

RESOLUTION NO. R-015- 118

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS, COLORADO

A RESOLUTION APPROVING AMENDMENTS TO ARTICLES 1, 2, 3, 4, 5, 5A, 6, 6A,
7, 8, 10, 11, AND 13, AND APPENDICES A & B OF THE DOUGLAS COUNTY
SUBDIVISION RESOLUTION

WHEREAS, the Planning Services Division has prepared amendments to Article 1, Administrative Provisions; Article 2, Application Requirements and Provisions; Article 3, Sketch Plan (repealed); Article 4, Preliminary Plan; Article 5, Final Plat; Article 5A, Combined Preliminary and Final Plat (repealed); Article 6, Minor Development Final Plat - Single Family Residential; Article 6A, Minor Development Final Plat - Nonresidential & Multifamily; Article 7, Replat; Article 8, Certifications; Article 11, Design Standards (repealed); Article 13, Definitions; and Appendices A & B (repealed) of the *Douglas County Subdivision Resolution* ("Amendments"), which are attached hereto and incorporated as Exhibit A (Project No. DR2013-012); and

WHEREAS, said Amendments were reviewed and recommended for approval by the Planning Commission on September 14, 2015; and

WHEREAS, the Board of County Commissioners considered said Amendments at a public hearing held on October 13, 2015; and

WHEREAS, the Board desires to reflect its approval of said Amendments by the adoption of this Resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of the County of Douglas, State of Colorado, that amendments to Articles 1, 2, 3, 4, 5, 5A, 6, 6A, 7, 8, 10, 11, and 13, and Appendices A and B are hereby made to the *Douglas County Subdivision Resolution* to read as provided on said Exhibit A, and

FURTHER RESOLVED, that said Amendments shall be effective as of October 13, 2015.

PASSED AND ADOPTED this 13 day of October, 2015, in Douglas County, Colorado.

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS, COLORADO

BY: _____

Jill E. Repella, Chair

David A. Weaver

ATTEST: _____

Codie Brenner

Deputy Clerk to the Board



EXHIBIT A

TABLE OF CONTENTS

	<u>Page</u>
ARTICLE 1	ADMINISTRATIVE PROVISIONS
101	Short Title..... 1-1
102	Purpose..... 1-1
103	Control Over Platting..... 1-2
104	Authority..... 1-3
105	Jurisdiction..... 1-3
106	Interpretation..... 1-3
107	Effective Date..... 1-4
108	Repeals..... 1-4
109	Severability..... 1-4
110	Enforcement..... 1-5
111	Amendments..... 1-6
112	Review Fees..... 1-7
113	Waivers..... 1-7
114	Powers of the Planning Commission..... 1-8
115	Powers of the Board of County Commissioners..... 1-9
ARTICLE 2	APPLICATION REQUIREMENTS AND PROCEDURES
201	Description of the Subdivision Process..... 2-1
202	Applicant's Responsibility..... 2-1
203	Additional Review Fees..... 2-1
204	Withdrawal of Application..... 2-2
205	Expiration of Approvals..... 2-2
206	Inactive Files..... 2-2
207	Condominium Map Review..... 2-2
ARTICLE 3	SKETCH PLAN (REPEALED)
ARTICLE 4	PRELIMINARY PLAN
401	Intent..... 4-1
402	Prerequisite..... 4-1
403	Approval Standards..... 4-1
404	Design Elements..... 4-2
405	Submittal Process..... 4-3
406	General Submittal Requirements..... 4-4
407	Plan Exhibit..... 4-6
408	Development Reports..... 4-8
409	Public Notice Requirements..... 4-10
410	Expiration of Approval..... 4-12

ARTICLE 5 FINAL PLAT

501	Intent	5-1
502	Prerequisite	5-1
503	Approval Standards	5-1
504	Submittal Process	5-2
505	Submittal Requirements	5-3
506	Plan Exhibit	5-4
507	Final Development Reports	5-8
508	Vested Property Rights	5-8
509	Recordation Procedure	5-8
510	Expiration of Approval	5-9

ARTICLE 5A COMBINED PRELIMINARY AND FINAL PLAT (REPEALED)

ARTICLE 6 MINOR DEVELOPMENT FINAL PLAT - Single Family Residential

601	Intent	6-1
602	Prerequisite	6-1
603	Approval Standards	6-1
604	Submittal Process	6-2
605	Submittal Requirements	6-4
606	Minor Development Final Plat Exhibit	6-5
607	Development Reports	6-8
608	Public Notice Requirements	6-10
609	Vested Property Rights	6-12
610	Recordation Procedure	6-12
611	Expiration of Approval	6-14

ARTICLE 6A MINOR DEVELOPMENT FINAL PLAT - Nonresidential and Multifamily

601A	Intent	6A-1
602A	Prerequisite	6A-1
603A	Approval Standards	6A-1
604A	Submittal Process	6A-2
605A	Submittal Requirements	6A-4
606A	Minor Development Final Plat Exhibit	6A-5
607A	Development Reports	6A-8
608A	Public Notice Requirements	6A-10
609A	Vested Property Rights	6A-12
610A	Recordation Procedure	6A-13
611A	Expiration of Approval	6A-14

ARTICLE 7 REPLAT

701	Intent	7-1
702	Prerequisite	7-1
703	Replat of Subdivision or Super Block	7-1
704	Approval Standards	7-2
705	Submittal Requirements	7-3
706	Submittal Process	7-4
707	Plan Exhibit	7-6
708	Development Reports	7-9
709	Vested Property Rights	7-10
710	Recordation Procedure	7-11
711	Expiration of Approval	7-12
712	Lot Numbering	7-12

ARTICLE 7A REPLAT – ADMINISTRATIVE PROCESSES

701A	Intent	7A-1
702A	Prerequisite	7A-1
703A	Approval Standards	7A-1
704A	Plat Correction – Submittal Requirements and Process	7A-2
705A	Lot Line and/or Easement Vacation	7A-4
706A	Lot Line and/or Easement Adjustment	7A-6
707A	Building Envelope Adjustment	7A-10
708A	Replat to Add Lots	7A-12
709A	Resubmittal	7A-15
710A	Lot Numbering	7A-15

ARTICLE 7B ROAD VACATION

701B	Intent	7B-1
702B	Authority	7B-1
703B	Prerequisite	7B-1
704B	General Review Process	7B-1
705B	Approval Standards	7B-1
706B	Vesting of Title	7B-2
707B	Submittal Documents	7B-2
708B	Process – Road Vacation and Replat / Realignment	7B-3
709B	Process – Road Vacation	7B-3
710B	Public Notice	7B-5
711B	Resubmittal	7B-8

ARTICLE 7C SUBDIVISION PLAT VACATION

701C	Intent	7C-1
702C	Prerequisite	7C-1
703C	Approval Standards	7C-1
704C	Submittal Documents	7C-1

705C	Process #1 – no public infrastructure/dedication	7C-2
706C	Process #2 – with public infrastructure/dedication	7C-3
707C	Public Notice	7C-3
708C	Resubmittal	7C-6
 ARTICLE 8 CERTIFICATIONS		
801	Intent	8-1
802	Signatures	8-1
803	Title Verification	8-1
804	Dedication Statement	8-2
805	Surveyor	8-4
806	Planning Commission	8-4
807	Board of County Commissioners	8-5
808	Density Statement for Plats with Density Bonus	8-6
809	Clerk and Recorder	8-6
810	Acceptance Certificate	8-7
 ARTICLE 9 EXEMPTIONS		
901	Intent	9-1
902	Prerequisite	9-1
903	Exemption Criteria	9-1
904	Submittal Process	9-2
905	General Submittal Requirements	9-3
906	Administrative Exemption Amendment	9-3
907	Exemption Exhibit	9-4
908	Alternative Exemption Exhibit	9-6
909	Post Approval Actions	9-6
 ARTICLE 10 DEDICATION STANDARDS		
1001	Intent	10-1
1002	General Requirements	10-1
1003	Parks	10-1
1004	Schools	10-9
 ARTICLE 11 DESIGN STANDARDS (REPEALED)		
 ARTICLE 12 VESTED PROPERTY RIGHTS FOR SINGLE FAMILY		
1201	Intent	12-1
1202	Procedure	12-1
1203	Amendments to Final Plats	12-1
1204	Vacations of Final Plats	12-1
1205	Public Notification	12-1
1206	Board of County Commissioners Actions	12-2
1207	Approval Rights	12-3

1208	Vesting Period.....	12-3
1209	Subsequent Reviews	12-3
1210	Jurisdiction	12-3
1211	Judicial Determination.....	12-4
1212	Post Approval Actions	12-4

ARTICLE 13 DEFINITIONS

1301	Intent	13-1
1302	Rules of Construction of Language.....	13-1
1303	Definitions	13-1

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ARTICLE 1 ADMINISTRATIVE PROVISIONS

101 Short Title

For the purpose of brevity, the Douglas County Subdivision Resolution shall also be referred to as the "Subdivision Resolution" or "Resolution".

102 Purpose

In order to achieve quality development, this Resolution is designed and enacted for the following purposes:

- 102.01 To promote the general health, safety, and welfare of the present and future inhabitants of Douglas County.

Land proposed for subdivision shall be such that it can be used safely for the intended purpose without danger to health or peril from fire, flood, geologic hazards, or other natural hazards.

- 102.02 To guide future growth and development within Douglas County that provides adequate and efficient transportation, water, waste disposal, schools, fire and police protection, recreation and open space opportunities, and other services and facilities. To encourage a diversity of housing types and densities in order to assure adequate housing for all persons.

Subdivision of land is controlled by Douglas County pursuant to Section 30-28-101, et seq., C.R.S. and this Resolution. All subdivision approvals shall be in conformance with the Master Plan, Zoning Resolution and approved and recorded Planned Development Plans where property is zoned Planned Development.

- 102.03 To provide for the preservation and conservation of unique or distinctive natural areas, natural landmarks, critical wildlife habitats, wetlands, historic features and archaeologically sensitive sites recognizing the irreplaceable character of such resources and their importance to the quality of life in Douglas County.

Subdivisions shall provide for the preservation and conservation of significant stands of vegetation; unique or distinctive topographic features including buttes and rock outcroppings; drainage, riparian and wetland areas; significant wildlife habitats including breeding grounds, nesting areas, migration routes, and wintering areas; scenic views; identified aquifer recharge areas; and important historical or archaeological sites.

- 102.04 To protect both urban and nonurban development by minimizing the conflicts between the land uses and structures.

102.05 Subdivisions shall be designed to provide for lots that are of an appropriate size and configuration for the site characteristics and intended uses; connections between neighborhoods, shopping and recreational areas that are safe and convenient; adequate buffering from the adverse impacts of adjoining uses through lot orientation, setbacks, landscaping or other appropriate methods; the conservation of water, land and energy resources; minimization of grading, road cuts and fills; and a road system designed to preserve the integrity and function of the arterial and local roadway network.

102.06 To ensure that the necessary services and facilities are available and have sufficient capacity to serve the proposed subdivision.

Land proposed for subdivision shall not be approved until the necessary provisions have been made for subdivision design, access, parks, trails, recreation and open spaces, schools, drainage, water, wastewater disposal, traffic controls, road improvements, police and fire protection or other reasonably necessary improvements and services. The cost and installation of such improvements, which primarily benefit the land being subdivided, shall be borne by the owners or developers of such land.

102.07 To provide for an adequate and accurate system to record land subdivisions, ensuring proper legal descriptions and survey monumentation, in order to inform the public and especially future residents of the facts about the subdivision thereby safeguarding the interests of the public, the homeowner, the subdivider, and the County.

103 Control Over Platting

103.01 The Board shall withhold all public street improvements and public maintenance from all rights-of-way that have not been accepted for maintenance purposes by the Board.

103.02 Prior to the issuance of a building permit or construction of any building or structure within a subdivision, the plat thereof shall be approved by the Board and recorded with the County Clerk and Recorder, and access shall be provided in accordance with the subdivision improvements agreement and the Douglas County Roadway Design and Construction Standards Manual.

103.03 The Board may suspend or withdraw any approval of a plan or plat or may require certain corrective measures be taken following a determination that the information provided by the subdivider upon which such approval was based is substantially false or inaccurate or that new significant information has been brought to their attention. Suspension of approval may occur at any step in the platting process at a public meeting.

103.03.1 A written notice from the Planning Office shall be served upon the subdivider, setting out a clear and concise statement of alleged facts

and directing the subdivider to appear before the Board no less than 10 days nor more than 30 days after the date of notification.

- 103.03.2 The Board shall determine at the public meeting the nature and extent of alleged false or inaccurate information, shall consider any new significant information that has been brought to their attention, and shall have the power, upon good cause being shown, to suspend or withdraw any approval resulting in a voided plat.
- 103.04 No changes, erasures, modification, or revisions shall be made on the final plat after the approval by the Board, except as required by the approval of the Board or upon the approval of the Director.
- 103.05 No plat for subdivided land shall be approved by the Board of County Commissioners unless all ad valorem taxes applicable to such subdivided land, for years prior to that year in which approval is granted, have been paid. [§ 30-28-110(4)(a), C.R.S.]
- 103.06 It is unlawful to file for recording any such plan or plat as identified above in any public office unless it has been reviewed by the Planning Commission and bears, by endorsement or otherwise, the approval of the Board. [§ 30-28-110(3)(a), C.R.S.]

104 Authority

This Resolution is adopted pursuant to Part I of Article 28 of Title 30 County Planning and other applicable sections of the Colorado Revised Statutes and is intended to be in accordance with the provisions of those statutes.

105 Jurisdiction

This Resolution shall apply to the subdivision of land in the unincorporated area of Douglas County, Colorado. [§ 30-28-133 C.R.S.]

106 Interpretation

The following shall be used as methods of interpreting this Resolution:

- 106.01 In their interpretation and application, the provisions of these regulations shall be regarded as minimum requirements.
- 106.02 Whenever a provision of this Resolution or any provision in any law, ordinance, resolution, rule, or regulation contain restrictions covering the same subject matter, that which is most restrictive or imposes higher standards, except as may be otherwise provided in an approved Planned Development Plan, shall govern.

- 106.03 Unless otherwise specified, references within this Resolution to Douglas County agreements, plans, codes, and manuals shall refer to the version most recently approved or amended by the County.
- 106.04 This Resolution is not intended to abrogate any easement or any other private agreement or restriction provided that where the provisions of this Resolution are more restrictive or impose higher standards or requirements than such easement, covenant, or other private agreement or restriction, the provisions of this Resolution shall govern.
- 106.05 The approval standards for several subdivision requests defined in this Resolution require "compliance with", "consistency with", or "general conformance with" the Master Plan or the goals, objectives, and policies of the Master Plan. However, the individual goals, objectives, and policies of the Master Plan are not, themselves, approval standards. The Board will consider the diversity of community values, applicable laws and regulations, private property rights, and unique characteristics of each application when balancing the goals, objectives, and policies set forth in the Master Plan. A property's designation on the Master Plan's Land Use Map is the primary basis for establishing future use and density.

107 Effective Date

This Resolution and any future amendments thereof shall take effect immediately upon adoption by the Board.

108 Repeals

This Resolution shall repeal the Subdivision Resolution of Douglas County, Colorado, adopted October 6, 1980 and amendments made prior to the effective date of this Resolution. Repeal of the October 6, 1980 Resolution does not reinstate any other Resolution or portion thereof. Such repeal shall not affect or prevent the prosecution or punishment of any person for the violation of any Resolution repealed hereby, for any offense committed prior to the repeal.

109 Severability

The provisions of this Resolution shall be severable in accordance with the following provisions:

- 109.01 If any provision of this Resolution is declared to be invalid by a decision of any court of competent jurisdiction, the effect of such decision shall be limited to that specific provision held to be invalid as expressly stated in such judgment. Such decision shall not affect, impair, or nullify this Resolution as a whole or any other part thereof, but the rest of this Resolution shall continue in full force and effect.

- 109.02 If the application of any provision of this Resolution to any tract of land is declared to be invalid by a decision of any court of competent jurisdiction, it is hereby declared to be the legislative intent that the effect of such decision shall be limited to that specific tract of land immediately involved in the controversy, action, or proceeding in which judgment or decree of invalidity was rendered. Such decision shall not affect, impair, or nullify this resolution as a whole or the application of any provision thereof, to any other tract of land.

110 Enforcement

This Resolution shall be enforced by the Director, as defined herein, on all matters involving this Resolution.

- 110.01 The Director or an authorized representative is hereby empowered to enter and inspect any building, structure, or tract of land under development in the unincorporated areas of the County.
- 110.02 When the Director has knowledge of any violation hereof, a written notice shall be given to the landowner to correct such violation.
- 110.03 The Director is empowered to request in writing from the landowner the remedy of any condition found to exist therein or thereon which is determined by the Director to be in violation of any provision of this Resolution.
- 110.04 After appropriate notice has been served and if the alleged violation has not been corrected within thirty days, a copy of the file shall be forwarded to the County Attorney for further legal action. The Director shall be advised of any actions taken.
- 110.05 The Director shall enforce this Resolution by means of withholding building permits pursuant to Section 30-28-110(4)(a), C.R.S.
- 110.06 Any subdivider or agent of a subdivider who transfers legal or equitable title or sells any subdivided parcel before a final plat for such subdivided land has been approved by the Board and recorded or filed in the Office of the County Clerk and Recorder, is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars nor less than five hundred dollars for each parcel of, or interest in subdivided land which is sold. [§ 30-28-110(4)(a), C.R.S.]
- 110.06.1 The description of such lot or parcel by metes and bounds in the transfer document used in the sale or transfer shall not exempt the transactions from such penalties or from the remedies provided in this Resolution.
- 110.06.2 The Board may enjoin such transfer or sale or agreement by action for injunction brought in any court of equity jurisdiction.

- 110.07 Any County official or employee, charged with the enforcement of this Resolution, acting in good faith and without malice on behalf of Douglas County in the discharge of this person's official duties, shall not thereby be rendered personally liable for any damages which may accrue to persons or property resulting from any such act or omission committed in the discharge of such duties.
- 110.08 This Resolution shall not be construed to hold Douglas County in any manner responsible for any injury to persons or property resulting from any inspection as herein authorized or resulting from any failure to so inspect, or resulting from the issuance or denial of a building permit as herein provided, or resulting from the institution of court action as herein set forth or the forbearance by Douglas County to proceed.

111 Amendments

These regulations may be amended in the following manner:

- 111.01 Amendment proposals may be initiated by the Board, the Planning Commission or the Planning Office. Any resident may submit a written request to amend this Resolution.
- 111.02 The Planning Office shall review all amendment proposals, make recommendations and schedule public hearings before the Planning Commission and Board. Public notice is required as follows:

111.02.1 PUBLISHED NOTICE

At least 14 days prior to the public hearing before the Planning Commission and 14 days prior to the public hearing before the Board, a notice shall be published in at least one publication of a daily or a weekly legal newspaper of general circulation, printed or published, in whole or in part, in Douglas County. Such notice shall read as follows:

**NOTICE OF PUBLIC HEARINGS
BEFORE THE PLANNING COMMISSION AND BOARD OF COUNTY COMMISSIONERS**

A public hearing will be held before the Planning Commission on *(date)*, at *(time)*, and before the Board of County Commissioners on *(date)*, at *(time)* in the Commissioners' Hearing Room, 100 Third St., Castle Rock, CO, for a proposed amendment to the Douglas County Subdivision Resolution. Generally, *(brief description of proposed change(s) to text or maps)*. For more information call Douglas County Planning, 303-660-7460.

The degree of accuracy required for the information contained in this public notice shall be that of substantial compliance with the provisions of this section. Substantial compliance for this public notice shall be determined by the Planning

Commission or the Board of County Commissioners for their respective public hearings.

111.03 At a public hearing, the Planning Commission shall consider the proposed amendment and make a recommendation to the Board.

111.04 Upon consideration of all written and oral testimony, the Board may revise or alter the proposal before adopting any amendment to this Resolution.

111.04.1 A copy of the adopted amendments shall be certified by the Clerk to the Board of County Commissioners and filed for recording with the Office of the Clerk and Recorder.

111.04.2 This Resolution and all amendments thereto shall be transmitted to the Colorado Land Use Commission. [§ 30-28-133(1), C.R.S.]

111.04.3 Unless stated otherwise in the adopting resolution, amendments shall take effect immediately upon adoption by the Board.

112 Review Fees

The Board shall establish and adopt a schedule of fees, by separate resolution, to be paid by all applicants with the exception of Douglas County departments or agencies to cover anticipated expenses incurred by the County in the review and hearing of the proposed subdivision, amendment, replat, exemption or extension.

112.01 All fees are nonrefundable with the exception of those applications that are withdrawn by the applicant in writing prior to staff mailing copies of the application to referral agencies.

112.02 The Board may consider a waiver of the fees on a case-by-case basis, upon written request of the applicant, submitted to the Planning Office.

113 Waivers

The Board, at a public hearing on a specific application, may hear the request for a waiver from the standards and decide to accept or reject the request, or make modifications to the waiver request.

113.01 Such waiver shall be approved only upon the finding, based upon the evidence presented in each specific case, that:

113.01.1 the waiver does not have the effect of nullifying the intent and purpose of this Resolution;

113.01.2 the granting of the waiver will not be detrimental to the public safety, health, or welfare or injurious to other property;

- 113.01.3 the conditions upon which the request for a waiver is based are unique to the property for which the waiver is sought and are not applicable to other property;
 - 113.01.4 a particular non-economical hardship to the owner would result from a strict application of this Resolution;
 - 113.01.5 the waiver will not in any manner vary the provisions of the Zoning Resolution or County Building Code; and
 - 113.01.6 the proposed development will be in conformance with the Master Plan.
- 113.02 The Board may impose conditions of approval that in their judgment substantially secure the objectives of this Resolution. The conditions shall be stated in the Board minutes with the justification set forth.
- 113.03 A written waiver request shall be submitted no later than at the time of the final plat, replat, or minor development application. If the waiver request substantially alters the design, location, anticipated construction, phasing, impacts on adjacent properties or roads, impacts on designated protected areas, or other special circumstances as were reviewed during the preliminary plan review, the applicant must submit a revised preliminary plan including the waiver. The Planning Commission shall review the revised preliminary plan and provide a recommendation to the Board.
- 113.04 The written request for a waiver shall state in detail the extent of the waiver, the grounds for the requested waiver and all of the facts relied upon by the applicant.
- 113.05 The Planning Commission, as part of the hearing on a specific application, will hear the request for a waiver from the standards and make recommendations to the Board.

114 Powers of the Planning Commission

The Planning Commission shall have the following powers in addition to other specific or implied powers granted in this Resolution, State law or otherwise granted:

- 114.01 Review applications and proposals for compliance with this Resolution and conformance with the Master Plan and make recommendations to the Board.
- 114.02 Review requests for waivers from this Resolution.
- 114.03 Initiate, review, or recommend amendments to this Resolution to the Board.

115 Powers of the Board of County Commissioners

The Board shall have the following powers for the administration of this Resolution in addition to other specific or implied powers granted in this Resolution, State law or otherwise granted:

- 115.01 Review applications and proposals for compliance with this Resolution and conformance with the Master Plan and approve, conditionally approve or deny them.
- 115.02 Void plats, subdivision agreements or other official documents or agreements if it is found that there has been a misrepresentation of fact which impacts the design, or legal or physical status of the subdivision.
- 115.03 Grant requests for waivers from this Resolution.
- 115.04 Modify and amend this Resolution following established procedure.

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ARTICLE 2 APPLICATION REQUIREMENTS AND PROCEDURES

201 Description of the Subdivision Process

The two steps required to obtain approval of a subdivision are: (1) preliminary plan - the analysis of the proposed subdivision including design, ability to obtain water/sanitation, location of geologic hazards, identification of environmentally sensitive areas and wildlife habitat areas, source of required services, vehicular and pedestrian circulation, relationship to surrounding land use, conformance with the Master Plan, and review of preliminary-level engineering studies, plans, and reports; and (2) final plat - a review of all final engineering plans, subdivision improvement agreements, and other legal requirements.

Both processes involve the submittal of an application, an application fee, required plans and reports, referrals of the proposal to other agencies, staff analysis and public hearings/meetings. At each step of the process, the level of design and engineering increases in order to relieve the applicant from major and potentially unnecessary expenses in situations that may require a redesign and therefore, a revision of expensive engineering or planning reports. Approval at any step in the process does not ensure approval at the next step.

The preliminary plan shall be reviewed by the Planning Commission and by the Board at a public hearing.. The final plat shall be reviewed by the Board at a public meeting. If the preliminary plan or final plat is denied by the Board, a new subdivision application for the same or substantially the same request, as determined by the Director, shall not be accepted within 60 days of such denial. The applicant may appeal the decision of the Director, in writing, to the Board within 10 days from the date of the decision.

202 Applicant's Responsibility

The applicant is responsible for understanding the requirements and procedures contained in this Resolution and the Master Plan and is responsible for attending all Planning Commission and Board hearings or meetings at which the application is considered. Failure to attend the hearings or meetings may result in the application being tabled and a new hearing or meeting date scheduled. The applicant is responsible for submitting the information requested by staff, for the review of the application, and for posting or publishing all public notices as required.

203 Additional Review Fees

The applicant shall be responsible for payment of reasonable review fees established by a referral agency (e.g., U. S. Geological Survey, Tri-County Health Department), or outside consultant. When an outside consultant is needed, due to a lack of staff expertise or in order to expedite the process, the County shall enter into a contract with the applicant that shall clearly detail the responsibilities of all parties.

204 Withdrawal of Application

The applicant may withdraw an application at any phase of the process upon submittal of a notarized, written request, to the Planning Office. Application fees will be refunded only when the withdrawal request is submitted prior to the mailing of referral packets.

205 Expiration of Approvals

Any approved or amended sketch plan, which is still within its effective approval period, shall be null and void on October 13, 2018. With a valid sketch plan in place, a combined preliminary plan and final plat may be submitted prior to October 13, 2018 in accordance with the previously applicable Article 5A (Combined Preliminary and Final Plat).

206 Inactive Files

Files that become inactive, whereby the applicant is required to submit additional information or request a hearing date and has failed to do so, for a period of more than 6 months, shall become void and the resubmittal of a new application and fees shall be required to pursue the subdivision request. The Director may grant no more than 2 extensions of time, of no more than 6 months, upon a written request by the applicant. After 5 months, the staff planner shall notify the applicant in writing that the application will become void within 30 days. After 30 days, provided the applicant has not submitted the required additional information or requested a hearing date, the staff planner shall notify the applicant in writing that the application is void. This provision shall apply to all applications on file with the County upon the effective date of adoption and any application thereafter.

207 Condominium Map Review

When developing condominium units a condominium map shall be submitted to the Planning Office for review and signature prior to recordation in the Office of the Clerk and Recorder. A condominium is defined as an individual air space unit together with the interest in the common elements appurtenant to such unit.

207.01 Standards

The Director shall approve the condominium map for recordation if the map is consistent with the following standards:

207.01.1 The title is consistent with the title of the approved final plat or site improvement plan.

Example:

Pine View, Filing #1A, Lot 1 OPEN MEADOWS Condominium Map
--

If extra sheets are included, e.g., Interior Bldg. "Condo", title them as Exhibit A/B/C, etc.

207.01.2 The property line boundaries are consistent with the approved final plat, or the certified boundary survey that identifies the parcel as shown on the site improvement plan.

207.01.3 The condominium map is consistent with the approved final plat and site improvement plan.

207.01.4 Access has been provided for subsequent phases.

207.02 Review Process

The applicant shall submit a copy of the condominium map to the Planning Office. The Planning Office may refer the condominium map to the Assessor's Office and Building Division for review. Upon a determination by staff that the condominium map complies with these standards, 1 photomylar shall be submitted to the Planning Office for the Director's signature with the following signature block (*except sheets labeled Exhibit A/B/C, etc.*):

This condominium map is approved for recordation in the Office of the Clerk and Recorder this _____ day of _____, 20__.

Director of Community Development

And, a signature block for the Clerk and Recorder as follows:

STATE OF COLORADO
COUNTY OF DOUGLAS

I hereby certify that this condominium map was filed in my office on this
____ day of _____, 20__ A.D., at _____ a.m./p.m., and was recorded at
Reception Number _____.

(Signature)
Douglas County Clerk and Recorder

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ARTICLE 3 SKETCH PLAN

This Article was repealed by the Board on October 13, 2015 (*Resolution # R_____*). A sketch plan, in its effective approval period, may remain in effect until, or be legally extended to, no later than October 13, 2018.

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ARTICLE 4 PRELIMINARY PLAN

401 Intent

An in-depth analysis of the proposed subdivision, including a review of the design considering the ability to obtain water and sanitation, identified geologic hazards, environmentally sensitive areas, wildlife habitat areas, source of required services, vehicular and pedestrian circulation, storm drainage and water quality, relationship to surrounding land uses, and conformance with the Master Plan.

402 Prerequisite

Prior to submittal of a preliminary plan, the applicant shall meet with staff to discuss the procedures and submittal requirements.

- 402.01 The applicant shall contact the Planning Office and schedule a presubmittal meeting which may include staff from various County departments and, as deemed necessary, other referral agency representatives. The applicant shall provide basic information on the subdivision application in advance of the meeting.
- 402.02 Staff shall provide initial comments on the proposed subdivision design, conformance with the Master Plan, and applicable regulations and shall explain the subdivision process.
- 402.03 A written meeting summary shall be provided to the applicant and included in the project file.

403 Approval Standards

A preliminary plan may be approved upon the finding by the Board that the preliminary plan:

- 403.01 Conforms with the goals, objectives, and policies of the Master Plan.
- 403.02 Addresses the design elements established in Article 4, section 404.
- 403.03 Conforms with Section 18A, Water Supply - Overlay District, of the Zoning Resolution.
- 403.04 Provides for a public wastewater collection and treatment system and, if other methods of wastewater collection and treatment are proposed, such systems comply with State and local laws and regulations.
- 403.05 Identifies all areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions and the proposed uses of these areas are compatible with such conditions.
- 403.06 Provides adequate drainage improvements.

- 403.07 Provides adequate transportation improvements.
- 403.08 Protects significant cultural, archaeological, natural, and historical resources and unique landforms.
- 403.09 Has available all necessary services, including fire and police protection, recreation facilities, utility services, streets, and open space to serve the proposed subdivision.
- 403.10 Meets the criteria set forth in the Zoning Resolution for bonus lots regarding site design standards and density bonus approval standards of the associated zone district.
- 403.11 Does not interfere with the extraction of any known commercial mining deposit.

404 Design Elements

The following shall be considered in reviewing the subdivision design, as appropriate to the urban, nonurban, or other community context:

- 404.01 Lots are of an appropriate size and configuration for the site's characteristics and intended uses, and otherwise capable of meeting minimum zone district standards such as lot size, setbacks, and off-street parking.
- 404.02 Geologic hazards, floodplains, wildfire, or other hazardous conditions are mitigated or avoided.
- 404.03 Conflicts between proposed and surrounding land uses are minimized through lot and tract orientation, setbacks, landscaping, or other buffering techniques.
- 404.04 Streets and stormwater facilities are laid out with the ability to meet the Douglas County Roadway Design and Construction Standards, Storm Drainage Design and Technical Criteria Manual, and other applicable County regulations.
- 404.05 Elements of the site's natural terrain, drainageways, riparian areas, and vegetation are preserved or integrated into the subdivision layout.
- 404.06 Archeological and historical resources of special significance are protected.
- 404.07 Opportunities for safe and convenient vehicular, pedestrian, and other connections within the subdivision and adjacent neighborhoods, shopping, employment, and recreational areas are provided.
- 404.08 Specific recommendations of other required development reports or technical studies are implemented.

405 Submittal Process

The preliminary plan application shall be submitted only after the presubmittal meeting has been completed. The submittal is processed as follows:

- 405.01 The applicant shall submit the required submittal information to the Planning Office. An incomplete submittal will not be processed. Staff shall review the submittal information within 15 working days and provide the applicant with initial written comments, specifically noting any inadequacies in the submittal items. Staff may request that the applicant make changes or clarifications to the submittal information prior to referral agency review.
- 405.02 As part of its initial review, staff will identify the number of copies of the submittal information required for distribution to referral agencies and identify which referral agencies are regulatory and which are advisory. The mailing addresses of the referral agencies shall be provided to the applicant. Electronic distribution is preferred. Otherwise, referral packets shall be provided by the applicant in unsealed manila envelopes, without postage, addressed to the appropriate referral agency, with submittal information properly folded and complied. Staff shall include a referral response sheet, with the mailed paper referral packets and distribute the electronic referral packets. For any subsequent referral reviews, the applicant shall provide revised plans and other materials for distribution to applicable referral agencies, as requested by staff.
- 405.03 The applicant shall also provide stamped letter sized envelopes, including a corresponding list and map for the project file, addressed to the abutting landowners, and other landowners, as required by staff, for notification of the preliminary plan application. Staff shall mail a courtesy notice of an application in process and applicable contact information to the landowners.
- 405.04 If the referral agencies elect to comment, they shall comment within 21 calendar days the referral packets were mailed or electronically distributed, unless the applicant grants, in writing, an extension of no more than 30 calendar days. After the 21 calendar days, if no extension is granted, any referral agency responses received will be accepted for informational purposes only and provided to the applicant, Planning Commission, and Board.

All referral agency comments shall be provided by staff to the applicant upon receipt. The applicant shall address the comments of all regulatory referral agencies received within the 21 day referral period, or as extended by the applicant, by identifying in writing the extent to which the project has been revised in response to the comments. The applicant is strongly encouraged to provide staff with a written response to timely comments of advisory referral agencies and comments received as a result of the courtesy notice. The applicant is encouraged to meet with referral agencies and staff to address any concerns. The applicant is required to pay those fees assessed by regulatory referral agencies.

Following receipt of the applicant's written response to comments, including the submittal of any revised exhibits and plans, the Planning and Engineering staff will provide additional comments to the applicant as necessary.

- 405.05 Staff will schedule a public hearing before the Planning Commission and notify the applicant in writing of the hearing date and time. The applicant is responsible for public notice of the hearing in accordance with Section 409 herein. Concurrent notice for the Planning Commission and Board public hearings may be provided if requested by the applicant.
- 405.06 Staff will provide a staff report to the Planning Commission. The Planning Commission shall evaluate the preliminary plan, staff report, referral comments, applicant responses, public comment and testimony, and make a recommendation to the Board to approve, approve with conditions, continue, table for further study, or deny the preliminary plan. The Planning Commission's decision shall be based on the evidence presented; compliance with adopted County standards, regulations, and policies; and other guidelines.
- 405.07 Following the recommendation by the Planning Commission, staff shall schedule a public hearing before the Board and notify the applicant in writing of the hearing date and time, unless previously provided with a request for concurrent hearing notice. The applicant is responsible for public notice in accordance with Section 409 herein.
- 405.08 Staff will provide a staff report to the Board. The Board shall evaluate the preliminary plan, staff report, referral agency comments, applicant responses, Planning Commission recommendations, public comment and testimony, and shall either approve, approve with conditions, table for further study, remand to the Planning Commission, or deny the preliminary plan. The Board's action shall be based on the evidence presented; compliance with adopted County standards, regulations, and policies; and other guidelines.
- 405.09 If denied by the Board, a resubmittal of a preliminary plan for the same or substantially the same request, as determined by the Director, shall not be accepted within 60 days of such denial. The applicant may appeal the decision of the Director, in writing, to the Board within 10 days from the date of the decision. The submittal of a new application and processing fee shall be required to pursue a proposed preliminary plan.

406 General Submittal Requirements

The following information shall be submitted to the Planning Office, unless waived by the Director:

- 406.01 Completed land use application (*available from the Planning Office*)
- 406.02 A written narrative which, at a minimum, provides the following information:

- 406.02.1 The total land area to be subdivided.
 - 406.02.2 The total number of lots and proposed use.
 - 406.02.3 The residential density and/or estimated nonresidential floor area.
 - 406.02.4 The total land area to be preserved as open space.
 - 406.02.5 Roads, tracts, and easements.
 - 406.02.6 Land dedications for parks and schools.
 - 406.02. 7 Provision of water and sewer services.
 - 406.02. 8 Phasing of the proposed subdivision, if any.
 - 406. 03 Application fee (*fee schedule available from Planning Office*)
 - 406. 04 Proof of ownership that includes an updated or current title information binder or insurance policy issued no more than thirty days prior to the date of application.
 - 406. 05 A notarized letter of authorization from the landowner permitting a designated representative to process the application.
 - 406.06 Plan exhibit, in accordance with Section 407, herein.
- Additional copies of plan exhibits may be required for public hearing packets for the Planning Commission and Board.
- 406.07 All water supply documentation required by Section 18A, Water Supply – Overlay District, of the Zoning Resolution.

The Director may defer the requirement that the water supply documentation include evidence of inclusion of the property into an Existing District or evidence of organization of a New Special District and execution of an intergovernmental agreement between the New Special District and the Existing District that is proposed to provide the water supply to the subdivision, for reason of good cause shown. Such reasons may include, but shall not be limited to:

- Demonstration that an inclusion agreement has been executed by the property owner(s) and the Existing District, and that the process of inclusion is on-going, but not yet complete. (For example: The election to approve inclusion of the property has been scheduled, but not yet conducted, or a Motion for Order for Inclusion has been filed in District Court, but not yet ruled on.)
- Demonstration that the New Special District has been organized, and that the process of executing an intergovernmental agreement is on-going, but not yet complete.

- Demonstration that the New Special District has been approved by the Board of County Commissioners and that the process of organizing of the New Special District is on-going, but not yet complete. (For example: The election to approve organizing of the New Special District has been scheduled, but not yet conducted.)

Such a deferral may include the provision that evidence of inclusion of the property into the Existing District or evidence of organizing of a New Special District and execution of an intergovernmental agreement between the New Special District and the Existing District be submitted prior to consideration of the application by the Planning Commission and/or the Board.

- 406.08 Development reports, in accordance with Section 408, herein. Engineering plans and fees shall be submitted to the Engineering Division.
- 406.09 Any additional information, as requested by staff, to adequately review the application.

407 Plan Exhibit

The preliminary plan shall:

- 407.01 Be prepared on 24-inch by 36-inch paper at a scale of 1"=100', 1"=200' or another scale approved by the Director. If a proposal requires multiple sheets, a composite exhibit shall be provided within the plan set that delineates the boundaries and identifies each sheet number. A margin, left entirely blank, a minimum of 1" on all sides shall be provided on each sheet.
- 407.02 Include the title placed at the top of the sheet along the long dimension of each sheet and shall include the name of the proposed subdivision or planned development, plan number (*when applicable*), and Planning Office file number. If part of a planned development, the planning area(s) shall be included under the title. A general legal description stating the aliquot portion of the section, section, township, range, 6th P.M., and Douglas County, CO shall be included under the name and planning area. On the title sheet (*sheet #1*), under the general legal description, include the total acreage and the total number of residential lots. The name of the builder, product line or marketing name may only be used as a descriptor along the bottom of the sheet. Subdivision names may not duplicate existing subdivision or planned development names.

Example:

PINE VIEW PRELIMINARY PLAN NO. 10			
A portion of Planning Area H - A part of the West 1/2 of			
Section 9, T6S, R67W, 6th P.M., Douglas County, CO			
8.05 Acres	35 Residential lots	SB	____-____

- 407.03 Include a block in the lower-right hand corner with the following: the preparation date; a north arrow designated as true north; a written and graphic scale; the names and addresses of the applicant, developer,

- engineer or surveyor who prepared the exhibit; and the number of the sheet and the total number of sheets.
- 407.04 Depict the boundary of the proposed subdivision in a heavy line. Note those areas not included in the subdivision as: "Not included in this plat."
- 407.05 Include a vicinity map that depicts the area to be subdivided and the area that surrounds the proposed subdivision within a minimum 1-mile radius.
- 407.06 Include a vicinity map that depicts the area to be subdivided superimposed on the planned development or filing map, when the land is zoned planned development, at a scale of 1"= 2,000' that shows the limits of the preliminary plan superimposed on the planning areas.
- 407.07 Depict all easements, including existing and proposed, public and private on and adjacent to the proposed subdivision, their use, principal dimensions, the owners or rightholder of the easement along with the recorded book and page number and the name of the entity responsible for construction or maintenance.
- 407.08 Depict all contour lines at 10' intervals, or another interval as may be required by staff based upon other significant topographic conditions.
- 407.09 Delineate all 100-year floodplains, all existing and proposed watercourses, retention and detention areas, wetlands and riparian areas, aquifer recharge areas, streams, lakes, inlets, storm sewers and culverts on and within 100' of the affected property.
- 407.10 Depict all proposed lots, tracts, and, when appropriate, building envelopes or no-build zones, providing accurate dimensions for each. Lots shall be numbered consecutively, tracts shall be lettered alphabetically. Include the total acreage and range of lot sizes. On residential subdivisions, tracts shall be used exclusively for nonresidential uses, such as area to be dedicated to the County for park or school sites.
- 407.11 Depict all lands to be dedicated or reserved in deeds or easements for the use of landowners, residents, or the general public. Include notes to indicate the purpose, disposition, and maintenance responsibility for all such tracts and easements.
- 407.12 Locate and provide the name and principal dimension of all street rights-of-way. Roads shall be identified by the classification system defined by the Douglas County Road Design and Construction Standards. Indicate the maintenance responsibility, road percentage grades, centerline radii and other pertinent roadway information such as distance between intersections.
- 407.13 Depict legal and physical public access to the proposed subdivision even if not part of the subdivision.

- 407.14 Note the land use, zoning and ownership of the adjacent land, including the intended future use of the adjacent land, if owned by the applicant.
- 407.15 Note existing structures on the site, their uses and whether they are to remain on the site.
- 407.16 Identify any historical sites or structures.
- 407.17 Note significant natural or man-made features within and adjacent to the proposed subdivision.
- 407.18 Note important views onto or from the site, including scenic mountain views, buttes, rock outcroppings, drainages, etc.
- 407.19 Indicate by name and symbol, significant vegetative stands including, but not limited to, large stands of scrub oak and pine.
- 407.20 Depict all potential geologic hazard areas including: areas of rockfall hazard, debris flow, steeply dipping bedrock, and expansive soils.
- 407.21 Identify areas of 15-20% slope in one shading pattern and areas of greater than 20% in another shading pattern.
- 407.22 Identify significant wildlife habitat areas including breeding grounds, nesting areas, crossings, wintering areas, and migratory routes.
- 407.23 Show the conceptual design of the following items:
 - (1) Local, collector, and arterial streets, including principal dimensions.
 - (2) Pedestrian and open space systems, including connections to adjacent development and open space areas.
 - (3) Focal points, community facilities, and other special features.
 - (4) The treatment of potentially conflicting land uses.

408 Development Reports

The applicant shall submit a report with supporting materials which is to include and completely address the items listed below as a minimum. The degree of detail for analysis of some of the following factors will depend upon the impact of the particular item on the surrounding area and the subject property. The Director may waive any portion of a required development report based upon design, size, impact to public facilities, services, roads, and overall impacts, except those required by state statutes. The Director of Engineering may waive or modify development reports for drainage and traffic.

- 408.01 A discussion of site features as depicted on the plan that may affect the evaluation of the proposed development.
- 408.02 Evidence establishing soil suitability in the form of a report prepared by a registered professional engineer or professional geologist. The report shall minimally include: a description of site soil types, locations, and characteristics with supporting soil maps, soil logs and other information

needed to determine soil suitability for proposed development; depth to water table and an engineers recommendation of how to handle the subsurface drainage (i.e.: sump pumps, trench drains, etc.); constraints on development based on the findings; and analysis and evaluation of such information with recommendations regarding structural constraints, erosion control, and a determination of the adequacy of the structural characteristics of the soil as they relate to the proposed development.

- 408.03 A report on the geological characteristics of the site, by a qualified professional, including any potential natural or man-made hazards which would have a significant influence on the proposed uses of the land, and a determination of what effect such factors would have and proposed corrective or protective measures. The report shall also include an evaluation of potential radiation hazard to the proposed land use.
- 408.04 Phase II Drainage Report prepared in accordance with the requirements of the Douglas County Storm Drainage Design and Technical Criteria Manual.
- 408.05 Evidence of the physical and legal capability to provide sanitation as follows:
 - 408.05.1 For a subdivision of land located within a sanitation district, a letter of commitment to serve the proposed subdivision stating the capacity to serve and feasibility of extending service to that area.
 - 408.05.2 For a subdivision of land where a sanitation district is proposed to be formed to serve the subdivision, evidence of the ability of the sanitation district or owner to serve the demands of the proposed subdivision.
 - 408.05.3 For a subdivision of land where individual wastewater collection and treatment systems are proposed, percolation test data must be provided to prove general suitability of soils for such systems.
- 408.06 A narrative describing the availability and adequacy of existing infrastructure and other necessary services including: fire and police protection, recreation, utilities, and open space.
- 408.07 A traffic study describing the transportation network establishing the availability and adequacy of the system consistent with the Douglas County Roadway Design and Construction Standards and the Transportation Plan of the County Master Plan.
- 408.08 A report which discusses existing or potential cultural, archaeological and historical resources of significance on site and plans for the protection of such resources.
- 408.09 Wildfire Mitigation Plan, Weed Management Plan, and other land management reports and studies as required by County regulation or warranted based on site characteristics and proposed land uses.

409 Public Notice Requirements

When calculating the required time period for posting or publishing a notice of a public hearing, the day of publishing or posting will be counted in the total number of days required. The day of the hearing shall not be counted toward the total number of days required for the notification period.

The degree of accuracy required for the information contained in these public notices shall be that of substantial compliance with the provisions of this section. Substantial compliance for these public notices shall be determined by the Planning Commission or the Board of County Commissioners for their respective public hearings.

409.01 PUBLISHED NOTICE

At least 14 days prior to the Planning Commission hearing and 14 days prior to the Board hearing, the applicant shall:

- publish a notice in at least one publication of a daily or a weekly legal newspaper of general circulation, printed or published in whole or in part in Douglas County; and
- provide a publisher's affidavit of said published notice to the Planning Office at least 7 days prior to the hearing. Such notice shall read:

**NOTICE OF PUBLIC HEARING BEFORE THE
(PLANNING COMMISSION OR BOARD OF COUNTY COMMISSIONERS)**

A public hearing will be held on *(date)*, at *(time)*, in the Commissioners' Hearing Room, 100 Third St., Castle Rock, CO, for approval of a preliminary plan located *(distance and direction from nearest major intersection)*. For more information call Douglas County Planning, 303-660-7460.

File #/Name:

When concurrent notice has been approved by staff, the notice shall read:

**NOTICE OF PUBLIC HEARING BEFORE THE PLANNING COMMISSION
AND BOARD OF COUNTY COMMISSIONERS**

A public hearing will be held before the Planning Commission on, *(date)*, at *(time)*, and before the Board of County Commissioners on, *(date)*, at *(time)*, in the Commissioners' Hearing Room, 100 Third St., Castle Rock, CO, for approval of a preliminary plan located *(distance and direction from nearest major intersection)*. For more information call Douglas County Planning, 303-660-7460.

File #/Name:

409.02 POSTED NOTICE

At least 14 days prior to the Planning Commission hearing and 14 days prior to the Board hearing, the applicant shall post a notice on the land under consideration. The notice shall consist of at least one sign facing each abutting public or private street open for travel, within 10 feet of the property line abutting such street, visible from the right-of-way, placed on posts at least four feet above ground level. In the event the staff

planner determines a sign cannot be placed abutting such street and be visible from such street or that there is no abutting public or private street open for travel, the staff planner may require an alternate location for a sign. Additional signs may be required by the staff planner. Each sign shall measure not less than 3 feet by 4 feet. Letter size shall be a minimum of three inches high. Such notice shall read:

**NOTICE OF PUBLIC HEARING BEFORE THE
(PLANNING COMMISSION OR BOARD OF COUNTY COMMISSIONERS)**

This land shall be considered for approval of a preliminary plan on (date), at (time) in the Commissioners' Hearing Room, 100 Third St., Castle Rock, CO. For more information call Douglas County Planning, 303-660-7460. File #/Name:

When concurrent notice has been approved by staff, the notice shall read:

**NOTICE OF PUBLIC HEARING BEFORE THE PLANNING COMMISSION
AND BOARD OF COUNTY COMMISSIONERS**

This land shall be considered for approval of a preliminary plan before the Planning Commission on, (date), at (time), and before the Board of County Commissioners on, (date), at (time), in the Commissioners' Hearing Room, 100 Third St., Castle Rock, CO. For more information call Douglas County Planning, 303-660-7460. File #/Name:

409.02.1 An affidavit of sign posting shall be submitted for the file in the Planning Office at least 7 days prior to the hearings. The sign(s) shall be photographed by the applicant and attached to the affidavit as follows:

(attach photo here)
(Sign lettering must be legible in photo.)

I, (print name of applicant/representative/person posting sign), attest that the above sign was posted on (date) abutting (name of street).

(signature) File #/Name:

STATE OF COLORADO)
) ss.
COUNTY OF _____)

Acknowledged before me this ____ day of _____, 200__ by
_____ as _____.

My commission expires: _____

Witness my hand and official seal

Notary Public

409.02.2 The sign shall be removed by the applicant within 2 weeks following the final decision by the Board.

410 Expiration of Approval

- 410.01 The preliminary plan shall be effective for a period of 3 years from the date of approval, unless stated otherwise in such approval. The Director may grant a 1-year extension of time, upon a written request by the applicant, based upon a finding that the plan is in conformance with the Master Plan, Zoning Resolution, and Subdivision Resolution, all as amended. Requests for additional extensions may be granted by the Board.
- 410.02 When a part of the preliminary plan obtains final plat approval, approval of the remaining area of the preliminary plan shall be effective for an additional 3-year period following approval of the final plat or as otherwise extended by the Director or the Board.
- 410.03 An extension request shall include a fee and a narrative stating the reasons for the applicant's inability to comply with the specified deadlines, listing any changes in the character of the neighborhood, any changes in the County Master Plan, Zoning Resolution or this Resolution that have occurred since approval of the plan as these changes affect the plan and the anticipated time schedule for completing the platting process. A fee schedule is available from the Planning Office. Additional review of the plan may occur resulting in additional conditions as applicable.
- 410.04 The denial of an extension by the Director may be appealed to the Board in writing within 10 days of the decision by the Director.

ARTICLE 5 FINAL PLAT

501 Intent

To provide for the review of the final engineering plans, the subdivision improvement agreement, public dedications, and other legal agreements.

502 Prerequisite

- 502.01 The final plat shall be in substantial compliance with the Board approved preliminary plan, as determined by the Director. If not, the applicant shall submit an amended preliminary plan for review and approval by the Planning Commission and the Board.
- 502.02 The final plat shall be submitted within 3 years of approval of the preliminary plan, or as extended by the Director or Board.
- 502.03 Prior to submittal of a final plat application, the applicant shall contact the Planning Office and schedule a presubmittal meeting to include staff from various County departments and, as deemed necessary, other referral agency representatives to discuss the proposal and provide information on the submittal process. The applicant shall provide basic information on the final plat in advance of the meeting. Staff shall prepare and distribute the written meeting summary to the applicant to include initial comments on the proposal and other relevant information, and place a copy in the project file.

503 Approval Standards

A final plat may be approved upon the finding by the Board that the final plat:

- 503.01 Conforms with the goals, objectives, and policies of the Master Plan.
- 503.02 Addresses the design elements established in Article 4, section 404 of this Resolution.
- 503.03 Conforms with Section 18A, Water Supply - Overlay District, of the Zoning Resolution.
- 503.04 Provides for a public wastewater collection and treatment system and, if other methods of wastewater collection and treatment are proposed, such systems comply with State and local laws and regulations.
- 503.05 Identifies all areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions and that the proposed uses of these areas are compatible with such conditions.
- 503.06 Provides adequate drainage improvements.

- 503.07 Provides adequate transportation improvements.
- 503.08 Protects significant cultural, archaeological, natural and historical resources and unique landforms.
- 503.09 Has available all necessary services, including fire and police protection, recreation facilities, utility services, streets, and open space to serve the proposed subdivision.

504 Submittal Process

The final plat application shall be submitted only after the presubmittal meeting has been completed. The submittal is processed as follows:

- 504.01 The applicant shall submit the required submittal information to the Planning Office. An incomplete submittal will not be processed. Staff shall review the submittal information within 15 working days and provide the applicant with written initial comments, specifically noting any inadequacies in the submittal items. Staff may request that the applicant make changes or clarifications to the submittal information prior to referral agency review.
- 504.02 As part of its initial review comments, staff will identify the number of copies of the submittal information required for distribution to referral agencies and indicate which referral agencies are regulatory and which are advisory. The mailing addresses of the referral agencies shall be provided to the applicant. Electronic distribution is preferred. Otherwise, referral packets shall be provided by the applicant in unsealed manila envelopes, without postage, addressed to the appropriate referral agency, with submittal information properly folded and compiled. Staff shall include a referral response sheet with the mailed paper referral packets and distribute the electronic referral packets. For any subsequent referral review, the applicant shall provide revised plans and other materials for distribution to applicable referral agencies as requested by staff.
- 504.03 The applicant shall also provide stamped letter sized envelopes, including a corresponding list and map for the project file, addressed to the abutting landowners, and other landowners as requested by staff. Staff shall mail a courtesy notice of an application in process and applicable contact information to the landowners.
- 504.04 If the referral agencies elect to comment, they shall comment within 28 calendar days of the date the referral packets were mailed or electronically distributed, unless the applicant grants, in writing, an extension of no more than 30 calendar days. After the 28 calendar days, if no extension is granted, any referral agency responses received will be accepted for informational purposes only and provided to the applicant and the Board.

All referral agency comments shall be provided by staff to the applicant upon receipt. The applicant shall address the comments of all regulatory referral agencies received within the 28 calendar day referral period, or as extended by the applicant, by identifying in writing the extent to which the project has been revised in response to the comments. The applicant is strongly encouraged to provide staff a written response to timely comments of advisory referral agencies and those received as a result of the courtesy notice. The applicant is encouraged to meet with the referral agencies and staff to address any concerns. The applicant is required to pay those fees assessed by regulatory referral agencies.

Following receipt of the applicant's written response to comments, including the submittal of any revised exhibits and plans, the Planning and Engineering staff will provide additional comments to the applicant as necessary.

- 504.05 Staff will schedule a public meeting before the Board, notify the applicant in writing of the meeting date and time, and prepare a staff report for the Board. The subdivision improvements agreement shall be reviewed by staff and approved by the County Manager or Board prior to the Board meeting on the final plat.
- 504.06 Staff will provide a staff report to the Board. The Board shall evaluate the final plat, staff report, referral agency comments, applicant responses, and public comment and testimony, and shall approve, approve with conditions, continue, table for further study, or deny the final plat. The Board's action shall be based on the evidence presented; compliance with adopted County standards, regulations, and policies; and other guidelines.
- 504.07 If denied by the Board, a re-submittal of a final plat for the same or substantially same request, as determined by the Director, shall not be accepted within 60 days of such denial. The applicant may appeal the decision of the Director, in writing, to the Board within 10 days from the date of the decision. The submittal of a new application and processing fee shall be required to pursue a proposed final plat.

505 Submittal Requirements

The following information shall be submitted to the Planning Office, unless waived by the Director:

- 505.01 Completed land use application (*available from the Planning Office*)
- 505.02 A written narrative which, at a minimum, provides the following information:
 - 505.02.1 The total land area to be subdivided.
 - 505.02.2 The total number of lots and proposed use.

- 505.02.3 The residential density and/or estimated nonresidential floor area.
- 505.02.4 The total land area to be preserved as open space.
- 505.02.5 Roads, tracts, and easements, including ownership and maintenance responsibility.
- 505.02.6 Land dedications for parks and schools, or cash-in-lieu.
- 505.02.7 Provision of water, sewer, and other utilities.
- 505.02. 8 Phasing of the proposed subdivision, if any.
- 505.02. 9 Any changes to the final plat from that of the approved preliminary plan.
- 505.03 Application fee (*fee schedule available from Planning Office*)
- 505.04 Proof of ownership which includes an updated or current title information binder or insurance policy issued no more than thirty days prior to the date of application, to be updated prior to plat recordation.
- 505.05 A notarized letter of authorization from the landowner permitting a designated representative to process the application.
- 505.06 Plan exhibit, in accordance with Section 506, herein.

Additional copies of plan exhibits may be required for public meeting packets for the Board.
- 505.07 All required water supply documentation in accordance with Section 18A – Water Supply Overlay District of the Zoning Resolution.
- 505.08 Development reports, in accordance with Section 507, herein.

Engineering plans and review fees shall be submitted to the Engineering Division.
- 505.09 Any additional information, as requested by staff, to adequately review the application.

506 Plat Exhibit

The final plat shall substantially conform to the approved preliminary plan and the Board's conditions of approval and shall:

- 506.01 Be prepared by or under the supervision of a registered professional land surveyor licensed with the State of Colorado for recording in the Office of the County Clerk and Recorder.
- 506.02 Be an acceptable fix-line photographic or computer-generated copy of the original drawing. Inaccurate, incomplete or poorly drawn plans shall be rejected.
- 506.03 Include sheet size of 24-inch by 36-inch with the long dimension horizontal. A margin, left entirely blank, a minimum of 1" on all sides shall be provided on each sheet.
- 506.04 Be drafted at a scale that best conveys the detailed survey, engineering and design of the subdivision and confines the drafting error to less than 1%. Acceptable scales are 1"=50' or 1"=100' and for subdivisions exceeding 100 acres, 1"=200'. In special instances another scale may be approved by the Director. When a proposal requires multiple sheets, a composite, on 24-inch by 36-inch paper, shall be provided that delineates the boundaries and identifies each sheet number. The scale may be different than the individual sheets as approved by the staff planner.
- 506.05 Include the title placed at the top of the sheet along the long dimension of each sheet and shall include the name of the proposed subdivision or planned development, filing number (*when applicable*), and Planning Office file number. If part of a planned development, the planning area shall be included under the title. A general legal description stating the aliquot portion of the section, section, township, range, 6th P.M., and Douglas County, CO, shall be included under the name and planning area. On the title sheet (*sheet #1*), under the general legal description, include the total acreage and the total number of lots. The name of the builder, product line or marketing name may only be used as a descriptor along the bottom of the sheet. Subdivision names may not duplicate existing subdivision or planned development names.

Example:

PINE VIEW FILING #1 (A,B, etc.)		
Planning Area H		
SW/4 of Sec. 9, T6 S, R67 W of the 6th P.M., Douglas County, CO		
8.06 Acres	35 Residential lots	SB ____ - ____

- 506.06 Include a block in the lower right-hand corner with the following: the preparation date; a north arrow designated as true north; a written and graphic scale; the names and addresses of the applicant, developer, engineer or surveyor who prepared the exhibit; and the number of the sheet and the total number of sheets.

- 506.07 A vicinity map that depicts the area to be subdivided and the area which surrounds the proposed subdivision within a minimum 1-mile radius.
- 506.08 Include a vicinity map when the land is zoned planned development that depicts the area to be subdivided at the same scale as the planned development superimposed on the planning areas.
- 506.09 Include a written metes and bounds legal description of the subdivision boundary with a map showing all information as required in the Colorado Revised Statutes clearly and prominently. The names and locations of all abutting subdivisions, the locations of all abutting unplatted parcels and public lands shall be depicted. All lines, names and descriptions on the final plat which do not constitute a part of the subdivision shall be depicted in dashed or screened lines. Any area enclosed by the subdivision, but not a part thereof, shall be labeled "Not a Part of This Subdivision".
- 506.10 Show deleted lot lines, easements, or rights-of-way on the plat in dashed lines, or screened, with a note and arrow pointing to the item to be vacated, stating that the lot line, easement, or right-of-way is hereby vacated. (*Dashed lines shall be graphically different for existing vs. proposed vs. deleted.*)
- 506.11 Display ties to aliquot section corners and to the State grid, if available, which shows dimensions of all primary boundary survey control points with complete monument and location descriptions, all parcel lines showing dimensions with lengths, bearings, and curve data, including chord lengths and bearings, basis of bearings and relation to true meridian and similar data. Only circular curves shall be used. No spirals, parabolas, etc. shall be used unless approved by the County Engineer. All dimensions are to be shown to the nearest 0.01' or in the case of degrees, to the nearest second. An accuracy of 1:50,000 (*second order*) minimum for linear and angular (*bearing*) closure shall be required for the boundary. All internal lots, tracts, or parcels shall have a closure accuracy of 0.01'.
- 506.12 Locate, identify, and label all lots, tracts and, when requested by staff, building envelopes with the appropriate dimension with sufficient linear, bearing, and curve data. No ditto marks shall be used for dimensions. All lots shall be shown in their entirety on one sheet. Lots shall be consecutively numbered, tracts shall be lettered alphabetically and in consecutive order. Include the acreage within each lot or tract to the nearest 0.01 of an acre. On residential subdivisions, tracts shall be used exclusively for nonresidential property, such as areas to be dedicated for park and school sites. All parcels or areas of land inadvertently created and not identified shall be presumed to be outlots and shall not be considered to be building lots.
- 506.13 Identify all road names, right-of-way widths at each leg of an intersection, at point of curve and point of tangent, at dead ends and at angle points; and right-of-way line with accurate bearings and dimensions including chord lengths and bearings, central angles and radii of all curves. If any road in the

subdivision is a continuation or approximately a continuation of an existing public road, the conformity or the amount of conformity of the new road to the existing road shall be accurately shown. Whenever the centerline of a road has been established or recorded, the date shall be shown on the final plat.

- 506.14 Identify the purpose, widths and location (*with fine dashed lines*) of all easements and all abutting easements. If any easement already of record cannot be definitely located, a statement of its existence, the nature thereof and its recorded reference must appear on the title sheet. Distances and bearings on the side lines of lots which are cut by an easement must be shown with an arrow or so shown that the plat will indicate clearly the actual length of the lot lines. The widths of all easements and sufficient data to definitely locate the same with respect to the subdivision and each lot must be shown. All easements must be clearly labeled and identified. If an easement shown on the plat is already of record, its recorded reference must be given. If an easement is being dedicated by the plat, it shall be set out in the owner's certificate of dedication. A plat note may be necessary to provide complete information of the purpose of the easement.
- 506.15 Locate 100-year floodplains, all existing/proposed watercourses, retention and detention areas, wetlands and riparian areas, aquifer recharge areas, streams, lakes, or inlets on the affected land.
- 506.16 Include the following certifications on a single sheet in accordance with Article 8 of this Resolution: Surveyor, Dedication Statement, Title Verification, Board of County Commissioners, Clerk and Recorder, Planning Commission, and Acceptance Certificate, as needed.
- 506.17 Include the following statement for all final plats within the Centennial Airport Review Area, as identified by the Zoning Resolution. :

Owner waives, remises, and releases any right or cause of action it may now have or which it may have in the future against the County of Douglas, its officers, employees, and agents related to, or resulting from, the passage of aircraft in the airspace above the property that is the subject of this final plat.

- 506.18 Include plat notes which adequately explain information pertinent to the execution and maintenance of the subdivision including the ownership of tracts, reference to the subdivision improvements agreement and conservation easements, maintenance responsibility for private roads, easements and tracts, and limitations on wells or septic systems. The applicant shall provide for the construction, at no cost to the County, of traffic signalization, all utilities, and other public infrastructure, as required by the Board, and provide bonding or other security needed to ensure such improvements, as required by the Board.

507 Final Development Reports

The applicant shall submit the supporting materials necessary for the review of the final plat which include the following items:

- 507.01 Phase III Drainage Report prepared in accordance with the requirements of the Douglas County Storm Drainage Design and Technical Criteria Manual.
- 507.02 A traffic impact analysis prepared in accordance with the Douglas County Roadway Design and Construction Standards.
- 507.03 Final roadway and stormwater construction plans prepared in accordance with the requirements of the Douglas County Roadway Design and Construction Standards and the Douglas County Storm Drainage Design and Technical Criteria Manual.
- 507.04 An overall utility plan for the subdivision.
- 507.05 Water and sanitary sewer plans. These plans may be included in the roadway and stormwater construction plans.
- 507.06 A Grading, Erosion, and Sediment Control Report and Plan for the subdivision in accordance with the Douglas County Grading, Erosion and Sediment Control Manual.
- 507.07 A printed copy of the closure calculations on the boundary lines of the final plat. Any mathematical closure errors in excess of 1:50,000 (second order) must be corrected by the applicant's surveyor prior to plat approval by the Board.

508 Vested Property Rights

The final plat is designated as the Site Specific Development Plan for the purpose of vesting property rights for single-family residential land. A landowner seeking vested property rights for single-family residential land must obtain approval of a Site Specific Development Plan pursuant to the provisions of Article 12 of this Resolution. For nonresidential, refer to Section 34 of the Zoning Resolution.

509 Recordation Procedure

The recordation of the approved final plat and associated documentation shall occur within 90 days of Board approval, unless extended by the Board at the time of final plat approval. The final plat shall be submitted for recordation as follows:

- 509.01 The applicant shall amend the final plat in accordance with the Board approval, as necessary. The applicant shall demonstrate compliance with all applicable Board conditions of approval prior to plat recordation.

- 509.02 Within 60 days of approval of the final plat, unless stated otherwise in such approval, the applicant shall submit: 1 mylar (3 mil weight, emulsion up, rolled) original of the approved final plat exhibit ready for recordation (*except for the signatures of the Board Chair, Director and other County Departments*); all required documentation; and all mapping and recordation fees to the Planning Office.
- 509.03 When applicable, the applicant shall provide proof that security has been provided to cover the subdivision improvement costs in accordance with the terms of the approved subdivision improvements agreement.
- 509.04 The applicant shall provide updated title information, no more than 2 weeks old. If there is a difference in ownership between this title policy and the title policy submitted with the final plat application, recordation shall not be allowed until the newly identified owners have executed the plat and any other agreements, easements, or deeds which require owner signatures.
- 509.05 The applicant shall provide cash-in-lieu of County land dedication for parks or schools in accordance with the Board's conditions of approval. The applicant shall provide a special warranty deed for any required County rights-of-way or other land dedications located outside of the subdivision boundary, in accordance with the Board's conditions of approval and the approved subdivision improvements agreement.
- 509.06 A signed warranty deed shall be provided, if such has been required, conveying certain tracts, or the development rights to such tracts, to the appropriate entity for public use.
- 509.07 The applicant shall provide a certificate of taxes paid for the land area of the final plat that indicates taxes through and including the prior year have been paid.
- 509.08 Within 30 days of receipt of the final plat, and supporting documentation, the staff planner shall obtain the signatures of the Board, Director, and other County departments, as required; and upon execution and acceptance by the County of all warranty deeds, the final plat shall be recorded.
- 510 Expiration of Approval
- 510.01 Failure by the applicant to submit all required documentation within 60 days shall render approval of the final plat null and void, unless extended by the Director or Board as provided herein. .
- 510.02 The Director may grant a time extension for plat recordation of up to one year from the date of Board approval, upon a written request by the applicant or staff for good cause being shown. Further extensions may be granted by the Board at a public meeting, upon a written request by the applicant or staff.

- 510.03 A plat recordation extension request shall include a fee and a narrative stating the reasons for the applicant's inability to comply with the specified deadlines, listing any changes in the character of the neighborhood, any changes in the County Master Plan, Zoning Resolution, or this Resolution that have occurred since approval of the plat as these changes affect the plat, along with the anticipated time schedule for completing the platting process. A fee schedule is available from the Planning Office.
- 510.04 The denial of a plat recordation extension by the Director may be appealed to the Board in writing within ten days of the decision by the Director.

ARTICLE 5A COMBINED PRELIMINARY AND FINAL PLAT

This Article was repealed by the Board on October 13, 2015 (*Resolution # R_____*). A combined preliminary and final plat application may be submitted under the provisions of this repealed section, with a valid sketch plan in place, until October 13, 2018.

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ARTICLE 6 MINOR DEVELOPMENT FINAL PLAT – Single-Family Residential

601 Intent

The intent of the minor development is to provide a streamlined review process for the creation of ten or fewer single-family residential lots. Adjoining minor development final plats shall not be allowed if the purpose is to circumvent the preliminary plan and final plat processes required for larger subdivisions.

602 Prerequisite

Prior to submittal of a minor development final plat application, the applicant shall contact the Planning Office and schedule a presubmittal meeting to include staff from various County departments and, as deemed necessary, other referral agency representatives to discuss the proposal and provide information on the submittal process. The applicant shall provide basic information on the proposed subdivision in advance of the meeting. Staff shall prepare and distribute the written meeting summary to the applicant to include initial comments on the application and other relevant information, and place a copy in the project file.

A minor development final plat shall not be permitted if the subdivision creates a nonconforming lot, or in the case of an existing nonconforming lot or parcel, a minor development final plat shall not increase the nonconformity.

603 Approval Standards

A minor development final plat may be approved upon the finding by the Board that the minor development final plat:

- 603.01 Conforms with the goals, objectives, and policies of the Master Plan.
- 603.02 Addresses the design elements established in Section 404 – Preliminary Plan, herein.
- 603.03 Conforms with Section 18A, Water Supply - Overlay District, of the Zoning Resolution.
- 603.04 Provides for a public wastewater collection and treatment system, and, if other methods of wastewater collection and treatment are proposed, such systems shall comply with State and local laws and regulations.
- 603.05 Identifies all areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions and that the proposed uses of these areas are compatible with such conditions.
- 603.06 Provides adequate drainage improvements.

- 603.07 Provides adequate transportation improvements.
- 603.08 Protects significant cultural, archaeological, natural, and historical resources, and unique landforms.
- 603.09 Demonstrates the extraction of any known commercial mining deposit shall not be impeded.
- 603.10 Has available all necessary services, including fire and police protection, recreation facilities, utility service facilities, streets, and open space to serve the proposed subdivision.

604 Submittal Process

The minor development final plat application shall be submitted only after the presubmittal meeting has been completed. The submittal is processed as follows:

- 604.01 The applicant shall submit the required submittal information to the Planning Office. An incomplete submittal will not be processed. Staff shall review the submittal information within 15 working days and provide the applicant with initial written comments, specifically noting any inadequacies in the submittal items. Staff may request that the applicant make changes or clarifications to the submittal information prior to referral agency review.
- 604.02 As part of its initial review, staff will identify the number of copies of the submittal information required for distribution to referral agencies and indicate which referral agencies are regulatory and which are advisory. The mailing addresses of the referral agencies shall be provided to the applicant. Electronic distribution is preferred. Otherwise, referral packets shall be provided by the applicant in unsealed manila envelopes, without postage, addressed to the appropriate referral agency, with submittal information properly folded and compiled. Staff shall include a referral response sheet with the mailed paper referral packets and distribute the electronic referral packets. For any subsequent referral reviews, the applicant shall provide revised plans and other materials for distribution to the applicable referral agencies as requested by staff.
- 604.03 The applicant shall also provide stamped letter sized envelopes, including a corresponding list and map for the project file, addressed to the abutting landowners, and other landowners, as requested by staff. Staff shall mail a courtesy notice of an application in process and applicable contact information to the landowners.
- 604.04 If the referral agencies elect to comment, they shall comment within 28 calendar days of the date the referral packets were mailed or electronically distributed, unless the applicant grants, in writing, an extension of no more than 30 calendar days. After the 28 calendar days, if no extension is

granted, any referral agency responses received will be accepted for informational purposes only and provided to the applicant, Planning Commission, and the Board.

All referral agency comments shall be provided by staff to the applicant upon receipt. The applicant shall address the comments of all regulatory referral agencies received within the 28 calendar day referral period, or as extended by the applicant, by identifying in writing the extent to which the project has been revised in response to the comments. The applicant is strongly encouraged to provide staff a written response to timely comments of advisory referral agencies and those received as a result of the courtesy notice. The applicant is encouraged to meet with the referral agencies and staff to address any concerns. The applicant is required to pay those fees assessed by regulatory referral agencies.

Following receipt of the applicant's written response to comments, including the submittal of any revised exhibits and plans, the Planning and Engineering staff will provide additional comments to the applicant as necessary.

- 604.05 Staff will schedule a public hearing before the Planning Commission and notify the applicant in writing of the hearing date and time. The applicant is responsible for public notice of the hearing in accordance with Section 608 herein. Concurrent notice for the Planning Commission and Board public hearings may be provided if requested by the applicant.
- 604.06 The Planning Commission shall evaluate the minor development final plat, staff report, referral agency comments, applicant responses, and public comment and testimony, and make a recommendation to the Board to approve, approve with conditions, continue, table for further study, or deny the minor development request. The Planning Commission's decision shall be based on the evidence presented; compliance with adopted County standards, regulations, and policies; and other guidelines.
- 604.07 Following the recommendation by the Planning Commission, staff shall schedule a public hearing before the Board and notify the applicant in writing of the hearing date and time, unless previously provided with a request for concurrent hearing notice. The applicant is responsible for public notice of the hearing in accordance with Section 608 herein. The subdivision improvements agreement shall be reviewed by staff and approved by the County Manager or Board prior to the Board hearing on the minor development final plat.
- 604.08 Staff will prepare a staff report for the Board. The Board shall evaluate the minor development final plat, staff report, referral agency comments, applicant responses, the Planning Commission recommendation, and public comment and testimony, and shall approve, approve with conditions, continue, table for further study, remand to the Planning Commission, or

deny the minor development final plat. The Board's action shall be based on the evidence presented; compliance with adopted County standards, regulations, and policies; and other guidelines.

- 604.09 If denied by the Board, a resubmittal of a minor development final plat for the same or substantially same application, as determined by the Director, shall not be accepted within 60 days of such denial. The applicant may appeal the decision of the Director, in writing, to the Board within 10 days from the date of the decision. The submittal of a new application and processing fee shall be required to pursue a proposed minor development final plat.

605 Submittal Requirements

The following information shall be submitted to the Planning Office, unless waived by the Director:

- 605.01 Completed land use application (*available from the Planning Office*)
- 605.02 A written narrative that, at a minimum, provides the following information:
- 605.02.1 The total land area to be subdivided.
 - 605.02.2 The total number of lots and proposed use.
 - 605.02.3 The residential density.
 - 605.02.4 The total land area to be preserved as open space.
 - 605.02.5 Roads, tracts, and easements, including ownership and maintenance responsibility.
 - 605.02.6 Land dedications for parks and schools.
 - 605.02.7 Provision of water, sewer, and other utilities.
- 605.03 Application fee (*available from Planning Office*)
- 605.04 Proof of ownership which includes an updated or current title information binder or insurance policy issued no more than thirty days old prior to the date of application, to be updated prior plat recordation.
- 605.05 A notarized letter of authorization from the landowner permitting a designated representative to process the application.
- 605.06 Minor Development Final Plat Exhibit in accordance with Section 606, herein.

Additional copies of plan exhibits may be required for public hearing packets for the Planning Commission and Board.

- 605.07 All required water supply documentation in accordance with Section 18A – Water Supply Overlay District of the Zoning Resolution.
- 605.08 Development Reports, in accordance with Section 607, herein.

Engineering plans and review fees shall be submitted to the Engineering Division.
- 605.09 Any additional information, as requested by staff, to adequately review the application.

606 Minor Development Final Plat Exhibit

The minor development final plat shall:

- 606.01 Be prepared by or under the supervision of a registered professional land surveyor licensed with the State of Colorado for recording in the Office of the County Clerk and Recorder.
- 606.02 Be an acceptable fix-line photographic or computer-generated copy of the original drawing. Inaccurate, incomplete or poorly drawn plans shall be rejected.
- 606.03 Include sheet size of 24-inch by 36-inch with the long dimension horizontal. A margin, left entirely blank, a minimum of 1" on all sides shall be provided on each sheet.
- 606.04 Be drafted at a scale that best conveys the detailed survey, engineering and design of the subdivision and confines the drafting error to less than 1%. Acceptable scales are 1"=50' or 1"=100' and for subdivisions exceeding 100 acres, 1"=200'. In special instances, another scale may be approved by staff. If a plat requires multiple sheets, a composite, on 24-inch by 36-inch paper, shall be provided that delineates the boundaries and identifies each sheet number. The scale may be different than the individual sheets as approved by staff.
- 606.05 Include the title placed at the top of the sheet along the long dimension of each sheet and include the name of the proposed subdivision or planned development, filing number (*when applicable*), and Planning Office file number. If part of a planned development, the planning area shall be included under the title. A general legal description stating the aliquot portion of the section, section, township, range, 6th P.M., and Douglas County, CO, shall be included under the name and planning area. On the title sheet (*sheet #1*), under the general legal description, include the total acreage and the total number of lots. The name of the builder, product line or marketing name may only be used as a descriptor along the bottom of the sheet. The

minor development final plat name may not duplicate existing subdivision names.

Example:

WITT'S END		
A part of the W/2 of Sec. 9, T6S, R67W, 6th P.M., Douglas County, CO		
40 Acres	4 Residential lots	SB__-

- 606.06 Include a block in the lower right-hand corner with the following: the preparation date; a north arrow designated as true north; a written and graphic scale; the names and addresses of the applicant, developer, engineer or surveyor who prepared the exhibit; and the number of the sheet and the total number of sheets.
- 606.07 Include a vicinity map that depicts the area to be subdivided and the area that surrounds the proposed subdivision within a minimum 1-mile radius.
- 606.08 Include a vicinity map when the land is zoned planned development that depicts the area to be subdivided superimposed on the planned development, at the same scale as the planned development that shows the limits of the proposed plan superimposed on the planning areas.
- 606.09 Include a written metes and bounds legal description of the subdivision boundary with a map showing all information as required in the Colorado Revised Statutes clearly and prominently. The names and locations of all abutting subdivisions, the locations of all abutting unplatted parcels and public lands shall be depicted. All lines, names and descriptions on the plat which do not constitute a part of the subdivision shall be depicted in dashed or screened lines. Any area enclosed by the subdivision, but not a part thereof shall be labeled "Not a Part of This Subdivision".
- 606.10 Display ties to aliquot section corners and to the State grid (*if available*) which show dimensions of all primary boundary survey control points with complete monument and location descriptions, all parcel lines showing dimensions with lengths, bearings, and curve data, including chord lengths and bearings, basis of bearings and relation to true meridian and similar data. Only circular curves shall be used. No spirals, parabolas, etc. shall be used unless approved by the County Engineer. All dimensions are to be shown to the nearest 0.01' or in the case of degrees, to the nearest second. An accuracy of 1:50,000 (*second order*) minimum for linear and angular (*bearing*) closure shall be required for the boundary. All internal lots, tracts, or parcels shall have a closure accuracy of 0.01'.
- 606.11 Locate, identify, and label all lots, tracts and, when requested by staff, building envelopes with the appropriate dimension with sufficient linear, bearing, and curve data. No ditto marks shall be used for dimensions. All lots shall be shown in their entirety on one sheet. Lots shall be numbered

consecutively; tracts shall be lettered alphabetically and in consecutive order. Include the acreage within each lot to the nearest 0.01 of an acre. In residential subdivisions, tracts shall be used exclusively for nonresidential property, such as areas to be dedicated for park and school sites. All parcels or areas of land inadvertently created and not identified shall be presumed to be outlots and shall not be considered to be building lots.

- 606.12 Indicate all road names, right-of-way widths at each leg of an intersection, at point of curve and point of tangent, at dead ends and at angle points; and right-of-way lines with accurate bearings and dimensions including chord lengths and bearings, central angles and radii of all curves. If any road in the subdivision is a continuation or approximately a continuation of an existing public road, the conformity or the amount of conformity of the new road to the existing road shall be accurately shown. Whenever the centerline of a road has been established or recorded, the date shall be shown on the final plat.
- 606.13 Describe the purpose, widths and location (*with fine dashed lines*) of all easements and all abutting easements. If any easement already of record cannot be definitely located, a statement of its existence, the nature thereof and its recorded reference must appear on the title sheet. Distances and bearings on the side lines of lots which are cut by an easement must be arrowed or so shown that the plat will indicate clearly the actual length of the lot lines. The widths of all easements and sufficient data to definitely locate the same with respect to the subdivision and each lot must be shown. All easements must be clearly labeled and identified. If an easement shown on the plat is already of record, its recorded reference must be given. If an easement is being dedicated by the plat, it shall be set out in the owner's certificate of dedication. A plat note may be necessary to provide complete information of the purpose of the easement.
- 606.14 Locate 100-year floodplains, all existing/proposed watercourses, retention and detention areas, wetlands and riparian areas, aquifer recharge areas, streams, lakes, or inlets on the affected land.
- 606.15 Include the following certifications on the title sheet in accordance with Article 8 of this Resolution: Surveyor, Dedication Statement, Clerk and Recorder, Board of County Commissioners, Title Verification, Planning Commission, and Acceptance Certificate, as needed.
- 606.16 Include the following statement for all minor development final plats within the Centennial Airport Review Area, as identified by the Zoning Resolution:

Owner waives, remises, and releases any right or cause of action it may now have or which it may have in the future against the County of Douglas, its officers, employees, and agents related to, or resulting from, the passage of aircraft in the airspace above the property that is the subject of this minor development final plat.

- 606.17 Include notes that adequately explain information pertinent to the execution and maintenance of the subdivision including the ownership of tracts, reference to the subdivision improvements agreement and conservation easements, maintenance responsibility for private roads, easements and tracts. The applicant shall provide for the construction, at no cost to the County, of traffic signalization, all utilities, and other public infrastructure as required by the Board and provide bonding or other security needed to ensure such improvements, as required by the Board.

607 Development Reports

The applicant shall submit the supporting materials necessary for the review of the minor development final plat which address the items listed below.

- 607.01 A Phase III Drainage report and drainage construction drawings prepared in accordance with the requirements of the Douglas County Storm Drainage Design and Technical Criteria Manual.
- 607.02 Final roadway and stormwater construction plans, when applicable, prepared in accordance with the requirements of the Douglas County Roadway Design and Construction Standards and the Douglas County Storm Drainage Design and Technical Criteria Manual.
- 607.03 An overall utility plan for the subdivision, when applicable.
- 607.04 Water and sanitary sewer plans, when applicable. These plans may be included in the roadway and stormwater construction plans.
- 607.05 A Grading, Erosion, and Sediment Control Report and Plan for the subdivision in accordance with the Grading, Erosion and Sediment Control Manual.
- 607.06 A printed copy of the closure calculations on the boundary lines of the minor development final plat. Any mathematical closure errors in excess of 1:50,000 (*second order*) must be corrected by the applicant's surveyor prior to plat approval by the Board.
- 607.07 A traffic impact analysis prepared in accordance with the requirements of the Douglas County Roadway Design and Construction Standards and the Transportation Plan of the Master Plan.
- 607.08 A sound study, when located abutting a state, federal, or major regional arterial highway, identifying the current noise levels and projected noise levels based on projected highway expansion.
- 607.09 Evidence of the physical and legal capability to provide sanitation as follows:

- 607.09.1 For a subdivision of land located within a sanitation district, a letter of commitment to serve the proposed subdivision stating the capacity to serve and feasibility of extending service to that area.
- 607.09.2 For a subdivision of land where a sanitation district is proposed to be formed to serve the subdivision, evidence of the ability of the sanitation district or owner to serve the demands of the proposed subdivision.
- 607.09.3 For a subdivision of land where individual wastewater collection and treatment systems are proposed, percolation test data must be provided to prove general suitability of soils for such systems.
- 607.10 Evidence that provision has been made for facility sites, easements, and rights of access for electrical and natural gas utility service sufficient to ensure reliable and adequate electric or, if applicable, natural gas service for the proposed subdivision. Verification of service commitment may also be obtained during the referral agency comment period.
- 607.11 A report on the geological characteristics of the site, by a qualified professional, including any potential natural or man-made hazards which would have a significant influence on the proposed uses of the land, a determination of what effect such factors would have and proposed corrective or protective measures. The report shall also include an evaluation of potential radiation hazard to the proposed land use.
- 607.12 A report which discusses existing or potential cultural, archaeological and historical resources of significance on site and plans for the protection of such resources.
- 607.13 Wildfire Mitigation Plan, Weed Management Plan, and other land management reports and studies as required by County regulation or warranted based on site characteristics and proposed land uses.
- 607.14 Provide the following supplemental information on a 24-inch by 36-inch sheet of paper, drawn at the same scale of the minor development final plat exhibit, or other acceptable scale, as may be requested by staff to analyze the minor development final plat:
 - 607.14.1 100-year floodplains, existing and proposed watercourses, retention and detention areas, wetlands and riparian areas, aquifer recharge areas, streams, lakes, or inlets on the affected property.
 - 607.14.2 Potential geologic hazard areas including: areas of rockfall hazard, debris flow, steeply dipping bedrock, and expansive soils.
 - 607.14.3 Existing topography at 10' intervals, or as otherwise requested by staff. Identify areas of 15-20% slope in one shading pattern and areas

greater than 20% in another shading pattern. Include a narrative that describes the mitigation methods used to address existing slope conditions.

608 Public Notice Requirements

When calculating the required time period for posting or publishing a notice of a public hearing, the day of publishing or posting shall be counted in the total number of days required. The day of the hearing shall not be counted toward the total number of days required for the notification period.

The degree of accuracy required for the information contained in these public notices shall be that of substantial compliance with the provisions of this section. Substantial compliance for these public notices shall be determined by the Planning Commission or the Board for their respective public hearings.

608.01 PUBLISHED NOTICE

At least 14 days prior to the Planning Commission hearing and 14 days prior to the Board hearing, the applicant shall:

- publish a notice in at least one publication of a daily or a weekly legal newspaper of general circulation, printed or published in whole or in part in Douglas County; and
- provide a publisher's affidavit of said published notice to the Planning Office at least 7 days prior to the hearing. The notice shall read:

**NOTICE OF PUBLIC HEARING BEFORE THE
(PLANNING COMMISSION OR BOARD OF COUNTY COMMISSIONERS)**

A public hearing will be held on *(date)*, at *(time)*, in the Commissioners' Hearing Room, 100 Third St., Castle Rock, CO, for approval of a minor development final plat located in *(distance and direction from nearest major intersection)*. For more information call Douglas County Planning, 303-660-7460.

File #/Name:

When concurrent notice has been approved by staff, the notice shall read:

**NOTICE OF PUBLIC HEARING BEFORE THE PLANNING COMMISSION
AND BOARD OF COUNTY COMMISSIONERS**

A public hearing will be held before the Planning Commission on *(date)*, at *(time)*, and before the Board of County Commissioners on *(date)*, at *(time)*, in the Commissioners' Hearing Room, 100 Third St., Castle Rock, CO, for approval of a minor development final plat located in *(distance and direction from nearest major intersection)*. For more information call Douglas County Planning, 303-660-7460.

File #/Name:

608.02 POSTED NOTICE

At least 14 days prior to the Planning Commission hearing and 14 days prior to the Board hearing, the applicant shall post a notice on the land under consideration. The notice shall consist of at least one sign facing each abutting public or private street open for travel, within 10 feet of the property line abutting such street, placed on posts at least 4' above ground level. In the event the staff planner determines a sign cannot be placed abutting such street and be visible from such street or that there is no abutting public or private street open for travel, the staff planner may require an alternate location for a sign. Additional signs may be required by the staff planner. Each sign shall measure not less than 3 feet by 4 feet. Letter size shall be a minimum of 3" high. Such notice shall read:

**NOTICE OF PUBLIC HEARING BEFORE THE
(PLANNING COMMISSION OR BOARD OF COUNTY COMMISSIONERS)**

This land shall be considered for approval of a minor development final plat on *(date)*, at *(time)*, in the Commissioners' Hearing Room, 100 Third St., Castle Rock, CO. For more information call Douglas County Planning, 303-660-7460.

File #/Name:

When concurrent notice has been approved by staff, the notice shall read:

**NOTICE OF PUBLIC HEARING BEFORE THE PLANNING COMMISSION
AND BOARD OF COUNTY COMMISSIONERS**

This land shall be considered for approval of a minor development final plat before the Planning Commission on *(date)*, at *(time)*, and before the Board of County Commissioners on *(date)*, at *(time)*, in the Commissioners' Hearing Room, 100 Third St., Castle Rock, CO. For more information call Douglas County Planning, 303-660-7460.

File #/Name:

608.02.1 Posting Affidavit

An affidavit of sign posting shall be submitted for the file in the Planning Office at least 7 days prior to the hearings. The sign(s) shall be photographed by the applicant and attached to the affidavit as follows:

(attach photo here)
(Sign lettering must be legible in photo.)

I, (print name of applicant/representative/person posting sign) , attest that the above sign was posted on (date) abutting (name of street) .

 (signature) File #/Name:

STATE OF COLORADO)
) ss.
COUNTY OF _____)

Acknowledged before me this _____ day of _____, 200__ by
_____ as _____.

My commission expires: _____

Witness my hand and official seal

Notary Public

608.02.2 The sign shall be removed by the applicant within two weeks following the final decision by the Board.

609 Vested Property Rights

The final plat is designated as the Site Specific Development Plan for the purpose of vesting property rights for single-family residential land. A landowner seeking vested property rights for single-family residential land must obtain approval of a Site Specific Development Plan pursuant to the provisions of Article 12 of this Resolution.

610 Recordation Procedure

The recordation of the approved final plat and associated documentation shall occur within 90 days of approval by the Board, unless otherwise extended by the Board at the time of final plat approval. The final plat shall be submitted for recordation as follows:

- 610.01 The applicant shall amend the minor development final plat in accordance with the Board approval, as necessary. The applicant shall demonstrate compliance with all applicable Board conditions of approval prior to plat recordation.
- 610.02 Within 60 days of approval of the final plat, unless stated otherwise in such approval, the applicant shall submit 1 mylar (3 mil weight, emulsion up,

rolled) original of the approved final plat exhibit ready for recordation (*except for the signatures of the Board Chair, Director and other County Departments*); all required documentation; and all mapping and recordation fees to the Planning Office.

- 610.03 When applicable, the applicant shall provide proof that security has been provided to cover the subdivision improvement costs in accordance with the terms of the approved subdivision improvements agreement.
- 610.04 The applicant shall provide updated title information, no more than 2 weeks old. If there is a difference in ownership between this title policy and the title policy submitted with the minor development final plat application, recordation shall not be allowed until the newly identified owners have executed the plat and any other agreements, easements, or deeds which require owner signatures.
- 610.05 The applicant shall provide cash-in-lieu for County land dedication for parks or schools in accordance with the Board's conditions of approval. The applicant shall provide a special warranty deed for any required County rights-of-way or other land dedications located outside the subdivision boundary, in accordance with Board conditions of approval and the approved subdivision improvements agreement.
- 610.06 A signed warranty deed shall be provided, if such has been required, conveying certain tracts, or the development rights to such tracts, to the appropriate entity for public use.
- 610.07 For applications that propose a water supply from an Existing District or from a New Special District that has entered into an intergovernmental agreement with an Existing or Extraterritorial District as described in Section 18A, Water Supply – Overlay District, of the Zoning Resolution, the applicant shall submit evidence that the water rights necessary to serve the development have been conveyed to the Existing, Extraterritorial, or New Special District, and/or that the water credits to serve the development have been purchased from the Existing or Extraterritorial District.
- 610.08 The applicant shall provide a certificate of taxes paid for the land area of the final plat that indicates taxes through and including the prior year have been paid.
- 610.09 Within 30 days of receipt of the minor development final plat, and supporting documentation, the staff planner shall obtain the signatures of the Board, Director, and other County departments, as required; and upon execution and acceptance by the County of all warranty deeds, the final plat shall be recorded.

611 Expiration of Approval

- 611.01 Failure by the applicant to submit all required documentation within 60 days shall render approval of the minor development final plat null and void, unless extended by the Director or Board as provided herein.
- 611.02 The Director may grant a time extension for plat recordation of up to 1 year from the date of Board approval, upon a written request by the applicant or staff for good cause being shown. Further extensions may be granted by the Board at a public meeting, upon a written request by the applicant or staff.
- 611.03 A plat recordation extension request shall include a fee and a narrative stating the reasons for the applicant's inability to comply with the specified deadlines, listing any changes in the character of the neighborhood, any changes in the Master Plan, Zoning Resolution or this Resolution that have occurred since approval of the plat as these changes affect the plat, along with the anticipated time schedule for completing the platting process. A fee schedule is available from the Planning Office.
- 611.04 The denial of a plat recordation extension by the Director may be appealed to the Board in writing within ten days of the decision by the Director.

ARTICLE 6A MINOR DEVELOPMENT FINAL PLAT – Nonresidential & Multifamily

601A Intent

To provide a streamlined review process for nonresidential and multifamily subdivisions. The applicant may be required to submit a site improvement plan (SIP) in accordance with the SIP section of the Zoning Resolution, with the minor development final plat application, based on design, size, impact to public facilities, services, roads, and overall impacts, as determined by the Director. If the applicant is unable to submit an SIP, when the Director requires such, the application shall be processed in accordance with the preliminary plan and final plat requirements of this Resolution.

602A Prerequisite

Prior to submittal of a minor development final plat application, the applicant shall contact the Planning Office and schedule a presubmittal meeting to include staff from various County departments and, as deemed necessary, other referral agency representatives to discuss the proposal and provide information on the submittal process. The applicant shall provide basic information on the proposed subdivision in advance of the meeting. Staff shall prepare and distribute the written meeting summary to the applicant to include initial comments on the application and other relevant information, and place a copy in the project file.

A minor development final plat shall not be permitted if the subdivision creates a nonconforming parcel, or in the case of an existing nonconforming lot or parcel, a minor development final plat shall not increase the nonconformity.

603A Approval Standards

A minor development final plat may be approved upon the finding by the Board that the minor development final plat:

- 603A.01 Conforms with the goals, objectives, and policies of the Master Plan.
- 603A.02 Addresses the design elements established in Section 404 - Preliminary Plan, herein.
- 603A.03 Conforms with Section 18A, Water Supply - Overlay District section of the Zoning Resolution.
- 603A.04 Provides for a public wastewater collection and treatment system, and, if other methods of wastewater collection and treatment are proposed, such systems shall comply with State and local laws and regulations.
- 603A.05 Identifies all areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified by the subdivider and that the proposed uses of these areas are compatible with such conditions.

- 603A.06 Provides adequate drainage improvements.
- 603A.07 Provides adequate transportation improvements.
- 603A.08 Protects significant cultural, archaeological, natural, and historical resources, and unique landforms.
- 603A.09 Demonstrates the extraction of any known commercial mining deposit shall not be impeded.
- 603A.10 Has available necessary services, including fire and police protection, recreation facilities, utility service facilities, streets, and open space to serve the proposed subdivision.

604A Submittal Process

The minor development final plat application shall be submitted only after the presubmittal meeting has been completed. The submittal is processed as follows:

- 604A.01 The applicant shall submit the required submittal information to the Planning Office. An incomplete submittal will not be processed. Staff shall review the submittal information within 15 working days and provide the applicant with initial written comments, specifically noting any inadequacies in the submittal items. Staff may request that the applicant make changes or clarifications to the submittal information prior to referral agency review.
- 604A.02 As part of its initial review, staff will identify the number of copies of the submittal information required for distribution to referral agencies and indicate which referral agencies are regulatory and which are advisory. The mailing addresses of the referral agencies shall be provided to the applicant. Electronic distribution is preferred. Otherwise, referral packets shall be provided by the applicant in unsealed manila envelopes, without postage, addressed to the appropriate referral agency, with submittal information properly folded and compiled. Staff shall include a referral response sheet with the mailed paper referral packets and distribute the electronic referral packets. For any subsequent referral reviews, the applicant shall provide revised plans and other materials for distribution to the application referral agencies as requested by staff.
- 604A.03 The applicant shall also provide stamped letter sized envelopes, including a corresponding list and map for the project file, addressed to the abutting landowners, and other landowners as requested by staff. Staff shall mail a courtesy notice of an application in process and applicable contact information to the landowners.
- 604A.04 If the referral agencies elect to comment, they shall comment within 28 calendar days of the date the referral packets were mailed or electronically

distributed, unless the applicant grants, in writing, an extension of no more than 30 calendar days. After the 28 calendar days, if no extension is granted, any referral agency responses received will be accepted for informational purposes only and provided to the applicant, Planning Commission, and the Board.

All referral agency comments shall be provided by staff to the applicant upon receipt. The applicant shall address the comments of all regulatory referral agencies received within the 28 calendar day referral period, or as extended by the applicant, by identifying in writing the extent to which the project has been revised in response to the comments. The applicant is strongly encouraged to provide staff a written response to timely comments of advisory referral agencies and any comments received as a result of the courtesy notice.

The applicant is encouraged to meet with the referral agencies and staff to address any concerns. The applicant is required to pay those fees assessed by regulatory referral agencies.

Following receipt of the applicant's written response to comments, including the submittal of any revised exhibits and plans, the Planning and Engineering staff will provide additional comments to the applicant as necessary.

- 604A.05 Staff will schedule a public hearing before the Planning Commission and notify the applicant in writing of the hearing date and time. The applicant is responsible for public notice of the hearing in accordance with Section 608A herein. Concurrent notice for the Planning Commission and Board public hearings may be provided if requested by the applicant.
- 604A.06 The Planning Commission shall evaluate the minor development final plat, staff report, referral agency comments, applicant responses, and public comment and testimony, and make a recommendation to the Board to approve, approve with conditions, continue, table for further study, or deny the minor development final plat. The Planning Commission's decision shall be based on the evidence presented; compliance with adopted County standards, regulations, and policies; and other guidelines.
- 604A.07 Following the recommendation by the Planning Commission, staff shall schedule a public hearing before the Board and notify the applicant in writing of the hearing date and time, unless previously provided with a request for concurrent hearing notice. The applicant is responsible for public notice of the hearing in accordance with Section 608A herein. The subdivision improvements agreement shall be reviewed by staff and approved by the County Manager or Board prior to the Board hearing on the minor development final plat.

- 604A.08 Staff will provide a staff report for the Board. The Board shall evaluate the minor development final plat application, staff report, referral agency comments, applicant responses, the Planning Commission recommendation, and public comment and testimony, and shall approve, approve with conditions, continue, table for further study, remand to the Planning Commission, or deny the minor development final plat. The Board's action shall be based on the evidence presented; compliance with adopted County standards, regulations, and policies; and other guidelines.
- 604A.09 If denied by the Board, a resubmittal of a minor development final plat application for the same or substantially same request, as determined by the Director, shall not be accepted within 60 days of such denial. The applicant may appeal the decision of the Director, in writing, to the Board within 10 days from the date of the decision. The submittal of a new application and processing fee shall be required to pursue a proposed minor development final plat.

605A Submittal Requirements

The following information shall be submitted to the Planning Office, unless waived by the Director:

- 605A.01 Completed land use application (*available from Planning Office*)
- 605A.02 A written narrative which, at a minimum, provides the following information:
- 605A.02.1 The total land area to be subdivided.
 - 605A.02.2 The total number of lots and proposed uses.
 - 605A.02.3 The residential density and/or estimated nonresidential floor area.
 - 605A.02.4 The total land area to be preserved as open space.
 - 605A.02.5 Roads, tracts, and easements, including ownership and maintenance responsibility.
 - 605A.02.6 Land dedications for parks and schools.
 - 605A.02.7 Provision for water, sewer, and other utilities.
- 605A.03 Application fee (*fee schedule available from the Planning Office*)
- 605A.04 Proof of ownership which includes an updated or current title information binder or insurance policy issued no more than thirty days old, to be updated prior to plat recordation.

- 605A.05 A notarized letter of authorization from the landowner permitting a designated representative to process the application.
- 605A.06 Minor Development Final Plat Exhibit, in accordance with Section 606A, herein.

Additional copies of plan exhibits may be required for public hearing packets for the Planning Commission and Board.
- 605A.07 All required documentation in accordance with Section 18A – Water Supply Overlay District of the Zoning Resolution.
- 605A.08 Development Reports, in accordance with Section 608A, herein.

Engineering plans and review fees shall be submitted to the Engineering Division.
- 605A.09 A site improvement plan in accordance with the Site Improvement Plan section of the Zoning Resolution, as required by the Director.
- 605A.10 Any additional information, at the request of the Director, in order to thoroughly review the impacts of the subdivision request.

606A Minor Development Final Plat Exhibit

The minor development final plat shall:

- 606A.01 Be prepared by or under the supervision of a registered professional land surveyor licensed with the State of Colorado for recording in the Office of the County Clerk and Recorder.
- 606A.02 Be a tapeless, spliceless, and creaseless original film mylar drawing (3 millimeters thick) using only permanent black ink that will adhere to drafting films (no ball point, transfer type or stickybacks); or an acceptable fix-line photographic or computer-generated reproduction (emulsion up) of the original drawing. Inaccurate, incomplete or poorly drawn plans, as well as, Diazo (sepia) or electrostatic-generated (Xerox) plans shall be rejected.
- 606A.03 Include sheet size of 24-inch by 36-inch with the long dimension horizontal. A margin, left entirely blank, a minimum of 1" on all sides shall be provided on each sheet.
- 606A.04 Be drafted at a scale that best conveys the detailed survey, engineering and design of the subdivision and confines the drafting error to less than 1%. Acceptable scales are 1"=50' or 1"=100' and for subdivisions exceeding 100 acres, 1"=200'. In special instances, another scale may be approved by staff. If a plat requires multiple sheets, a composite, on 24-inch by 36-inch paper, shall be provided that delineates the boundaries and

identifies each sheet number. The scale may be different than the individual sheets as approved by staff.

- 606A.05 Include the title placed at the top of the sheet along the long dimension of each sheet and include the name of the proposed subdivision or planned development, filing number (when applicable), and Planning Office file number. If part of a planned development, the planning area shall be included under the title. A general legal description stating the aliquot portion of the section, section, township, range, 6th P.M., and Douglas County, CO, shall be included under the name and planning area. On the title sheet (sheet #1), under the general legal description, include the total acreage and the total number of lots. The name of the builder, product line or marketing name may only be used as a descriptor along the bottom of the sheet. The minor development final plat name may not duplicate existing subdivision names.

Examples:

<p style="text-align: center;">MARKET CENTER</p> <p style="text-align: center;">A part of the W/2 of Sec. 9, T6S, R67W, of the 6th P.M., Douglas County, CO</p> <p style="text-align: center;">2 acres 6 lots SB___-</p> <p><i>Within a PD:</i></p> <p style="text-align: center;">PINE VIEW, FILING #10</p> <p style="text-align: center;">Planning Area #27, Sec. 3, T6S, R68W, of the 6th P.M., Douglas County, CO</p> <p style="text-align: center;">2.5 acres 11 lots SB___-</p>

- 606A.06 Include a block in the lower right-hand corner with the following: the preparation date; a north arrow designated as true north; a written and graphic scale; the names and addresses of the applicant, developer, engineer or surveyor who prepared the exhibit; and the number of the sheet and the total number of sheets.
- 606A.07 Include a vicinity map that depicts the area to be subdivided and the area which surrounds the proposed subdivision within a minimum 1- mile radius.
- 606A.08 Include a vicinity map when the land is zoned planned development that depicts the area to be subdivided, superimposed on the planned development, at the same scale as the planned development that shows the limits of the proposed plan superimposed on the planning areas.
- 606A.09 Include a written metes and bounds legal description of the subdivision boundary with a map showing all information as required in the Colorado Revised Statutes clearly and prominently. The names and locations of all abutting subdivisions, the locations of all abutting unplatted parcels and public lands shall be depicted. All lines, names and descriptions on the plat which do not constitute a part of the subdivision shall be depicted as dashed or screened. Any area enclosed by the subdivision, but not a part thereof shall be labeled "Not a Part of This Subdivision".

- 606A.10 Display ties to aliquot section corners and to the State grid (*if available*) which show dimensions of all primary boundary survey control points with complete monument and location descriptions, all parcel lines showing dimensions with lengths, bearings, and curve data, including chord lengths and bearings, basis of bearings and relation to true meridian and similar data. Only circular curves shall be used. No spirals, parabolas, etc. shall be used unless approved by the County Engineer. All dimensions are to be shown to the nearest 0.01' or in the case of degrees, to the nearest second. An accuracy of 1:50,000 (*second order*) minimum for linear and angular (*bearing*) closure shall be required for the boundary. All internal lots, tracts, or parcels shall have a closure accuracy of 0.01'.
- 606A.11 Locate, identify, and label all lots, tracts and, when requested by staff, building envelopes with the appropriate dimension with sufficient linear, bearing, and curve data. No ditto marks shall be used for dimensions. All lots shall be shown in their entirety on one sheet. Lots shall be numbered consecutively; tracts shall be lettered alphabetically and in consecutive order. Include the acreage within each lot to the nearest 0.01 of an acre. Tracts shall be used exclusively for land to be dedicated for park and open space. Parcels of land inadvertently created and not identified shall be presumed to be outlots and shall not be considered to be building lots.
- 606A.12 Indicate all road names, right-of-way widths at each leg of an intersection, at point of curve and point of tangent, at dead ends and at angle points; and right-of-way lines with accurate bearings and dimensions including chord lengths and bearings, central angles and radii of all curves. If any road in the subdivision is a continuation or approximately a continuation of an existing public road, the conformity or the amount of conformity of the new road to the existing road shall be accurately shown. Whenever the centerline of a road has been established or recorded, the date shall be shown on the final plat.
- 606A.13 Describe the purpose, width and location (with fine dashed lines) of all easements and all abutting easements. If any easement already of record cannot be definitely located, a statement of its existence, the nature thereof and its recorded reference must appear on the title sheet. Distances and bearings on the side lines of lots which are cut by an easement must be arrowed or so shown that the plat will indicate clearly the actual length of the lot lines. The widths of all easements and sufficient data to definitely locate the same with respect to the subdivision and each lot must be shown. All easements must be clearly labeled and identified. If an easement shown on the plat is already of record, its recorded reference must be given. If an easement is being dedicated by the plat, it shall be set out in the owner's certificate of dedication. A plat note may be necessary to provide complete information of the purpose of the easement.

- 606A.14 Locate 100-year floodplains, all existing/proposed watercourses, retention and detention areas, wetlands and riparian areas, aquifer recharge areas, streams, lakes, or inlets on the affected land.
- 606A.15 Include the following certifications on the title sheet in accordance with Article 8 of this Resolution: Surveyor, Dedication Statement, Clerk and Recorder, Board of County Commissioners, Title Verification, Planning Commission, and Acceptance Certificate, as needed.
- 606A.16 Include the following statement for all minor development final plats within the Centennial Airport Review Area, as identified by the *Zoning Resolution*:

Owner waives, remises, and releases any right or cause of action it may now have or which it may have in the future against the County of Douglas, its officers, employees, and agents related to, or resulting from, the passage of aircraft in the airspace above the property that is the subject of this final plat.

- 606A.17 Include notes that adequately explain information pertinent to the execution and maintenance of the subdivision including the ownership of tracts, reference to the subdivision improvements agreement and conservation easements, maintenance responsibility for private roads, easements and tracts. The applicant shall provide for the construction, at no cost to the County, of traffic signalization, all utilities, and other public infrastructure as required by the Board and provide bonding or other security needed to ensure such improvements, as required by the Board.

607A Development Reports

The applicant shall submit the supporting materials necessary for the review of the minor development final plat which address the items listed below.

- 607A.01 A Phase III Drainage report and drainage construction drawings prepared in accordance with the requirements of the Douglas County Storm Drainage Design and Technical Criteria manual. *(May be deferred to site improvement plan submittal as determined by staff planner and engineer.)*
- 607A.02 Final roadway and stormwater construction plans, when applicable, prepared in accordance with the requirements of the Douglas County Roadway Design and Construction Standards and the Douglas County Storm Drainage Design and Technical Criteria Manual. *(May be deferred to site improvement plan submittal as determined by staff planner and engineer.)*
- 607A.03 An overall utility plan for the subdivision, when applicable.
- 607A.04 Water and sanitary sewer plans, when applicable. These plans may be included in the roadway and stormwater construction plans.

- 607A.05 A Grading, Erosion, and Sediment Control Report and Plan for the subdivision in accordance with the Grading, Erosion and Sediment Control Manual.
- 607A.06 A printed copy of the closure calculations on the boundary lines of the minor development final plat. Any mathematical closure errors in excess of 1:50,000 (*second order*) must be corrected by the applicant's surveyor prior to plat approval by the Board.
- 607A.07 A traffic impact analysis prepared in accordance with the requirements of the Douglas County Roadway Design and Construction Standards and the Transportation Plan of the Master Plan. (*May be deferred to site improvement plan submittal as determined by staff.*)
- 607A.08 A sound study, when residential units are located abutting a state, federal, or major regional arterial highway, identifying the current noise levels and projected noise levels based on projected highway expansion.
- 607A.09 Evidence of the physical and legal capability to provide sanitation as follows:
 - 607A.09.1 For a subdivision of land located within a sanitation district, a letter of commitment to serve the proposed subdivision stating the capacity to serve and feasibility of extending service to that area.
 - 607A.09.2 For a subdivision of land where a sanitation district is proposed to be formed to serve the subdivision, evidence of the ability of the sanitation district or owner to serve the demands of the proposed subdivision.
 - 607.09.3 For a subdivision of land where individual wastewater collection and treatment systems are proposed, percolation test data must be provided to prove general suitability of soils for such systems.
- 607A.10 Evidence that provision has been made for facility sites, easements, and rights of access for electrical and natural gas utility service sufficient to ensure reliable and adequate electric or, if applicable, natural gas service for the proposed subdivision. Verification of service commitment may also be obtained during the referral agency comment period.
- 607A.11 A report on the geological characteristics of the site, by a qualified professional, including any potential natural or man-made hazards which would have a significant influence on the proposed uses of the land, a determination of what effect such factors would have and proposed corrective or protective measures. The report shall also include an evaluation of potential radiation hazard to the proposed land use.

- 607A.12 A report which discusses existing or potential cultural, archaeological and historical resources of significance on site and plans for the protection of such resources.
- 607A.13 Wildfire Mitigation Plan, Weed Management Plan, and other land management reports and studies as required by County regulation or warranted based on site characteristics and proposed land uses.
- 607A.14 Provide the following supplemental information on a 24-inch by 36-inch sheet of paper, drawn at the same scale of the minor development final plat exhibitor other acceptable scale, as may be requested by staff to analyze the minor development final plat:
- 607A.14.1 100-year floodplains, retention and detention areas, existing and proposed watercourses, wetlands and riparian areas, aquifer recharge areas, streams, lakes, or inlets on the affected property.
- 607A.14.2 Potential geologic hazard areas including: areas of rockfall hazard, debris flow, steeply dipping bedrock, and expansive soils.
- 607A.14.3 Existing topography at 10' intervals, or as otherwise requested by staff. Identify areas of 15-20% slope in one shading pattern and areas greater than 20% in another shading pattern. Include a narrative that describes the mitigation methods used to address existing slope conditions.

608A Public Notice Requirements

When calculating the required time period for posting or publishing a notice of a public hearing, the day of publishing or posting shall be counted in the total number of days required. The day of the hearing shall not be counted toward the total number of days required for the notification period.

The degree of accuracy required for the information contained in these public notices shall be that of substantial compliance with the provisions of this section. Substantial compliance for these public notices shall be determined by the Planning Commission or the Board for their respective public hearings.

608A.01 PUBLISHED NOTICE

At least 14 days prior to the Planning Commission hearing and 14 days prior to the Board hearing, the applicant shall:

- publish a notice in at least one publication of a daily or a weekly legal newspaper of general circulation, printed or published in whole or in part in Douglas County; and

- provide a publisher's affidavit of said published notice to the Planning Office at least 7 days prior to the hearing. Such notice shall read:

**NOTICE OF PUBLIC HEARING BEFORE THE
(PLANNING COMMISSION OR BOARD OF COUNTY COMMISSIONERS)**

A public hearing will be held on *(date)*, at *(time)*, in the Commissioners' Hearing Room, 100 Third St., Castle Rock, CO, for approval of a minor development final plat *located (distance and direction from nearest major intersection)*. For more information call Douglas County Planning, 303-660-7460.

File #/Name:

When concurrent notice has been approved by staff, the notice shall read:

**NOTICE OF PUBLIC HEARING BEFORE THE PLANNING COMMISSION
AND BOARD OF COUNTY COMMISSIONERS**

A public hearing will be held before the Planning Commission on *(date)*, at *(time)*, and before the Board of County Commissioners on *(date)*, at *(time)*, in the Commissioners' Hearing Room, 100 Third St., Castle Rock, CO, for approval of a minor development final plat *located (distance and direction from nearest major intersection)*. For more information call Douglas County Planning, 303-660-7460.

File #/Name:

608A.02 POSTED NOTICE

At least 14 days prior to the Planning Commission hearing and 14 days prior to the Board hearing, the applicant shall post a notice on the land under consideration. The notice shall consist of at least one sign facing each abutting public or private street open for travel, within 10 feet of the property line abutting such street, placed on posts at least four feet above ground level. In the event the staff planner determines a sign cannot be placed abutting such street and be visible from such street or that there is no abutting public or private street open for travel, the staff planner may require an alternate location for a sign. Additional signs may be required by the staff planner. Each sign shall measure not less than 3 feet by 4 feet. Letter size shall be a minimum of three inches high. Such notice shall read:

**NOTICE OF PUBLIC HEARING BEFORE THE
(PLANNING COMMISSION OR BOARD OF COUNTY COMMISSIONERS)**

This land shall be considered for approval of a minor development final plat on *(date)*, at *(time)*, in the Commissioners' Hearing Room, 100 Third St., Castle Rock, CO. For more information call Douglas County Planning, 303-660-7460.

File #/Name:

When concurrent notice has been approved by staff, the notice shall read:

**NOTICE OF PUBLIC HEARING BEFORE THE PLANNING COMMISSION
AND BOARD OF COUNTY COMMISSIONERS**

This land shall be considered for approval of a minor development final plat before the Planning Commission on (date), at (time), and before the Board of County Commissioners on (date), at (time) in the Commissioners' Hearing Room, 100 Third St., Castle Rock, CO. For more information call Douglas County Planning, 303-660-7460.
File #/Name:

608A.02.1 Posting Affidavit

An affidavit of sign posting shall be submitted for the file in the Planning Office at least 5 days prior to the hearings. The sign(s) shall be photographed by the applicant and attached to the affidavit as follows:

(attach photo here)
(Sign lettering must be legible in photo)

I, (applicant/representative/person posting sign), attest that the above sign was posted on (date), abutting (name of street).

(signature) File#/Name:

STATE OF COLORADO)
) ss.
COUNTY OF _____)

Acknowledged before me this _____ day of _____, 200__ by
_____ as _____.

My commission expires: _____

Witness my hand and official seal

Notary Public

608A.02.2 The sign shall be removed by the applicant within 2 weeks following the final decision by the Board.

609A Vested Property Rights

The Site Improvement Plan is designated as the Site Specific Development Plan for the purpose of vesting property rights for multifamily and nonresidential land. A landowner

seeking vested property rights must obtain approval of a Site Specific Development Plan pursuant to the provisions of Sections 27 - Site Improvement Plan, and 34 - Vested Rights of the Zoning Resolution.

610A Recordation Procedure

The recordation of the approved minor development final plat and associated documentation shall occur within 90 days of approval by the Board, unless otherwise extended by the Board at the time of final plat approval. The minor development final plat shall be submitted for recordation as follows:

- 610A.01 The applicant shall amend the minor development final plat in accordance with the Board approval, as necessary. The applicant shall demonstrate compliance with all applicable Board conditions of approval prior to plat recordation.
- 610A.02 Within 60 days of approval of the minor development final plat, unless stated otherwise in such approval, the applicant shall submit 2 fix-line photographic or computer-generated reproductions (*emulsion up*) of the approved final plat ready for recordation (*except for the signatures of the Board Chair, Director and other County Departments*); all required documentation; and all mapping and recordation fees to the Planning Office. *Diazo (sepia) or electrostatic-generated (Xerox) plans are not acceptable.*
- 610A.03 When applicable, the applicant shall provide proof that security has been provided to cover the subdivision improvement costs in accordance with the terms of the approved subdivision improvements agreement.
- 610A.04 The applicant shall provide a current title insurance policy or commitment, no more than 2 weeks old. If there is a difference in ownership between this title policy and the title policy submitted with the minor development final plat application, recordation shall not be allowed until the newly identified owners have executed the plat and any other agreements, easements, or deeds which require owner signatures.
- 610A.05 The applicant shall provide cash-in-lieu for County land dedication for parks or schools in accordance with the Board's conditions of approval. The applicant shall provide a special warranty deed for any required rights-of-way or other land dedications located outside the subdivision boundary in accordance with Board conditions of approval and the approved subdivision improvements agreement.
- 610A.06 A signed warranty deed shall be provided, if such has been required, conveying certain tracts, or the development rights to such tracts, to the appropriate entity for public use.

- 610A.07 For applications that propose a water supply from an Existing District or from a New Special District that has entered into an intergovernmental agreement with an Existing or Extraterritorial District as described in Section 18A, Water Supply – Overlay District, of the Zoning Resolution, the applicant shall submit evidence that the water rights necessary to serve the development have been conveyed to the Existing, Extraterritorial, or New Special District, and/or that the water credits to serve the development have been purchased from the Existing or Extraterritorial District.
- 610A.08 The applicant shall provide a certificate of taxes paid for the land area of the final plat that indicates taxes through and including the prior year have been paid.
- 610A.09 Within 30 days of receipt of the minor development final plat, and supporting documentation, the staff planner shall obtain the signatures of the Board, Director, and other County departments, as required; and upon execution and acceptance by the County of all warranty deeds, the final plat shall be recorded.

611A Expiration of Approval

- 611A.01 Failure by the applicant to submit all required documentation within 60 days shall render approval of the minor development final plat null and void, unless extended by the Director or Board as provided herein.
- 611A.02 The Director may grant a time extension for plat recordation of up to 1 year from the date of Board approval, upon a written request by the applicant or staff for good cause being shown. Further extensions may be granted by the Board at a public meeting, upon a written request by the applicant or staff.
- 611A.03 A plat recordation extension request shall include a fee and a narrative stating the reasons for the applicant's inability to comply with the specified deadlines, listing any changes in the character of the neighborhood, any changes in the Master Plan, Zoning Resolution or this Resolution that have occurred since approval of the plat as these changes affect the plat, along with the anticipated time schedule for completing the platting process. A fee schedule is available from the Planning Office. Additional review of the plat may occur resulting in additional conditions as applicable.
- 611A.04 The denial of a plat recordation extension by the Director may be appealed to the Board in writing within ten days of the decision by the Director.

ARTICLE 7 REPLAT

701 Intent

To provide a review process for the replatting of an existing subdivision plat or superblock final plat. The process shall vary according to the nature of the proposed amendment, as determined by the Director, based on, but not limited to, the following:

- size
- design
- degree of change
- public concern
- impact to public facilities, services, access, and roads

The Director may modify the application procedures herein upon the determination that adequate public notice and input on the replat application can be attained through the modified process and that the modified process will not substantially impair the intent and purpose of this Resolution.

Refer to section 7A for plat correction, lot line and building envelope adjustment/vacation; section 7B for road vacation/replat; or Section 7C for subdivision plat vacation.

702 Prerequisite

Prior to submittal of a replat application, the applicant shall contact the Planning Office and schedule a presubmittal meeting to include staff from various County departments and, as deemed necessary, other referral agency representatives to discuss the proposal and provide information on the submittal process. The applicant shall provide basic information on the proposed subdivision in advance of the meeting. Staff shall prepare and distribute the written meeting summary to the applicant to include initial comments on the application and other relevant information, and place a copy in the project file. The written presubmittal meeting summary shall also provide any Director determinations required per Section 703, herein.

703 Replat of Subdivision or Super Block - Determination of Process

703.01 When determined by the Director that adequate public notice and input on the replat application can be attained, and the intent and purpose of this Resolution will not be substantially impaired, the subdivision application may be processed in accordance with this Article 7; otherwise the application shall be processed in accordance with Article 4 - Preliminary Plan and Article 5 - Final Plat, of this Resolution.

703.02 For nonresidential replats, the Director may determine that a Site Improvement Plan, in accordance with the site improvement plan (SIP)

section of the Zoning Resolution, may be required to be processed concurrently.

When no more than three (3) additional nonresidential lots will result from the replat request, the request may be processed in accordance with Article 7A – Administrative Replat, if the following conditions can be met:

- A concurrent SIP is submitted for at least one of the replatted lots
- No new public roads are created
- All new easement dedications are capable of being accomplished by separate instrument prior to replat recordation or SIP approval
- The replat is provided with central water and sanitation services

703.03 For residential replats for single-family attached dwelling units or multifamily dwelling units, a replat request to create individual lots, or lots for fee-simple ownership purposes, may be processed in accordance with Article 7A – Administrative Replat, if the following conditions can be met:

- A concurrent SIP is approved or submitted for one or all of the proposed residential lots
- No increase in residential density (unit count) will result beyond that approved with the associated SIP
- No new public roads are created and all new easement dedications are capable of being accomplished by separate instrument prior to replat recordation
- No single-family detached lots are created

704 Approval Standards

A replat may be approved upon the finding by the Board that the replat:

- 704.01 Complies with all applicable standards and criteria, and the original conditions of approval.
- 704.02 Does not create nonconforming lots, and in the case of nonconforming lots, does not increase the nonconformity.
- 704.03 Complies with this Resolution.
- 704.04 Conforms with the goals and policies of the Master Plan.
- 704.05 Addresses the design elements established in Article 4, section 404 of this Resolution.
- 704.06 Conforms with Section 18A, Water Supply - Overlay District, of the Zoning Resolution.

- 704.07 Provides for a public wastewater collection and treatment system and, if other methods of wastewater collection and treatment are proposed, such systems shall comply with State and local laws and regulations.
- 704.08 Identifies all areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions and that the proposed uses of these areas are compatible with such conditions.
- 704.09 Provides adequate drainage improvements.
- 704.10 Provides adequate transportation improvements.
- 704.11 Protects significant cultural, archaeological, natural, and historical resources and unique landforms.
- 704.12 Has available all necessary services, including fire and police protection, recreation facilities, utility services, streets, and open space to serve the proposed subdivision.

705 Submittal Requirements

The following information shall be submitted to the Planning Office, unless waived by the Director:

- 705.01 Completed land use application (*available from the Planning Office*)
- 705.02 A written narrative which, at a minimum, provides the following information:
 - 705.02.1 The total land area to be resubdivided.
 - 705.02.2 The total number of lots and proposed uses.
 - 705.02.3 The residential density and estimated nonresidential floor area.
 - 705.02.4 The total land area to be preserved as open space.
 - 705.02.5 Proposed roads, tracts, and easements, including ownership and maintenance responsibility.
 - 705.02.6 Land dedications for parks and schools, or cash-in-lieu.
 - 705.02.7 Provision of water, sewer, and other utilities.
- 705.03 Application fee (*fee schedule available from Planning Office*)

- 705.04 Proof of ownership that includes an updated or current title information binder or insurance policy issued no more than 30 days prior to the date of application, to be updated prior to plat recordation.
- 705.05 A notarized letter of authorization from the landowner permitting a designated representative to process the application.
- 705.06 Plan exhibit (*per Section 707, herein*)
- Plan reductions (*11-inch by 17-inch*) may be required for public meeting packets.
- 705.07 All required water supply documentation in accordance with Section 18A – Water Supply Overlay District of the Zoning Resolution.
- 705.08 Development reports (*per Section 708, herein*)
- Engineering plans and review fees shall be submitted to the Engineering Division.
- 705.09 Any additional information, as requested by staff to adequately review the application.

706 Submittal Process

The replat application shall be submitted only after the presubmittal meeting has been completed. The submittal is processed as follows:

- 706.01 The applicant shall submit the required submittal information to the Planning Office. An incomplete submittal will not be processed. Staff shall review the submittal information within 15 working days and provide the applicant with written initial comments, specifically noting any inadequacies in the submittal items. Staff may request that the applicant make changes or clarifications to the submittal information prior to referral agency review.
- 706.02 As part of its initial review, staff will identify the number of copies of the submittal information required for distribution to referral agencies and indicate which are regulatory and which advisory. The mailing addresses of the referral agencies shall be provided to the applicant. Electronic distribution is preferred. Otherwise, referral packets shall be provided by the applicant in unsealed manila envelopes, without postage, addressed to the appropriate referral agency, with submittal information properly folded and compiled. Staff shall include a referral response sheet with the mailed paper referral packets and distribute the electronic referral packets. For any subsequent referral review, the applicant shall provide revised

plans or other materials for distribution to applicable referral agencies as requested by staff.

706.03 The applicant shall also provide stamped letter sized envelopes, including a corresponding list and map for the project file, addressed to the abutting landowners, and other landowners as requested by staff. Staff shall mail a courtesy notice of an application in process and applicable contact information to the landowners.

706.04 If the referral agencies elect to comment, they shall comment within 21 calendar days of the date the referral packets were mailed or electronically distributed, unless the applicant grants, in writing, an extension of no more than 30 calendar days. After the 21 calendar days, if no extension is granted, any referral agency responses received will be accepted for informational purposes only and provided to the applicant and the Board.

All referral agency comments shall be provided by staff to the applicant upon receipt. The applicant shall address the comments of all regulatory referral agencies received within the 21 calendar day referral period, or as extended by the applicant, by identifying in writing the extent to which the project has been revised in response to the comments. The applicant is strongly encouraged to provide staff a written response to timely comments of advisory referral agencies those received as a result of the courtesy notice.

The applicant is encouraged to meet with the referral agencies and staff to address any concerns. The applicant is required to pay those fees assessed by regulatory referral agencies.

Following receipt of the applicant's written response to comments, including the submittal of any revised exhibits and plans, the Planning and Engineering staff will provide additional comments to the applicant as necessary.

706.05 Staff will schedule a public meeting before the Board, notify the applicant in writing of the meeting date and time, and prepare a staff report for the Board. The subdivision improvements agreement shall be reviewed by staff and approved by the County Manager or Board prior to the Board meeting on the replat.

706.06 Staff will provide a staff report for the Board. The Board shall evaluate the replat request, staff report, referral agency comments, applicant responses, and public comment and testimony, and shall approve, approve with conditions, continue, table for further study, or deny the replat request. The Board's action shall be based on the evidence presented; compliance with adopted County standards, regulations, and policies; and other guidelines.

- 706.07 If denied by the Board, a resubmittal of a replat application for the same or substantially same request, as determined by the Director, shall not be accepted within 60 days of such denial. The applicant may appeal the decision of the Director, in writing, to the Board within 10 days from the date of the decision. The submittal of a new application and processing fee shall be required to pursue a proposed replat.

707 Replat Exhibit

The replat shall:

- 707.01 Be prepared by or under the supervision of a registered professional land surveyor licensed with the State of Colorado for recording in the Office of the County Clerk and Recorder.
- 707.02 Be an acceptable fix-line photographic or computer-generated copy of the original drawing. Inaccurate, incomplete or poorly drawn plans shall be rejected.
- 707.03 Include sheet size of 24-inch by 36-inch with the long dimension horizontal. A margin, left entirely blank, a minimum of 1" on all sides shall be provided on each sheet.
- 707.04 Be drafted at a scale that best conveys the detailed survey, engineering and design of the subdivision and confines the drafting error to less than 1%. Acceptable scales are 1"=50' or 1"=100' and for subdivisions exceeding 100 acres, 1"=200'. In special instances, another scale may be approved by the Director. When a proposal requires multiple sheets, a composite, on 24-inch by 36-inch paper, shall be provided that delineates the boundaries and identifies each sheet number. The scale may be different than the individual sheets as approved by the staff planner.
- 707.05 Include a title placed at the top of the sheet along the long dimension of each sheet and identical to the previously recorded plat followed by the next consecutive amendment number. The subtitle shall include a brief description of all the changes; the planning area, as applicable; and a general legal description stating the aliquot portion of the section, section, township, range, 6th P.M., and Douglas County, CO.

On the title sheet (*sheet #1*), under the general legal description, include the total acreage, total number of lots, and the Planning Office file number. The name of the builder, product line or marketing name may only be used as a descriptor along the bottom of the sheet.

Example:

PINE VIEW FILING #1, 1st Amendment		
A vacation and replat of lots 1-10 Pine View Filing #1 -Planning Area H-		
SW/4 of Sec. 9, T6S, R67W of the 6th P.M., Douglas County, CO		
8.06 acres	35 residential lots	SB ____ - ____

- 707.06 Include a block in the lower right-hand corner with the following: the preparation date; a north arrow designated as true north; a written and graphic scale; the names and addresses of the applicant, developer, engineer or surveyor who prepared the exhibit; and the number of the sheet and the total number of sheets.
- 707.07 Include a vicinity map that depicts the replat area and the area which surrounds the subdivision within a minimum 1-mile radius.
- 707.08 Include a vicinity map when the land is zoned planned development that depicts the replat area, superimposed on the planned development at the same scale as the planned development that shows the limits of the replat superimposed on the planning areas.
- 707.09 Include a written metes and bounds legal description of the subdivision boundary with a map showing all information as required in the Colorado Revised Statutes clearly and prominently. The names and locations of all abutting subdivisions, the locations of all abutting unplatted parcels and public lands shall be depicted. All lines, names and descriptions on the replat that do not constitute a part of the subdivision shall be depicted in dashed or screened lines. Any area enclosed by the subdivision, but not a part thereof, shall be labeled "Not a Part of This Subdivision".
- 707.10 Show all deleted lot lines, easements, or rights-of-way on the plat in dashed lines, or screened, with a note and arrow pointing to the item to be vacated, stating that the lot line, easement, or right-of-way is hereby vacated. (*Dashed lines shall be graphically different for existing vs. proposed vs. deleted.*)
- 707.11 Display ties to aliquot section corners and to the State grid, if available, which shows dimensions of all primary boundary survey control points with complete monument and location descriptions, all parcel lines showing dimensions with lengths, bearings, and curve data, including chord lengths and bearings, basis of bearings and relation to true meridian and similar data. Only circular curves shall be used. No spirals, parabolas, etc. shall be used unless approved by the County Engineer. All dimensions are to be shown to the nearest 0.01' or in the case of degrees, to the nearest second. An accuracy of 1:50,000 (*second order*) minimum for linear and angular (*bearing*) closure shall be required for the boundary. All internal lots, tracts, or parcels shall have a closure accuracy of 0.01'.
- 707.12 Locate, identify, and label all lots, tracts and, when requested by staff, building envelopes with the appropriate dimension with sufficient linear, bearing, and curve data. No ditto marks shall be used for dimensions. All lots and whenever practical, blocks shall be shown in their entirety on one sheet. Lots shall be consecutively numbered, tracts shall be lettered alphabetically and in consecutive order. Include the acreage within each

lot or tract to the nearest 0.01 of an acre. On residential subdivisions, tracts shall be used exclusively for nonresidential property, such as areas to be dedicated for park and school sites. All parcels or areas of land inadvertently created and not identified shall be presumed to be outlots and shall not be considered to be building lots.

- 707.13 Indicate all road names, right-of-way widths at each leg of an intersection, at point of curve and point of tangent, at dead ends and at angle points; and right-of-way line with accurate bearings and dimensions including chord lengths and bearings, central angles and radii of all curves. If any road in the subdivision is a continuation or approximately a continuation of an existing public road, the conformity or the amount of conformity of the new road to the existing road shall be accurately shown. Whenever the centerline of a road has been established or recorded, the date shall be shown on the replat.
- 707.14 Describe the purpose, widths and location (*with fine dashed lines*) of all easements and all abutting easements. If any easement already of record cannot be definitely located, a statement of its existence, the nature thereof and its recorded reference must appear on the title sheet. Distances and bearings on the side lines of lots which are cut by an easement must be shown with an arrow or so shown that the plat will indicate clearly the actual length of the lot lines. The widths of all easements and sufficient data to definitely locate the same with respect to the subdivision and each lot must be shown. All easements must be clearly labeled and identified. If an easement shown on the plat is already of record, its recorded reference must be given. If an easement is being dedicated by the plat, it shall be set out in the owner's certificate of dedication. A plat note may be necessary to provide complete information of the purpose of the easement.
- 707.15 Locate 100-year floodplains, all existing and proposed watercourses, retention and detention areas, wetlands, aquifer recharge areas, streams, lakes, or inlets on the affected land.
- 707.16 Include the following certifications on a single sheet in accordance with Article 8 of this Resolution: Surveyor, Dedication Statement, Title Verification, Board of County Commissioners, Clerk and Recorder, and Acceptance Certificate, as needed.
- 707.17 Include the following statement for all replats within the Centennial Airport Review Area, as identified by the Zoning Resolution:

Owner waives, remises, and releases any right or cause of action it may now have or which it may have in the future against the County of Douglas, its officers, employees, and agents related to, or resulting from, the passage of aircraft in the airspace above the property that is the subject of this replat.

- 707.18 Include notes that adequately explain information pertinent to the execution and maintenance of the subdivision including the ownership of tracts, reference to the subdivision improvements agreement and conservation easements, maintenance responsibility for private roads, easements and tracts, and limitations on wells or septic systems. The applicant shall provide for the construction, at no cost to the County, of traffic signalization, all utilities, and other public infrastructure, as required by the Board, and provide bonding or other security needed to ensure such improvements, as required by the Board.

708 Development Reports

The applicant shall submit the supporting materials necessary for the review of the replat which address the following items:

- 708.01 Phase III Drainage Report prepared in accordance with the requirements of the Douglas County Storm Drainage Design and Technical Criteria Manual.
- 708.02 A traffic impact analysis prepared in accordance with the Douglas County Roadway Design and Construction Standards.
- 708.03 Final roadway and stormwater construction plans prepared in accordance with the requirements of the Douglas County Roadway Design and Construction Standards and the Douglas County Storm Drainage Design and Technical Criteria Manual.
- 708.04 An overall utility plan for the subdivision.
- 708.05 Water and sanitary sewer plans. These plans may be included in the roadway and stormwater construction plans.
- 708.06 A Grading, Erosion, and Sediment Control Report and Plan for the subdivision in accordance with the Douglas County Grading, Erosion and Sediment Control Manual.
- 708.07 A printed copy of the closure calculations on the boundary lines of the replat. Any mathematical closure errors in excess of 1:50,000 (*second order*) must be corrected by the applicant's surveyor prior to plat approval by the Board.
- 708.08 A traffic impact analysis prepared in accordance with the requirements of the Douglas County Roadway Design and Construction Standards.
- 708.09 A sound study, when proposed residential units are located abutting a federal, state, or major regional arterial highway, identifying the current

noise levels and projected noise levels based on projected highway expansion. Subdivision design may be required to mitigate noise impacts.

- 708.10 A report on the geological characteristics of the site, by a qualified professional, including any potential natural or man-made hazards which would have a significant influence on the proposed uses of the land, a determination of what effect such factors would have and proposed corrective or protective measures. The report shall also include an evaluation of potential radiation hazard to the proposed land use.
- 708.11 A report which discusses existing or potential cultural, archaeological and historical resources of significance on site and plans for the protection of such resources.
- 708.12 Wildfire Mitigation Plan, Weed Management Plan, and other land management reports and studies as required by County regulation or warranted based on site characteristics and proposed land uses.
- 708.13 Provide the following supplemental information on a 24-inch by 36-inch sheet of paper, drawn at the same scale of the replat exhibit, or other acceptable scale, as may be required by staff to analyze the replat:
 - 708.13.1 100-year floodplains, existing/proposed watercourses, retention and detention areas, wetlands, aquifer recharge areas, streams, lakes, or inlets on the affected property.
 - 708.13.2 Potential geologic hazard areas including: areas of rockfall hazard, debris flow, steeply dipping bedrock, and expansive soils.
 - 708.13.3 Existing topography at 10' intervals, or as otherwise requested by staff. Identify areas of 15-20% slope in one shading pattern and areas greater than 20% in another shading pattern. Include a narrative that describes the mitigation methods used to address existing slope conditions.

709 Vested Property Rights

The replat is designated as the Site Specific Development Plan for the purpose of vesting property rights for single-family residential land. A landowner seeking vested property rights for single-family residential land must obtain approval of a Site Specific Development Plan pursuant to the provisions of Article 12 of this Resolution. For nonresidential, refer to Section 34 of the Zoning Resolution.

710 Recordation Procedure

The replat shall be submitted for recordation as follows:

- 710.01 The applicant shall amend the replat document in accordance with the Board approval, as necessary. The applicant shall demonstrate compliance with all applicable Board conditions of approval prior to plat recordation.
- 710.02 Within 60 days of approval of the replat, unless stated otherwise in such approval, the applicant shall submit: 1 mylar (3 mil weight, emulsion up, rolled) original of the approved replat exhibit ready for recordation (*except for the signatures of the Board Chair, Director and other County Departments*); all required documentation; and all mapping and recordation fees to the Planning Office.
- 710.03 When applicable, the applicant shall provide proof that security has been provided to cover the subdivision improvement costs in accordance with the terms of the approved subdivision improvements agreement.
- 710.04 The applicant shall provide updated title information, no more than 2 weeks old. If there is a difference in ownership between this title policy and the title policy submitted with the replat application, recordation shall not be allowed until the newly identified owners have executed the plat and any other agreements, easements, or deeds which require owner signatures.
- 710.05 The applicant shall provide cash-in-lieu of County land dedication for parks or schools in accordance with the Board's conditions of approval. The applicant shall provide a special warranty deed for any required County rights-of-way or other land dedications located outside the subdivision boundary, in accordance with Board conditions of approval and the approved subdivision improvements agreement.
- 710.06 A signed warranty deed shall be provided, if such has been required, conveying certain tracts, or the development rights to such tracts, to the appropriate entity for public use.
- 710.07 The applicant shall provide a certificate of taxes paid for the land area of the replat that indicates taxes through and including the prior year have been paid.
- 710.08 Within 30 days of receipt of the replat, and supporting documentation, the staff planner shall obtain the signatures of the Board and other County departments, as required; and upon execution and acceptance by the County of all warranty deeds, the replat shall be recorded.

711 Expiration of Approval

- 711.01 Failure by the applicant to submit all required documentation within 60 days shall render approval of the replat null and void, unless extended by the Director or Board as provided herein.
- 711.02 The Director may grant a time extension for plat recordation of up to 1 year from the date of Board approval, upon a written request by the applicant or staff for good cause being shown. Further extensions may be granted by the Board at a public meeting, upon a written request by the applicant or staff.
- 711.03 A plat recordation extension request shall include a fee and a narrative stating the reasons for the applicant's inability to comply with the specified deadlines, listing any changes in the character of the neighborhood, any changes in the Master Plan, Zoning Resolution or this Resolution that have occurred since approval of the plat as these changes affect the plat, along with the anticipated time schedule for completing the platting process. A fee schedule is available from the Planning Office.
- 711.04 The denial of a plat recordation extension by the Director may be appealed to the Board in writing within 10 days of the decision by the Director.

712 Lot Numbering

When vacating or replatting lots/tracts the following shall apply:

- 712.01 When vacating a common lot line between two lots, use the original lot number followed by the letter A. e.g., *Vacating the common lot line between lot 1 and lot 2 - the newly created lot should be renumbered lot 1A.*
- 712.02 When replatting 3 lots into 2 lots use the original lot numbers followed by the letter A. e.g., *Replatting lots 3, 4, & 5, into two lots - the new lots should be numbered lot 3A and 4A.*
- 712.03 When adjusting the common lot line between two lots, use the original lot numbers followed by the letter A. e.g., *Realignment of the common lot line between lots 7 and 8 - the new lots should be numbered 7A and 8A.*
- 712.04 When replatting an entire subdivision filing the lots shall be numbered consecutively starting with the number 1. Tracts shall be lettered alphabetically in consecutive order. Specify the acreage within each lot and tract.

ARTICLE 8 CERTIFICATIONS

801 Intent

The final plat/replat shall contain executed certificates, notices, and statements in the following form. Such certificates, notices or statements may be modified with the permission of the County Attorney when warranted by special conditions.

802 Signatures

All signatures must be signed in indelible black ink only as approved by the Clerk and Recorder. (No blue/red/green/purple ink. No ball points.)

803 Title Verification

Either one of the following title verification statements is acceptable:

We (name of title insurance co.), do hereby certify that we have examined the title of all land platted hereon and that title to such land is in the dedicator(s) free and clear of all liens, taxes and encumbrances, except as follows:

(Company Name)

By: (notarized signature) (date)
(Name of Authorized Official)

Title: _____

STATE OF COLORADO)
) ss.
COUNTY OF _____)

Acknowledged before me this _____ day of _____, 20__ by
_____ as _____.

My commission expires: _____

Witness my hand and official seal

Notary Public

I, (print name) , an attorney at law, do hereby certify that I have examined Title Insurance Commitment No. , dated issued by (name of title company) , and copies of the recorded instruments referenced in that commitment. In my opinion title to the land platted herein is in the dedicator(s), subject to easements of record, taxes for the current year and . . .

(signature) _____ (date)
Attorney at Law Registration # _____

804 Dedication Statement

The undersigned, being all the owners, mortgagees, beneficiaries of deeds of trust and holders of other interests in the land described herein, have laid out, subdivided and platted said lands into lots, tracts, streets and easements as shown hereon under the name and subdivision of _____. The utility easements shown hereon are hereby dedicated for public utilities and cable communication systems and other purposes as shown hereon. The entities responsible for providing the services for which the easements are established are hereby granted the perpetual right of ingress and egress from and to adjacent properties for installation, maintenance and replacement of utility lines and related facilities. The *(streets, tracts, parcels and easements - indicate those that are applicable)* shown hereon are dedicated and conveyed to Douglas County, CO, in fee simple absolute, with marketable title, for public uses and purposes.

(owners/Mortgagee)

By:
Title:

ATTEST: (if corp.)

Secretary/Treasurer

[illegible]

Acknowledged before me this ____ day of _____, 20__ by
as _____.

My commission expires:_____

Witness my hand and official seal

Notary Public

*Signatures of officers signing for a Corporation shall be acknowledged as follows:

" (print name) as President/Vice-President and (print name) as Secretary/Treasurer,
(name of Corporation) , a (state) corporation."

*Signatures of managers/members for a LLC shall be acknowledged as follows:

" (print name) as (manager/member) of (company), a (state) limited liability company.

804.01 Owner Statement (Administrative Replat)

The undersigned, being all the owners of the land described hereon, and the beneficiaries of any deeds of trust encumbering that land, hereby consent to this administrative replat as shown hereon under the name and subdivision of _____.

OWNER(S): (Lot ____)

(owner name)

(owner name)

STATE OF COLORADO)
) ss.
COUNTY OF _____)

Acknowledged before me this _____ day of _____, 20____, by (owner name) _____ and (owner name) _____.

Witness my hand and official seal.

My commission expires: _____

Notary Public

OWNER: (Lot____)

(name of company or corporation)

By: _____
Title: _____

STATE OF COLORADO)
) ss.
COUNTY OF _____)

Acknowledged before me this _____ day of _____, 20__, by ____ (owner name) _____ as _____ (title) _____ of _____ (name of company or corporation) _____.

Witness my hand and official seal.

My commission expires: _____

Notary Public

BENEFICIARY OF DEED OF TRUST (Lot ____)

(name of company or corporation)

By: _____

Title: _____

STATE OF COLORADO)

) ss.

COUNTY OF _____)

Acknowledged before me this ____ day of _____, 20__, by ____ (owner name) _____ as ____ (title) _____ of ____ (name of company or corporation) _____.

Witness my hand and official seal.

My commission expires: _____

Notary Public805 Surveyor

I, (Surveyor's Name), a duly registered Professional Land Surveyor in the State of Colorado, do hereby certify that this plat truly and correctly represents the results of a survey made on (date of survey), by me or under my direct supervision and that all monuments exist as shown hereon; that mathematical closure errors are less than 1:50,000 (second order); and that said plat has been prepared in full compliance with all applicable laws of the State of Colorado dealing with monuments, subdivisions or surveying of land and all applicable provisions of the Douglas County Subdivision Resolution.

I attest the above on this ____ day of _____, 20__.

*(signature)**(Surveyor's Name)*

Colorado registered Professional Land Surveyor #

Surveyor's seal shall appear with this certificate.

806 Planning Commission

The preliminary plan (file #) for this final plat was reviewed by the Planning Commission (date).

*(signature)*_____
Planning Director, on behalf of the Planning Commission_____
Date

806.01 Minor Developments:

The minor development final plat (file #) was reviewed by the Planning Commission on (date) _____.

(signature)

Planning Director, on behalf of the Planning Commission

Date

807 Board of County Commissioners

807.01 All plats, except replats or vacations:

This plat was approved for filing by the Board of County Commissioners of Douglas County, CO, on the _____ day of _____, 20____, subject to any conditions specified hereon. The dedications of (streets, tracts, easements - indicate those that are applicable) are accepted.

All expenses incurred with respect to improvements for all utility services, paving, grading, landscaping, curbs, gutters, sidewalks, road lighting, road signs, flood protection devices, drainage structures, and all other improvements that may be required shall be the responsibility of the subdivider and not Douglas County.

This acceptance does not guarantee that the soil conditions, subsurface geology, groundwater conditions or flooding conditions of any lot shown hereon are such that a building permit, well permit or sewage disposal permit will be issued.

(signature)

Chair, Board of Douglas County Commissioners

807.02 Replats:

This plat was approved for filing by the Board of County Commissioners of Douglas County, CO, on the _____ day of _____, 20____, subject to any conditions specified hereon. The dedications of (streets, tracts, easements - indicate those that are applicable) are accepted.

Lot _____, Block _____, (subdivision) _____, Filing # _____ is amended by this plat subject to all covenants, conditions, and restrictions recorded against and appurtenant to the original plat recorded in the Office of the Douglas County Clerk and Recorder, Reception # _____.

All expenses incurred with respect to improvements for all utility services, paving, grading, landscaping, curbs, gutters, sidewalks, road lighting, road signs, flood protection devices, drainage structures, and all other improvements that may be required shall be the responsibility of the subdivider and not Douglas County.

This acceptance does not guarantee that the soil conditions, subsurface geology, groundwater conditions or flooding conditions of any lot shown hereon are such that a building permit, well permit, or sewage disposal permit will be issued.

(signature)

Chair, Board of Douglas County Commissioners

807.02.1 Administrative Replats:

This plat was approved for filing by the Planning Director, on behalf of the Board of County Commissioners of Douglas County, CO, on the _____ day of _____, 20____.

Lot _____, Block _____, *(subdivision)*, Filing # _____ is amended by this plat subject to all covenants, conditions, and restrictions recorded against and appurtenant to the original plat recorded in the Office of the Douglas County Clerk and Recorder, Reception # _____.

(signature)

Planning Director, on behalf of Board of Douglas County Commissioners

807.03 Vacations:

This plat was approved for filing by the Board of County Commissioners of Douglas County, CO, on the _____ day of _____, 20____, subject to any conditions specified hereon.

The *(streets, lots, tracts, parcels and easements – indicate those that are applicable)* shown on the plat of *(the original subdivision name)*, recorded in the Office of the Douglas County Clerk and Recorder, Reception # _____ are hereby vacated this day of _____, 20____.

(signature)

Chair, Board of Douglas County Commissioners

808 Density Statement for Plats with Density Bonus

The density of _____ units has been allocated to _____ lots. Further subdivision is not permitted by zoning.

809 Clerk and Recorder

STATE OF COLORADO
COUNTY OF DOUGLAS

I hereby certify that this plat was filed in my office on this _____ day of _____, 20__ A.D., at _____ a.m./p.m., and was recorded at Reception Number _____.

(signature)

Douglas County Clerk and Recorder

810 Acceptance Certificate

The dedication of Tracts (A-D) are hereby accepted for ownership and maintenance
by the (Name) District/Homeowner's Association.

(Name district or homeowner's association)

By: (notarized signature)

Title: _____

STATE OF COLORADO)
) ss.
COUNTY OF _____)

Acknowledged before me this _____ day of _____, 20__ by
_____ as _____ of
_____.

My commission expires: _____

Witness my hand and official seal

Notary Public

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ARTICLE 10 DEDICATION STANDARDS

1001 Intent

To provide a minimum standard for the required land dedication pursuant to Section 30-28-133(4)(a) C.R.S.. For a Planned Development, this section shall apply only when the required land dedication has not been satisfied.

1002 General Requirements

The applicant shall provide for the construction, at no cost to the county or school district or public, all roads adjacent to publicly dedicated sites, traffic signalization to serve the site, extension of all utilities to the site, and other public infrastructure as required by the Board. Bonding or other security needed to ensure such improvements shall be required at such time as requested by the Board.

1003 Parks

Whenever land is proposed for residential or non-residential use, the owner of the land is to provide land or cash-in-lieu of land for active and specialized recreation generated by the proposed use. In general, these lands need to be suitable for the development of active play areas, trails, or in some instances serve to preserve unique landforms or natural areas. Where no suitable land is available in a residential or non-residential development, cash-in-lieu of land or of equivalent value in the donation of recreational facilities may be substituted at the County's discretion. Additional dedication for open land may be required by the Board if deemed necessary to preserve areas of special countywide significance (refer to Sections 1003.11.5 and 1003.12.5 of these regulations).

- 1003.01 The following formula is used to calculate the minimum amount of land dedication required in residential developments which is deemed necessary to provide the needed parks. This formula is based on 15 acres/1000 population.

Local Park	=	Dwelling units x 0.015 acres/unit
Regional Park	=	Dwelling units x 0.030 acres/unit
Total	=	Dwelling units x 0.045 acres/unit

The Board reserves the right to adjust the acreage requirement between local and regional park categories as deemed necessary to meet specific needs and to determine the amount of developed park acreage required. The Board may also consider alternative park land dedication formulas for multi-family development proposals.

- 1003.02 Non-residential developments and nonresidential developments of a Planned Development District shall be required to dedicate a minimum of 3% of the gross site for park purposes. Provision of park facilities within non-residential developments is encouraged. Only in those cases where

the provision of park and recreational facilities will help satisfy the need for certain public recreational facilities will credit be considered.

- 1003.03 For the purposes of calculating the required dedication, existing dwelling units within a subdivision shall be excluded from the calculation of the park requirement if they have previously been included in the calculation of County park dedication or cash-in-lieu through the subdivision process. If the existing dwelling units have not previously been included in the calculation for park land dedication or cash-in-lieu of land, then they will be included in the calculation.
- 1003.04 Land proposed for park dedication shall be clearly identified on any submitted plat or site plan including the number of acres for each site and the total acreage proposed for County park dedication within the project.
- 1003.05 The conveyance of dedicated land for parks to Douglas County shall be by warranty deed, and the title shall be free and clear of all liens and encumbrances, including real property taxes prorated to the time of conveyance. The subdivider shall provide the County with a title insurance policy in the County's name and a certified survey at the time of conveyance. Dedicated park land shall include the necessary water rights or other available water service to provide for irrigation and drinking water. Regional and community park land dedication shall be conveyed to the County prior to recordation of the first final plat for the subdivision. Local park land dedication shall be required at the time of the final plat for the area served by the local park.
- 1003.06 Cash-in-lieu of land dedication shall be used in cases in which the cash value of park land dedication is deemed, by the Board, to be more appropriate in satisfying the needs of the proposed development than land within the proposed development. Such cases include, but are not limited to, small developments not able to meet the minimum size requirement and developments which already have adjacent facilities that could be expanded to satisfy the need created by the proposed development. In those land developments where proposed regional trails are located, no cash-in-lieu will be accepted unless there is an acceptable alternate route shown on the Douglas County Parks, Trails, and Open Lands Master Plan.

The minimum cash-in-lieu fee for minor development final plats or replats which create ten or fewer residential lots shall be \$250 for each new residential lot.

- 1003.06.1 The Douglas County Parks, Trails, and Building Grounds Division shall review all cash-in-lieu requests and make a recommendation to the Board.
- 1003.06.2 The Board shall make a final determination of the method in which the dedication requirements shall be satisfied.

- 1003.06.3 When the combination of land and cash-in-lieu of land is requested , the following formula shall be used:
- | | | | | | |
|----|--|---|---|---|--|
| 1) | Total park dedication in acres required as calculated by formula | - | Land Acreage Accepted | = | Total acreage for dedication as cash-in-lieu |
| 2) | Total acreage for dedication as cash-in-lieu | x | \$ Value/acre as determined by market value | = | Dedication \$ Amount Required |
- 1003.06.4 The cash-in-lieu fee shall be equivalent to the full market value of the acreage required for park land dedication. Value shall be based on anticipated market value after completion of platting. The applicant shall submit a proposal for the cash-in-lieu fee and supply the information necessary for the Board to evaluate the adequacy of the proposal. This information shall include at least one appraisal of the property by a qualified appraiser.
- 1003.06.5 The cash-in-lieu fee will be prorated on a per unit basis at the time of final platting.
- 1003.06.6 Cash-in-lieu fee collected is recommended to be used to benefit the residents within the service area of the type of park for which the fees were collected (i.e. neighborhood park - 1/4 to 1/2 mile radius; community park - 2 mile radius; regional park - 5 to 7 mile radius or to benefit all County residents). The Board reserves the right to adjust the cash-in-lieu requirement between local and regional park categories as deemed necessary to meet specific needs.
- 1003.07 Dispensing of park lands and/or cash obtained through the County dedication requirements shall be through the Board at a public hearing. Any such park property that is proposed for sale for private uses may be considered following a public hearing of the Board.
- 1003.08 The County shall assume the responsibility of development and maintenance of all regional parks, trails, and open lands unless otherwise negotiated. Title to land dedicated for local parks shall be held by the County, with long-term lease arrangements being negotiated with a local governing entity at the time such is in place. Development and maintenance of local parks, trails, and open space shall be the responsibility of the applicant or a local governing entity.
- 1003.09 Cash-in-lieu shall be held by the County until such time as a local governing entity is in place and submits, in writing, a request for the cash-in-lieu along with a park plan and development schedule including costs for development and on-going maintenance. Requests shall be reviewed and approved as necessary by the Board.

1003.10 Credit towards park land dedication requirements may be considered for the following:

1003.10.1 Consideration may be given for meeting regional park land dedication requirements through the provision of golf courses, driving ranges, swimming pools, non-commercial indoor recreation centers, and other specialized recreational facilities, provided that such facilities:

- (1) Are available to the general public;
- (2) Will meet a demonstrated public need;
- (3) Are in addition to all necessary local park land and trail dedication requirements;
- (4) Replace or supplement facilities that would generally be provided by the County; and
- (5) Bonding or other security, as requested by the Board, is provided to ensure that such facilities will be built.

1003.10.2 Consideration may be given for meeting regional park land dedication requirements through dedication or purchase and subsequent dedication of off-site land (land not contiguous to the development), provided that such land:

- (1) Will meet a demonstrated public need;
- (2) Meets the acceptance criteria for a regional park or regional trail; and
- (3) Is in addition to all necessary local park land and trail dedication requirements.

1003.10.3 Consideration may be given for meeting regional park land dedication requirements through the provision of private open land if such land is restricted for park, recreation or open space purposes by conservation easement or restricted deed.

- (1) Will meet a demonstrated public need;
- (2) Meets the acceptance criteria for a regional park, regional trail or open lands; and
- (3) Is in addition to all necessary local park land and trail dedication requirements.

1003.10.4 Consideration may be given for meeting local park land dedication requirements through the provision of park and recreation facilities by applicants, special districts, and homeowner's associations. Bonding or other security to ensure such facilities will be built may be required at such time as requested by the Board.

1003.11 Selection Criteria

1003.11.1 Local Parks

Local parks may be classified as either neighborhood parks or community parks. The needs of the specific development will determine which type of park is required. Land may be considered for acceptance for local park land dedication requirements if the following criteria is met:

- (1) Land to be dedicated for a neighborhood park shall be a minimum of 5 acres and be accessible to residents living within a 1/4 to 1/2 mile radius;
- (2) Land to be dedicated for a neighborhood park shall contain sufficient flat surface to provide for development of active recreation areas as deemed necessary to meet the needs of the respective service area;
- (3) Land to be dedicated for a community park shall be a minimum of 20 acres and be accessible to residents living within a 2 mile radius;
- (4) Land to be dedicated for a community park shall contain sufficient flat surface to provide for development of active recreation areas as deemed necessary to meet the needs of the respective service area;
- (5) Land will not be considered for local park land dedication acceptance if it is an exclusive utility or other easement, public street right-of-way, pedestrian walkway required under other regulations, or contains topographical or hazardous obstructions that would preclude development as a local park;
- (6) Where feasible, a local park site may be considered for co-locating with an elementary or middle school site in order to benefit from shared facilities such as parking lots, access roads, play fields, etc., thereby reducing the overall acreage requirement by a factor equal to those shared facilities.

1003.11.2 Regional Parks

Land may be considered for acceptance for regional park land dedication requirement if the following criteria are met:

- (1) Land to be dedicated for a regional park shall be a minimum of 50 acres and be accessible to residents living within a 5 to 7 mile radius;
- (2) Area to be dedicated shall offer natural and scenic quality and can support both active and passive recreational activities for all Douglas County residents;

- (3) Land to be dedicated shall contain sufficient flat surface to provide for development of active recreation areas as deemed necessary to meet the needs of the respective service area;
- (4) Land will not be considered for regional park land dedication acceptance if it is an exclusive utility or other easement, public street right-of-way, pedestrian walkway required under other regulations, or contains topographical or hazardous obstructions that would preclude development as a regional park; and
- (5) Lakes, ponds, or reservoirs may be considered providing such area does not exceed 1/2 of the developer's dedication requirement and the area is contiguous to other acceptable park land.

1003.11.3 Local Trails

No credit shall be given for local trails against the local park land dedication requirements. Provision of local trails is considered a normal element of an appropriately planned development. The following are considerations for design criteria for local trails:

- (1) Alignment provides linkages for the community to local parks, schools or other activity areas;
- (2) Alignment provides linkages for the community to regional parks, trails, or open lands as specified in the Douglas County Parks, Trails, and Open Lands Master Plan;
- (3) Local trails shall be designed to provide for easy, safe and secure usage and allow for sufficient easement or right-of-way to accommodate multiple uses; and
- (4) Land should not be considered for local trail dedication acceptance if it is an exclusive utility or other easement, public street right-of-way, pedestrian walkway required under other regulations, or contains topographical or hazardous obstructions that would preclude development as a local trail.

1003.11.4 Regional Trails

Land may be considered for acceptance or credit toward park land dedication requirement if the land has been identified conceptually as a regional trail corridor in the Parks, Trails, and Open Lands Master Plan and can accommodate trail design standards, or if the following criteria are met:

- (1) Alignment provides linkages to other regional trails and/or parks, either existing or identified in the Parks, Trails, and Open Lands Master Plan;
- (2) Alignment can provide transportation to and connection of population centers, local recreation, open land destinations, public lands, or historical sites;

- (3) Regional trails shall be designed to provide for easy, safe and secure usage and allow for sufficient easement or right-of-way to accommodate multiple uses;
- (4) Land is located in a manner that reveals interesting views of landscape features such as buttes, ridge lines, water features, wetlands, and stands of trees;
- (5) The required right-of-way or easement width is 30 to 50 feet; in some situations, slope and soil considerations may require additional right-of-way or easement width; and
- (6) Land will not be considered for regional trails dedication acceptance if it is in an exclusive utility or other easement, public street right-of-way, pedestrian walkway required under other regulations, or contains topographical or hazardous obstructions that would preclude development as a regional trail.

1003.11.5 Open Land

Land may be required in addition to park land dedication requirements if the area serves one or more of the following functions:

- (1) To identify or separate municipalities, communities or subdivisions or to provide expansive visual relief from development;
- (2) To buffer or provide transitions between different land uses;
- (3) To preserve or protect:
 - Scenic areas including vistas along highway corridors
 - Fish and wildlife habitats
 - Prominent landforms and landmarks
 - Outdoor recreation areas
 - Cultural, historic and archaeological areas
 - Unique vegetative areas
 - Critical ecosystems
 - Floodplains and riparian areas (land adjacent to water ways)
 - Aquifer recharge area
 - Surface water
 - Watershed areas
- (4) To provide for county-wide or regional trails and linkages; public access to lakes, streams, and other public lands; passive recreation opportunities; or outdoor and nature studies areas; and
- (5) Land will not be considered for open land dedication acceptance if it is an exclusive utility or other easement, public street right-of-way, or pedestrian walkway required under other regulations.

1003.12 Definitions

- 1003.12.1 Local Parks - may be classified as either neighborhood parks or community parks. In many instances, special districts have been

created to provide local parks. These districts have established local guidelines and standards for park facilities.

- (1) Neighborhood Park - A walk-in park with a suggested minimum size of 5 acres having a service radius of 1/4 to 1/2 mile. A typical neighborhood park may include: landscaped picnic areas, multi-purpose field, play area with apparatus, hard court area, tennis courts, and comfort station.
- (2) Community Park - A drive-in park with a suggested minimum size of 20 acres having a service radius of 2 miles. A typical community park may include all or some of the following: two or more multi-purpose fields, one or more hard courts, play apparatus area, two or more tennis courts, recreation activity building, gymnasium, swimming pool, and landscaped family or group picnic areas.

1003.12.2 Regional Parks - a major park that offers recreational opportunities of a nature or of such wide variety that it attracts people of the widest possible range of age and interest. The suggested minimum size for a regional park is 50 acres having a service area of 5 to 7 miles. A typical regional park may include all or some of the following: irrigated, multi-purpose turf play fields, individual picnic units, group picnic pavilions, restroom facilities/drinking fountains, playgrounds, on-site parking, landscaping, security/accent lighting, nature center/naturalist activities, non-motorized multi-purpose trail system including interpretive trails, wildlife habitat overlooks/observation areas, historic sites/buildings, regional trail connections, water-oriented facilities, streams, ponds, lakes, marshes, and wetlands, and natural open space areas.

1003.12.3 Local Trails - a local trail is located within the development or immediate community and serves the purpose of providing the residents of the community with a link to local parks, schools and other activity areas, regional parks, regional trails, regional open land, and historical sites. Like local parks, generally a local trail is built and maintained by a special district or homeowner's association.

1003.12.4 Regional Trails

- (1) Regional trails are those required to provide a major spine to connect the following:
 - Other regional trails
 - State parks or County regional parks
 - Towns or large population centers
 - Connections with regional trails in other counties
 - Access to Pike National Forest trails

- (2) Multi-use, paved trails will be constructed to form an urban, regional off-street recreation and transportation right-of-way system for non-motorized uses such as hiking, jogging, bicycling, and roller skating.
- (3) Multi-use, non-paved trails are generally located in more remote areas and include such uses as walking, hiking, jogging, horseback riding, mountain biking, and cross-country skiing.
- (4) The required right-of-way or easement width is 30 to 50 feet; in some situations, slope and soil considerations may require additional right-of-way or easement width.
- (5) The County shall be responsible for maintenance on all regional trails unless otherwise indicated.

1003.12.5 Open Land - open lands are vast areas of land without visible evidence of residential, commercial, or industrial development. These areas are generally left in a natural state. Generally, the benefit of open land extends beyond the immediate area or parcel of land. (Refer to Section 1003.11.5 of these regulations for specific detail.)

1003.12.6 Open Space - open space refers to land area within a subdivision, generally smaller in scale than open lands, which have been left free from structures, parking lots, and roads. These areas generally benefit the residents or employees of the particular subdivision and usually remain in private ownership.

1003.12.7 Private Recreation Facilities - for the purposes of these regulations for allowing credit against park land dedication requirements, private facilities are those that are:

- (1) privately owned and maintained
- (2) available to the general public
- (3) replace or supplement facilities that would generally be provided by the County

Examples of private facilities include, but are not limited to, golf courses, driving ranges, swimming pools, non-commercial indoor recreation centers, and other specialized recreational facilities. In order to be considered for credit, private facilities must meet the requirements as outlined in Section 1003.10.1 of these regulations.

1004 Schools

Land dedicated to the County must be suitable for development and the intended use to meet the need generated by the proposed development. All of the dedicated school land must be suitable for construction of school facilities. Dedicated sites shall be a single parcel and shall meet minimum size requirements sufficiently square or round to be usable for the intended use. The dedicated school land shall be centrally located and within the service radius with public access to adjacent street frontage and free from hazards that would threaten the safety of those using the land.

- 1004.01 The following formula is used to calculate the minimum amount of required school land dedication to meet the needs of the proposed subdivision:

Elementary School	=	0.017 acre per student generated
Junior High School	=	0.021 acre per student generated
Senior High School	=	0.027 acre per student generated

- 1004.02 The following is the minimum acreage required per school:

Elementary School	=	10 acres
Junior High School	=	25 acres
Senior High School	=	40 acres

- 1004.03 Existing dwelling units shall be excluded from the calculation of the school land dedication requirement if they have previously been included in the calculation for school land dedication. If the existing units have not previously been included in the calculation for school land dedication, then they will be included in the calculation.

- 1004.04 Dedicated school land shall be clearly identified on the submitted plat/plan by a legal description. The plat/plan shall also indicate the number of acres for each site and the total acreage proposed for school land dedication within the project.

- 1004.05 Cash-in-lieu of land dedication shall be required when deemed, by the Board, to be more appropriate in satisfying the needs of the proposed development and concerned agencies. Such cases include, but are not limited to, small developments not able to meet the minimum lot requirements, developments which are served by adjacent facilities that could be expanded to satisfy the need created by the proposed development.

- 1004.05.1 The School District shall review the applicant's request to dedicate land or pay cash-in-lieu of land dedication.

- 1004.05.2 The Board shall make the final determination of the method in which the dedication requirement shall be satisfied.

- 1004.05.3 The cash-in-lieu fee shall be equivalent to the full market value of the acreage required for school land dedication. Value shall be based on anticipated market value after completion of platting. The applicant shall submit a proposal for the cash-in-lieu fee and supply the information necessary for the Board to evaluate the adequacy of the proposal. This information shall include at least one appraisal of the property by a qualified appraiser.

- 1004.05.4 For residential minor development final plat or replats creating 10 or fewer residential lots, the minimum cash-in-lieu fee shall be \$500 per each new residential lot.
- 1004.06 The conveyance of land or payment of fees obtained through the County's dedication requirement shall be required prior to the recordation of the first final plat for the subdivision. The conveyance of dedicated school land to Douglas County shall be by warranty deed and the title shall be free and clear of all liens and encumbrances, including real property taxes prorated to the time of conveyance. The applicant shall provide a title insurance policy in the County's name and a certified survey at the time of conveyance.
- 1004.07 The conveyance of lands or transfer of fees obtained through the County's dedication requirement shall be pursuant to petition to the Board.

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ARTICLE 11 DESIGN STANDARDS (REPEALED)

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ARTICLE 13 DEFINITIONS

1301 Intent

As used in this Resolution, the following words shall be interpreted and defined in accordance with the provisions set forth in herein.

1302 Rules of Construction of Language

- 1302.01 The particular controls the general.
- 1302.02 In case of any difference of meaning or implication between the text of this Resolution and the captions for each section, the text shall control.
- 1302.03 The word 'shall' is always mandatory and the word 'may' is permissive.
- 1302.04 Words used in the present tense include the future, unless the context clearly indicates the contrary.
- 1302.05 Words used in the singular include the plural and words used in the plural include the singular, unless the context clearly indicates the contrary.

1303 Definitions

Adjacent - separated from the lot or parcel by one of the following: lot line, street, alley or easement.

Applicant - The landowner or authorized representative who formally requests action on a land use application submitted in accordance with this Resolution.

Board of County Commissioners - The Board of Commissioners of Douglas County. Also referred to as the Board.

Common Open Space - A parcel of land, an area of water, or a combination of land and water within the site designated for a planned development designed and intended primarily for the use of residents, occupants, and owners of the planned development.

County - Douglas County, Colorado

Dedicated Land - Land transferred to the County by platting, title, deed or other legal method approved by the Board. This land shall be used for public purposes, such as, school sites, fire stations, parks, open space, or such other uses or facilities as approved by the Board.

Development - The construction on land of improvements for residential, institutional, commercial, industrial, transportation, public flood control and recreational and similar uses, in contrast to use of the land for growing crops, grazing of farm animals and other agricultural pursuits. The term also applies to vacant land which has been or is being

prepared for development by such steps as installation of water and sewer lines, construction of access streets and construction of a railroad spur or branch tracks.

Director - The Director shall be as designated by the County Manager as the County staff person with administrative oversight of the land use review processes and other planning functions identified in this Resolution.

Disposition - A contract of sale resulting in the transfer of equitable title to an interest in subdivided land; an option to purchase an interest in subdivided land; a lease or an assignment of an interest in subdivided land; or, any other conveyance of an interest in subdivided land.

Engineer - A professional engineer, currently registered by the State of Colorado.

Evidence - Any map, table, chart, contract or any other document or testimony prepared or certified by a qualified person to attest to a specific claim or condition. Evidence shall be relevant and competent and shall support the position maintained by the claimer.

Exemption - Exclusion from the subdivision process by action taken by the Board of County Commissioners who, in making the exemption, decide that the purpose of the subdivision process will not be met if the subdivision process is required.

Final Plat - A map and supporting materials of certain described land prepared in accordance with this Resolution as an instrument for recording of real estate interests with the County Clerk and Recorder.

Landowner - All persons having legal title to or sufficient proprietary interest in the land sought to be subdivided.

Legal Description - A written metes and bounds description of the boundary of a parcel of real property by a PLS, for the purpose of perpetuating location and title. The description must recite all ties and monuments, recorded or physical, which will determine the correct position of the boundary, all references to adjoining lands by name and record, and a full dimensional recital of the boundary courses in succession which shall be mathematically correct. The description must be accompanied by an exhibit or map showing all pertinent information as described in the narrative.

Lot - The unit into which land is divided on a subdivision plat or deed with the intention of separate ownership or use. Lot shall include: parcel, plot, site or any similar term.

Master Plan - The Douglas County Comprehensive Master Plan as adopted by Planning Commission resolution. The Douglas County Comprehensive Master Plan is the long-range plan intended to guide the growth and development of the County, and is inclusive of supplemental plans which may be adopted and incorporated by Planning Commission resolution.

Open Space - An unoccupied, unobstructed space open to the sky except for trees, shrubbery, vegetation or improvements relating to recreation exclusive of buildings or

structures. Open space does not include driveways, parking lots, or other surfaces designed or intended for vehicular travel.

Park - An area set aside excluding residential or commercial development and intended for use as open areas, fields, play fields, trails, national areas, historic areas, wildlife areas or other areas.

Plan - The map(s) for development which includes but is not limited to, lots, blocks, easements, rights-of-way, pedestrian ways, park and school sites, open space areas, conservation areas in accordance with the requirements of this Resolution.

Planned Development - An area of land, controlled by one or more landowners, to be developed under unified control or unified plan of development for a number of dwelling units, commercial, educational, recreational or industrial uses or any combination of the foregoing.

Planned Development Plan - The provisions for development of a planned development, which may include, and need not be limited to, easements, covenants and restrictions relating to use; location and bulk of buildings and other structures; intensity of use or density of development; utilities, private and public streets, ways, roads, pedestrians, areas, and parking facilities; common open space, and other public facilities. "Guide" means the written and graphic materials referred to in this definition.

Planning Commission - the Douglas County Planning Commission.

Plat - The final map(s) and supporting materials of a proposed subdivision, prepared in accordance with the requirements of this Resolution and utilized as an instrument for recording real estate interests with the County Clerk and Recorder.

Preliminary Plan - A map of a proposed subdivision and specified supporting materials drawn and submitted in accordance with the requirements of this Resolution to evaluate feasibility and design characteristics of the proposal prior to final engineering and design.

Professional Geologist - A person who is a graduate of an institution of higher education which is accredited by regional or national accrediting agency, with a minimum of 30 semester (45 quarter) hours of undergraduate or graduate work in a field of geology and whose postbaccalaureate training has been in the field of geology with a specific record of an additional 5 years of geological experience to include no more than 2 years of graduate work.

Referral Agency, Advisory - A public or private organization which is interested in providing advisory comments to Douglas County on a land use proposal or proposed legislative action.

Referral Agency, Regulatory - An entity which is responsible for providing referral comments to Douglas County on a land use proposal or proposed legislative action, and which: (1) provides facilities and/or services for the proposed land use; and/or (2) provides regulatory control over some aspect of the subject property or proposed land use; and/or

(3) is a referral agency under state or federal law.

Replat - Any change in a recorded plat; an amended plat.

Right-of-Way - A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main or for another special use. The usage of the term "right-of-way" for land platting purposes shall mean that every right-of-way established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions of such lots or parcels. Rights-of-way intended for streets, crosswalks, water mains, sanitary sewers, storm drains or any other use involving maintenance by a public agency shall be dedicated to public use on the plat on which such right-of-way is established.

Site Specific Development Plan - The final plat which when designated by the Board of County Commissioners pursuant to Article 12 of this Resolution establishes a vested property right.

Sketch Plan - An approved map of a proposed subdivision and specified supporting materials drawn and submitted in accordance with the requirements of this Resolution to evaluate feasibility and design characteristics at a conceptual state in the planning. The sketch plan process has been removed from this Resolution with the preliminary plan being designated as the first required step in most subdivision processes.

Staff - Douglas County employees with a role in reviewing or administering the provisions contained herein.

Street - A way for vehicular traffic, including but not limited to, streets, highways, thoroughfares, parkways, roads, avenues, boulevards and lanes designed and planned in accordance with the Douglas County Roadway Design and Construction Standards.

Subdivider - Any person, firm, partnership, joint venture, association, or corporation participating as owner, applicant, promoter, developer, or sales agent in the planning, platting, development, promotion, sales or lease of a subdivision.

Subdivision Improvements Agreement (SIA) - An executed agreement between the County and subdivider which identifies the public improvements required to be constructed with a subdivision plat, along with the terms under which the subdivider is committed to completing such improvements. The SIA is administered by the Department of Public Works Engineering.

Subdivision or Subdivided Land - Any parcel of land which is to be used for condominiums, apartments, or any other multifamily dwelling units, unless such land when previously subdivided was accompanied by a filing which complied with the provisions of this definition with substantially the same density, or which is divided into two or more parcels, separate interests, or interests in common, unless exempted under paragraphs 1, 2, or 3 of this definition. "Interests" include any and all interests in the surface of land but excludes any and all subsurface interests.

- (1) The terms "subdivision" and "subdivided land" shall not apply to any division of land which creates parcels of land each of which comprises 35 or more acres of land and none of which is intended for use by multiple owners.
- (2) Unless the method of disposition is adopted for the purpose of evading the terms "subdivision" and "subdivided land" as defined shall not apply to any division of land:
 - a) Which creates parcels of land such that the land area of each of the parcels, when divided by the number of interests in any such parcel, results in 35 or more acres per interest;
 - b) Which could be created by any court in this State pursuant to the law of eminent domain, or by operation of law, or by order of any court in this State if the Douglas County Board of Commissioners is given timely notice of any such pending action by the court and given opportunity to join as a part in interest in such proceeding for the purpose of raising the issue of evasion of this definition prior to entry of the court order and if the Board does not file an appropriate pleading within 20 days after receipt of such notice by the court, then such action may proceed before the court;
 - c) Which is created by a lien, mortgage, deed of trust, or any other security instrument;
 - d) Which is created by a security or unit of interest in any investment trust regulated under the laws of this State or any other interest in an investment entity;
 - e) Which creates cemetery lots;
 - f) Which creates an interest in oil, gas, minerals, or water which is severed from the surface ownership of real property;
 - g) Which is created by the acquisition of an interest in land in the name of a husband and wife or other persons in joint tenancy or as tenants in common, and any such interest shall be deemed for purpose of this definition as only one interest;
 - h) Which is created by the combination of contiguous parcels of land into 1 larger parcel. If the resulting parcel is less than 35 acres in land area, only 1 interest in said land shall be allowed. If the resulting parcel is greater than 35 acres in land area, such land area divided by the number of interests in the resulting parcel must result in 35 or more acres per interest. Easements and rights-of-way shall not be considered interests for purposes of this subparagraph (h); or
 - i) Which is created by a contract concerning the sale of land which is contingent upon the purchaser's obtaining approval to subdivide, pursuant to these Regulations and any applicable county regulations, the land which is to be acquired pursuant to the contract.
- (3) The Board of County Commissioners may, pursuant to rules and regulations or resolution, exempt from the definition of the terms "subdivision" and "subdivided land" any division of land if the Board of County Commissioners determines that such division is not within the purposes of this definition.

When a parcel of land is separated by a federal or state highway, the resultant parcels may be considered as two parcels eligible for building permits, when all other regulatory requirements are met.

Super Block - the subdivision of land into large blocks that are to be replatted, at a later date, into additional lots.

Surveyor - A professional land surveyor currently registered by the State of Colorado.

Tract - An area of land designated as such on a subdivision plat, e.g. Tract A. Tract shall be used exclusively to identify areas to be dedicated for parks, schools, utilities, or landscape, and not for residential or nonresidential buildings other than park facilities or schools.

Unincorporated - Situated outside of cities and towns, so that, when used in connection with territory, areas or the like it covers, includes and relates to territory or areas which are not within boundaries of any city or town. [§30-28-101(12) C.R.S.]

Vested Property Right - The right to undertake and complete the development and use of property under the terms and conditions of a site specific development plan.

Zoning Resolution - The Douglas County Zoning Resolution.