The project has received or is eligible to receive a Development Order or Notice of Approval on the effective date of this ordinance.
- It is a building permit for 100% affordable housing projects as that term is defined at §26.104.100 of the Aspen Municipal Code.
- It is a building permit for demolition or repair of non-habitable structures.

Issued on _____, 20___, this certificate is valid through the effective date of Ordinance #27, Series of 2021 and Ordinance #6, Series of 2022, or any Ordinance which supersedes a provision of these ordinances in a manner which is relevant to the Scope of Work. A copy of this certificate is required when applying for any land use review or building permit. This Notice is not a Development Order or Administrative Determination that is subject to appeal.

Phillip Supino
Community Development Director

Disclaimer: This exemption is given based on the information provided by the applicant. If changes are made, or the scope, after a more detailed review, is found to be subject to Ordinance 27, 2021 or Ordinance #6, Series of 2022, the exemption may be revoked.
Exhibit A: Floor plans and elevations representing scope of work