

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to Article 1, Administrative Provisions; Article 2, Application Requirements and Provisions; Article 3, Sketch Plan (repealed); Article 4, Preliminary Plan; Article 5, Final Plat; Article 5A, Combined Preliminary and Final Plat (repealed); Article 6, Minor Development Final Plat - Single Family Residential; Article 6A, Minor Development Final Plat - Nonresidential & Multifamily; Article 7, Replat; Article 8, Certifications; Article 11, Design Standards (repealed); Article 13, Definitions; and Appendices A & B (repealed) of the *Douglas County Subdivision Resolution* ("Amendments"), which are attached hereto and incorporated as Exhibit A (Project No. DR2013-012); and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

EXHIBIT A

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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

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.

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 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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