

CLEAR CREEK COUNTY

SUBDIVISION REGULATIONS

Effective Date: September 24, 2003

Modified: February 24, 2004

Modified: June 22, 2004

Modified September 24, 2008

Modified January 7, 2009

Modified May 5, 2015

Clear Creek County Subdivision Regulations: Table of Contents

TABLE OF CONTENTS

		<u>Page</u>
ARTICLE 1	ADMINISTRATIVE PROVISIONS	1-1
	101 Short Title	1-1
	102 Purpose	1-1
	103 Applicability	1-2
	104 Control Over Platting	1-4
	105 Authority	1-5
	106 Jurisdiction	1-5
	107 Interpretation	1-5
	108 Effective Date	1-5
	109 Repeals	1-5
	110 Severability	1-6
	111 Enforcement	1-6
	112 Appeals	1-7
	113 Amendments	1-7
	114 Review Fees	1-7
	115 Powers of the Planning Commission	1-7
	116 Powers of the Board of County Commissioners	1-8
	117 Standards for Approval	1-8
ARTICLE 2	APPLICATION REQUIREMENTS AND PROCEDURES	2-1
	201 Description of the Subdivision Process	2-1
	202 Applicant's Responsibility	2-2
	203 Additional Review Fees	2-2
	204 Withdrawal of Application	2-2
	205 Referral Requirements	2-3
	206 Public Notice Requirements	2-3
	207 Expiration of Approvals	2-4
	208 Performance Guarantee	2-4
	209 Submittal Process	2-5
	210 Vested Rights	2-6
	211 Final Documents	2-7
ARTICLE 3	SKETCH PLAN	3-1
	301 Intent	3-1
	302 Prerequisite	3-1
	303 Submittal Requirements - General	3-1
	304 Submittal Requirements - Plans and Drawings	3-2
	305 Submittal Requirements - Development Reports	3-5
ARTICLE 4	PRELIMINARY PLAN	4-1
	401 Intent	4-1
	402 Prerequisite	4-1
	403 Submittal Requirements - General	4-1
	404 Submittal Requirements - Plans and Drawings	4-2
	405 Submittal Requirements - Development Reports	4-4
ARTICLE 5	FINAL PLAT	5-1
	501 Intent	5-1
	502 Prerequisite	5-1

Clear Creek County Subdivision Regulations: Table of Contents

	503	Submittal Requirements - General	5-1
	504	Submittal Requirements - Plans and Drawings	5-2
	505	Submittal Requirements - Development Reports	5-2
ARTICLE 6		MULTI-UNIT SMALL SUBDIVISIONS	6-1
	601	Purpose	6-1
	602	Prerequisite	6-1
	603	Criteria	6-1
	604	Submittal Process	6-1
	605	Submittal Requirements	6-3
	606	Final Documents	6-7
ARTICLE 7		MINOR SUBDIVISIONS	7-1
	701	Purpose	7-1
	702	Prerequisite	7-1
	703	Criteria	7-1
	704	Submittal Process	7-2
	705	Submittal Requirements	7-3
	706	Final Documents	7-7
ARTICLE 8		BOUNDARY LINE ADJUSTMENTS	8-1
	801	Intent	8-1
	802	Prerequisite	8-1
	803	Criteria	8-1
	804	Submittal Process	8-2
	805	Minor Boundary Line Adjustment	8-3
	806	General Submittal Requirements	8-5
	807	Additional Submittal Requirements	8-7
	808	Final Documents	8-10
ARTICLE 9		REPLATS	9-1
	901	Purpose	9-1
	902	Prerequisite	9-1
	903	Criteria	9-1
	904	Submittal Process	9-1
	905	General Submittal Requirements	9-2
	906	Additional Submittal Requirements	9-3
	907	Final Documents	9-5
ARTICLE 10		CORRECTION PLATS	10-1
	1001	Purpose	10-1
	1002	Prerequisite	10-1
	1003	Criteria	10-1
	1004	Submittal Process	10-1
	1005	General Submittal Requirements	10-1
	1006	Final Documents	10-2
ARTICLE 11		ROAD AND EASEMENT VACATION	11-1
	1101	Intent	11-1
	1102	Prerequisite	11-1
	1103	Applicability	11-1
	1104	Criteria	11-1
	1105	Submittal Process	11-1

Clear Creek County Subdivision Regulations: Table of Contents

	1106	General Submittal Requirements	11-2
	1107	Additional Submittal Requirements	11-3
	1108	Final Documents	11-3
ARTICLE 12	DEDICATION STANDARDS		12-1
	1201	Intent	12-1
	1202	Applicability	12-1
	1203	General Requirements	12-1
	1204	Parks	12-1
	1205	Schools	12-3
ARTICLE 13	DEVELOPMENT DENSITY BONUSES		13-1
	1301	Applicability	13-1
	1302	Density Bonus Programs	13-1
	1303	No Guarantee of Density	13-2
	1304	Review and Approval Procedure	13-2
ARTICLE 14	DESIGN CRITERIA		14-1
	1401	Intent	14-1
	1402	Applicability	14-1
	1403	Overall Design Criteria	14-1
	1404	When Significant Mitigation Efforts are not Incorporated	14-2
	1405	Subdivision Improvements	14-3
	1406	Roads	14-3
	1407	Erosion and Sediment Control	14-4
	1408	Drainage	14-4
	1409	Soil Suitability	14-4
	1410	Fiscal Impacts to Existing Services	14-4
	1411	Required Dedications and Easements	14-5
	1412	Other Public Improvements	14-5
	1413	Guarantee of Public Improvements	14-5
ARTICLE 15	EXEMPTIONS		15-1
	1501	Intent	15-1
	1502	Prerequisite	15-1
	1503	Lot Combination	15-1
	1504	Exemption by Resolution	15-3
	1505	Exemption for certain Illegal Divisions of Land-unimproved	15-7
	1506	Exemption for certain Illegal Divisions of Land-Improved without proper county occupancy approval	15-11
	1507	Exemption for certain Illegal Divisions of Land-Improved with valid county occupancy approval	15-16
ARTICLE 16	GENERAL SURVEYOR REQUIREMENTS		16-1
	1601		16-1
	1602		16-1
	1603	Certifications	16-4
ARTICLE 17	DEFINITIONS		17-1
	1601	Intent	17-1
	1602	Rules of Construction of Language	17-1
	1603	Definitions	17-1

Clear Creek County Subdivision Regulations: Article 1

ARTICLE 1 ADMINISTRATIVE PROVISIONS

101 Short Title

101.01 For the purpose of brevity, the Clear Creek County Subdivision Regulations shall also be referred to as the “Subdivision Regulations” or “Regulations”.

101.02 For the purpose of brevity, the Clear Creek County Board of County Commissioners shall also be referred to as the “Board”.

102 Purpose

In order to achieve quality development, these Regulations are designed and enacted for the following purposes:

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

Land proposed for subdivision shall be such that it can be used for the intended purpose and with all reasonable consideration in its development undertaken to reduce danger to health or peril from fire, flood, geologic hazards, or other natural hazards.

102.02 To guide future growth and development within Clear Creek 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. Also, to encourage a diversity of housing types and densities and to promote adequate housing.

102.03 To provide for the preservation and conservation of significant stands of vegetation; unique or distinctive topographic features including peaks and rock outcroppings; drainage, riparian and wetlands 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 rural development by minimizing the conflicts between the land uses and structures.

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, energy and mineral resources; minimization of grading, road cuts and fills; and a road system designated to preserve the integrity and function of the arterial and local roadway network.

102.05 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 and maintenance, 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 owner/developers of such land.

102.06 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 interest of the public, the

Clear Creek County Subdivision Regulations: Article 1

homeowner, the subdivider, and the County.

103 Applicability

These Regulations apply to the following situations:

- 103.01 Any division of land into four or fewer parcels, separate interests, or interest in common, as provided for in Article 7 of these Regulations.
- 103.02 Any reconfiguration of boundary lines, as provided for in Article 8 of these Regulations.
- 103.03 Any replat to a previously approved subdivision plat, as provided for in Article 9 of these Regulations.
- 103.04 Any correction to a previously approved subdivision plat, as provided for in Article 10 of these Regulations.
- 103.05 Any road or easement vacation, as provided for in Article 11 of these Regulations.
- 103.06 Any parcel of land which is to be used for condominiums, apartments, or any other multi-unit developments, unless such land when previously subdivided was accompanied by a filing which complied with subdivision regulations with substantially the same density.
- 103.07 Any division of land into five (5) or more parcels, separate interests, or interests in common, except a division:
 - 103.07.1 Where each of the parcels created comprise of thirty-five (35) or more acres of land, and none of the parcels are intended for multiple owners.
 - 103.07.2 Which create 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 thirty-five (35) or more acres per interest.
 - 103.07.3 Which could be created by any court in Colorado by using the law of eminent domain, or by operation of law, or by order of any court in Colorado if the Board is given timely notice of any such pending action by the court and given opportunity to join as a party in interest in such proceeding for the purpose of raising the issue of evasion of the subdivision requirements prior to entry of the court order; and, if the Board does not file an appropriate pleading within twenty (20) days after receipt of such notice by the court, then such action may proceed before the court.
 - 103.07.4 Which is created by a lien, mortgage, deed of trust, or any other security instrument.
 - 103.07.5 Which is created by a security or unit of interest in any investment trust regulated under the laws of Colorado or any other interest in an investment entity.
 - 103.07.6 Which creates cemetery lots.
 - 103.07.7 Which creates an interest in oil, gas, minerals, or water which is severed from the surface ownership of real property.
 - 103.07.8 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 considered one interest for purposes of subdivision regulations.
 - 103.07.9 Which is created by a combination of contiguous parcels of land into one (1) larger parcel, provided it complies with Article 15 of these Regulations. If the resulting parcel is less than thirty-five (35) acres, only one interest in said parcel shall be allowed. If the

Clear Creek County Subdivision Regulations: Article 1

resulting parcel is greater than thirty-five (35) acres, such acreage divided by the number of interests, must result in thirty-five (35) or more acres per interest (easements and rights-of-way shall not be considered in making these calculations).

103.07.10 Which is created by a contract concerning the sale of land which is contingent upon the purchaser's obtaining approval to subdivide the land being purchased.

103.07.11 Which creates a cluster development pursuant to Part 4 of Article 28 of Title 30 C.R.S.

104 Control over Platting

104.01 No sketch plan, preliminary plan or final plat of a subdivision shall be recommended for approval by the Planning Commission or approved by the Board unless it conforms to the provisions of these Regulations.

104.02 Improvements to and maintenance of public rights-of-way is not the responsibility of the Board until such time as application to and acceptance of such responsibilities by the Board.

104.03 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 Uniform Fire Code.

104.04 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 hearing.

104.04.1 A written notice from the Planning Department 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 more than thirty (30) days after the date of notification.

104.04.2 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.

104.05 No changes, erasures, modification, or revisions shall be made on the final plat after the approval of the Board, except as required by the approval of the Board.

104.06 No plat for subdivided land shall be approved by the Board unless all ad valorem taxes applicable to such subdivided land, for years prior to that year in which approval is granted, has been paid. [Section 30-28-110(4)(a) C.R.S.]

104.07 It is unlawful to file for recording any such plan or plat as identified above in a public office unless it has been reviewed by the Planning Commission and approved by the Board. [Section 30-28-110(3)(a) C.R.S.]

105 Authority

These Regulations are adopted pursuant to Part I of Article 28 of Title 30 (County Planning) and other applicable sections of the Colorado Revised Statutes (C.R.S.) and is intended to be in accordance with the provisions of those statutes.

106 Jurisdiction

These Regulations shall apply to the subdivision of land in the unincorporated areas of Clear Creek County, Colorado.

Clear Creek County Subdivision Regulations: Article 1

107 Interpretation

The following shall be used as methods of interpreting these Regulations:

107.01 In their interpretation and application, the provisions of these Regulations shall be regarded as minimum requirements.

107.02 Whenever a provision of these Regulations 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 shall govern.

107.03 These Regulations are not intended to abrogate any easement or any other private agreement or restriction provided that where the provisions of these Regulations are more restrictive or impose higher standards or requirements than such easement, covenant, or other private agreement or restriction, the provisions of these Regulations shall govern.

108 Effective Date

These Regulations and any future amendments thereof shall take effect immediately upon adoption by the Board.

109 Repeals

These Regulations shall repeal subdivision regulations adopted by the Board and amendments made prior to the effective date of these Regulations. 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.

110 Severability

If any section, clause, provision, or portion of these Regulations should be found unconstitutional or otherwise invalid by a court of competent jurisdiction, the remainder of these Regulations shall not be affected thereby and is hereby declared to be necessary for the public health, safety, and welfare.

111 Enforcement

These Regulations shall be enforced by an authorized representative of the County on matters involving these Regulations. Inaction or lack of enforcement by any official of the County shall not constitute a waiver of the right of enforcement, even though such inaction may be of long duration.

111.01 The County is hereby empowered to enter and inspect any building, structure, or tract of land under development in the unincorporated areas of the County.

111.02 When the County has knowledge of any violation hereof, a written notice shall be given to the landowner to correct such violation.

111.03 The County 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 County to be in violation of any provision of these Regulations.

111.04 After appropriate notice has been served and if the alleged violation has not been corrected within thirty (30) calendar days, a copy of the file shall be forwarded to the County Attorney for further legal action. The County shall be advised of any actions taken.

111.05 The County may enforce these Regulations by means of withholding building permits pursuant to Section 30-28-110(4)(a) C.R.S.

111.06 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 in the Office of the County Clerk, is guilty of a misdemeanor and, upon conviction

Clear Creek County Subdivision Regulations: Article 1

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. [Section 30-28-110(4)(a) C.R.S.]

111.06.1 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 these Regulations.

111.06.2 The Board may enjoin such transfer or sale or agreement by action for injunction brought in any court of equity jurisdiction.

111.07 Any County official or employee, charged with the enforcement of these Regulations, acting in good faith and without malice on behalf of the 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.

111.08 These Regulations shall not be construed to hold the 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 the County to proceed.

112 Appeals

112.1 Appeals may be filed by the subdivider and must be submitted in writing to the Planning Department within fourteen (14) calendar days following receipt of written notification of an alleged violation.

112.2 If an appeal cannot be resolved between parties, the case will go to the Board for a decision in a public hearing.

113 Amendments

The provisions of these Regulations may be amended by the Board following a recommendation by the Planning Commission and proper public notice and hearings.

114 Review Fees

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

115 Powers of the Planning Commission

115.01 Review applications and proposals for compliance with these Regulations and make recommendations to the Board.

115.02 Initiate, review, or recommend amendments to these Regulations to the Board.

116 Powers of the Board of County Commissioners

116.01 Review applications and proposals for compliance with these Regulations and approve, conditionally approve, or deny them.

116.02 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.

Clear Creek County Subdivision Regulations: Article 1

116.03 Modify and amend these Regulations following a recommendation from the Planning Commission. Before finally adopting any such amendment, the Board shall hold a public hearing thereon, at least fourteen (14) days' notice of the time and place of which shall be given by at least one (1) publication in a newspaper of general circulation in the County.

117 Standards for Approval

The following criteria shall be considered by the Planning Commission and the Board in the review of all sketch plans, preliminary plans and final plats:

117.01 Whether the application is in compliance with the requirements of these Regulations, the Clear Creek County Zoning Regulations, and the Clear Creek County master/comprehensive plans, and all applicable building, fire, and health codes, rules and regulations.

117.02 Whether the application is in compliance with all applicable statutory provisions.

117.03 Whether the application is in compliance with State and Federal regulations including, but not limited to, the Colorado Department of Health and Colorado Department of Transportation.

117.04 Whether the application has provided adequate evidence to establish that definite provision has been made for a water supply that is sufficient in terms of quantity, quality and dependability to provide an appropriate supply of water for the type of subdivision proposed. [Section 30-28-133(6)(a) C.R.S.]

117.05 Whether the application has provided adequate evidence to establish that, if a public sewage disposal system is provided, provision has been made for such system and, if other methods of sewage disposal are proposed, adequate evidence that such system shall comply with State and local laws and regulations. [Section 30-28-133(6)(b) C.R.S.]

117.06 Whether the application has provided adequate evidence to show that 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 the proposed uses of these areas are compatible with such conditions. [Section 30-28-133(6)(c) C.R.S.]

117.07 Whether the application has provided adequate evidence to show that all necessary infrastructure and services are available and adequate, or will be provided for, to meet the needs of the proposed subdivision including transportation, police and fire protection, schools, recreation and utilities.

Clear Creek County Subdivision Regulations: Article 2

ARTICLE 2 APPLICATION REQUIREMENTS AND PROCEDURES

201 Description of the Subdivision Process

The three steps required to obtain approval of a subdivision consist of a sketch plan, preliminary plan, and a final plat.

Each is a distinct process involving the submittal of an application, an application fee, required plans and reports, referrals of the proposal to other agencies, and public hearings. 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.

201.01 Sketch Plan

201.01.1 The sketch plan is the first step of the three step subdivision process. During this step, public hearings will be held before the Planning Commission and the Board. The applicant must receive sketch plan approval or conditional approval in order to proceed to the second step - the preliminary plan.

201.01.2 The sketch plan process will review, at a conceptual level, the feasibility and design characteristics of the proposal based on the standards set forth in these Regulations.

201.01.3 The preliminary plan may be combined with the sketch plan if the proposed subdivision has ten (10) or fewer lots, each lot is adjoining an existing County maintained road and development of the lots does not require extensive engineering, provided that all appropriate fees for both phases are paid in advance. The Planning Department shall determine whether a particular subdivision may combine processes.

201.02 Preliminary Plan

201.02.1 The preliminary plan is the second step of the three step subdivision process. During this step, public hearings will be heard before the Planning Commission and the Board. The applicant must have received sketch plan approval or conditional approval in order to proceed with the preliminary plan application.

201.02.2 The preliminary plan process will involve a more detailed review of the feasibility and design characteristics of the proposal based on the standards set forth in these Regulations. The applicant must receive preliminary plan approval or conditional approval in order to proceed to the third step - the final plat.

201.02.3 The preliminary plan may be combined with the sketch plan if the proposed subdivision has ten (10) or fewer lots, each lot is adjoining an existing County maintained road and development of the lots does not require extensive engineering, provided that all appropriate fees for both phases are paid in advance. The Planning Department shall determine whether a particular subdivision may combine processes.

201.03 Final Plat

201.03.1 The final plat is the last step in the three step subdivision process. During this step, there will be public hearings before the Planning Commission and the Board. The applicant must have received preliminary plan approval or conditional approval in order to proceed with the final plat process.

201.03.2 The final plat process will review the final engineering plans, subdivision improvement agreements, and other legal requirements.

Clear Creek County Subdivision Regulations: Article 2

202 Applicant's Responsibility

The applicant or representative is responsible for understanding the requirements and procedures contained in these Regulations, the Clear Creek County Zoning Regulations, and the Clear Creek County master plans and is responsible for attending all Planning Commission and Board hearings at which the request is considered. Failure to attend the hearings may result in the request being tabled and a new hearing date scheduled. The applicant is responsible for submitting the information requested by the Planning Department for the review of the proposal.

203 Additional Review Fees

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

203.02 A recommendation for additional reviews and fees shall be provided by the Planning case manager to the Planning Director. If the Planning Director determines that the additional reviews and fees are necessary and justified for the proposed subdivision, the recommendation shall be brought to the Board for a final determination.

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 Department. Application fees, or portions thereof, will be refunded only when the withdrawal request is submitted prior to the mailing of referral packets for the sketch plan phase.

205 Referral Requirements

205.01 Adequate notice of application for each phase shall be forwarded to interest holders and property owners within 300 feet of any property boundaries. Appropriate referral agencies shall receive adequate application materials and documentation. Based on the specifics of the application, the Planning Department may waive referral requirements if those requirements are unnecessary.

205.01.1 Referral responses shall be given twenty-one (21) calendar days after transmittal, unless additional time is requested and agreed upon by the Planning Department.

205.02 The applicant is responsible for preparing the information packets in the manner prescribed by the Planning Department. An error made either intentionally or unintentionally by the applicant in the preparation of information packets may result in a delay in processing of the application so that the proper referrals can be accomplished.

205.03 Any referral comments requiring resolution received by the Planning Department shall require a response from the applicant.

206 Public Notice Requirements

For sketch plans, preliminary plans, and final plats notice of hearing shall be required as follows:

206.01 At least fourteen (14) days prior to the first Planning Commission public hearing and fourteen (14) days prior to the first Board public hearing, the applicant shall post and maintain a notice on the land under consideration. The notice shall consist of at least one sign facing each adjacent right-of-way, within ten (10) feet of the property line adjacent to the right-of-way, visible from the right-of-way, placed on posts at least four (4) feet above ground level. Additional signs may be required by the Planning Department. Each sign shall measure not less than 3' x 4'. Letter size shall be a minimum of three (3) inches high. Said notice shall read:

Clear Creek County Subdivision Regulations: Article 2

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

This property shall be considered for subdivision, specifically, the approval of a (e.g., sketch plan, preliminary plan, final plat) pursuant to the Clear Creek County Subdivision Regulations. For more information call Clear Creek County Planning Department, (phone number). The public hearing is (date), in (location), at (time). Case Number:

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

206.01.2 The sign shall be removed by the applicant within two (2) weeks following the final decision by the Board or withdrawal of the application.

206.02 At least fourteen (14) days prior to the Planning Commission hearing and fourteen (14) days prior to the Board hearing, the Planning Department shall publish a notice in at least one (1) publication of a newspaper of general circulation in Clear Creek County.

207 Expiration of Approvals

The approval of any subdivision request shall be subject to the following restrictions and shall apply to all previously approved sketch plans, preliminary plans, and final plats:

207.01 The sketch plan and preliminary plan shall both be effective for a period of one (1) year from the date of approval by the Board, unless stated otherwise in such approval. After one year, the plan becomes null, void and invalid unless the applicant requests in writing an extension of said approval from the Board, and obtains such extension with specific terms and conditions. Such request must be submitted prior to the expiration date and include a narrative stating the reason(s) for the applicants' inability to comply with the specified deadlines and the anticipated time schedule for completing the platting process. Additional review of the plan may occur resulting in additional conditions as applicable. In addition, an extension request fee may also apply.

207.02 Within thirty (30) days of approval of the final plat, the applicant shall submit the approved final plat and all required documentation to the Planning Department for recordation or the approval shall be void, unless stated otherwise in such approval. The applicant will be required to pay any fees associated with the recordation.

208 Performance Guarantee

208.01 As a condition of the final plat approval, the Board may, in its discretion, require the applicant to file a performance guarantee of financial security deemed adequate by and made payable to the Board.

208.02 The purpose of this performance guarantee shall be to assure that the applicant shall faithfully perform all conditions and stipulations as specified in the approval of the application.

209 Submittal Process

The following submittal process shall apply to all sketch plans, preliminary plans and final plats:

209.01 The applicant shall submit two (2) copies of the submittal to the Planning Department for each process.

209.02 The submittal shall be reviewed in a timely manner for completeness by the Planning Department. The applicant shall be notified of any inadequacies, missing, or incomplete documentation. An incomplete submittal shall not be processed.

Clear Creek County Subdivision Regulations: Article 2

- 209.03 Once the submittal is determined complete (by the Planning Department), staff will notify the applicant of the number of copies of the plan/plat and associated documentation required to be submitted for distribution to interest holders, adjacent property owners, and referral agencies. Referral packets shall be provided by the applicant in unsealed manila envelopes, with all submittal information properly folded and compiled, with sufficient postage. The staff shall mail the referral packets.
- 209.04 The applicant shall provide stamped envelopes addressed to the adjacent property owners and other landowners as required by the Planning Department, for notification of the plan/plat application.
- 209.05 The referral agencies shall be given a minimum of twenty-one (21) working days of receiving a complete submittal, unless additional time is requested and agreed upon by the Planning Department. The applicant is encouraged to meet with the referral agencies and other interested parties to address the referral concerns.
- 209.06 The Planning Department will review the referral comments, discuss the concerns with the applicant, prepare a staff report for the Planning Commission and notify the applicant of the hearing date and time.
- 209.07 The Planning Department is responsible for publishing a notice in a newspaper of general circulation in Clear Creek County fourteen (14) calendar days prior to the Planning Commission hearing.
- 209.08 The applicant is responsible for posting and maintaining a notice(s) on the property at least fourteen (14) calendar days prior to the Planning Commission hearing.
- 209.09 The Planning Commission shall evaluate the application, referral comments, staff report, and public testimony, and make a recommendation to the Board to approve, approve with conditions, or deny the plan/plat. The Planning Commission's decision shall be based on the evidence presented, compliance with the adopted standards, regulations, policies and other guidelines.
- 209.10 The applicant may be required to modify the plan/plat or documentation, and/or provide additional information prior to the Board's public hearing based on conditions/stipulations deemed necessary by the Planning Commission.
- 209.11 Following the recommendation by the Planning Commission, the Planning Department will schedule the plan/plat for a public hearing with the Board, and notify the applicant of the hearing date and time.
- 209.12 The Planning Department is responsible for publishing a notice in a newspaper of general circulation in Clear Creek County fourteen (14) calendar days prior to the Board hearing.
- 209.13 The applicant is responsible for posting and maintaining a notice(s) on the property at least fourteen (14) calendar days prior to the Board's hearing.
- 209.14 The Board shall evaluate the application, referral comments, staff report, the Planning Commission recommendation and public testimony, and shall approve, conditionally approve, or deny the plan/plat. The Board's decision shall be based on the evidence presented, compliance with the adopted standards, regulations, policies and other guidelines.
- 209.15 If denied by the Board, the submittal of a new application and processing fee(s) shall be required in order to pursue the proposed subdivision. A resubmittal of the plan/plat for the same or substantially same request, as determined by the Planning Department, shall not be accepted within one (1) year of such denial. The applicant may appeal the decision of the Planning

Clear Creek County Subdivision Regulations: Article 2

Department, in writing, to the Board within ten (10) working days from the date of the decision.

210 Vested Rights

A vested property right may be established pursuant to Article 68 of Title 24, C.R.S., as amended, and the County adopted vested property rights regulations, as provided for in the Clear Creek County Zoning Regulations.

211 Final Documents

211.01 Upon approval of the Final Subdivision Plat by the Board, a full certified Land Survey Plat, or Improvement Survey Plat, in compliance with Title 38, Article 51 C.R.S. and all other relevant statutes shall be submitted on mylar, as specified by the Planning Department.

211.01.1 The approved Subdivision Plat shall also be submitted in a digital form as specified by the County Mapping Department.

211.02 Final approval is not valid until the final Plat and Resolution are signed by the Board of County Commissioners, and all are recorded with the County Clerk and Recorder.

211.03 The applicant is responsible for payment of all recording fees associated with the final plat and deeds.

Clear Creek County Subdivision Regulations: Article 3

ARTICLE 3 SKETCH PLAN

301 Intent

To examine the feasibility of a project including review of conceptual design, legal and physical ability to provide water and sanitation, location of natural hazard areas (wildfire, flood, and geologic), identification of environmentally sensitive areas and wildlife habitat, migration corridors, and nesting areas, and conformance with the County master/comprehensive plans. A sketch plan shall not create parcels that do not meet County standards.

302 Prerequisite

Prior to submittal of the sketch plan application, the applicant shall meet with the Planning Department to discuss the procedures and submittal requirements, and is encouraged to meet with other referral agencies and homeowner's associations to identify potential issues and ways to address these issues.

303 Submittal Requirements - General

Submittal requirements are listed in Sections 303, 304 and 305.

303.01 Application Form as provided by the Planning Department.

303.02 The appropriate fee(s), as established by the Board.

303.03 Deeds or other proof of ownership for the subject property(s).

303.04 A notarized letter of authorization from the landowner permitting a representative to process the application, if applicant is other than the owner(s) of record.

303.05 A list of all interest holders in the subject property(s), as indicated in an ownership and encumbrances report prepared by a title company, including subsurface interest if severed.

303.06 A list of owners of all properties within 300 feet of the boundaries of any portion of the property(s) proposed for subdivision. Such list shall include legal descriptions, names, and mailing addresses.

303.07 Certification from the County Treasurer's Office that all ad valorem taxes have been paid.

303.08 A list of all parties, including addresses and phone numbers, involved on behalf of the proposed subdivision application.

303.09 All submittals shall be organized as specified in a table of contents by the Planning Department.

304 Submittal Requirements - Plans and Drawings

304.01 Vicinity Map - submitted on a 8 1/2" x 11" sheet of paper, that indicates the location of the proposed subdivision in relation to the general context of the County.

304.02 Location Map - submitted on a 24" x 36" sheet of paper, that indicates the location of the proposed subdivision in relation to roads, streams, utilities, adjacent parcels and other features. The map shall be sufficient in scope to identify such features within no less than one-half mile radius of all properties within by the proposed subdivision.

304.03 Zoning/Special Districts Map(s) - submitted on a 24" x 36" sheet of paper, that indicates: the existing and proposed zoning for all properties within the proposed subdivision; the special districts that apply to the area and are proposed; and the zoning of the adjacent parcels within 300 feet of the boundaries of all parcels on which the subdivision is proposed.

304.04 Site Characteristics Analysis Maps for all properties affected by the proposed subdivision that

indicate the following all at the same scale as the Conceptual Site Plan:

- 304.04.1 Slope analysis of existing natural slope.
 - 304.04.1.1 At a minimum of forty (40) foot contour intervals.
 - 304.04.1.2 Indicate 0% - 8%, 8% - 15%, 15% - 30%, and over 30% slope.
- 304.04.2 Slope analysis of proposed final slope.
 - 304.04.2.1 At a minimum of forty (40) foot contour intervals.
 - 304.04.2.2 Indicate 0% - 8%, 8% - 15%, 15% - 30%, and over 30% slope.
- 304.04.3 Geologic hazard areas and conditions, as determined by a Colorado licensed Professional Engineer, indicating all potential areas of unstable slopes, snow avalanches, explosive natural gases, debris flows, land slides, rockfalls, etc..
- 304.04.4 Wildfire hazard areas, as determined by the Colorado State Forest Service.
- 304.04.5 Soils analysis, as determined by the Natural Resource Conservation Service.
- 304.04.6 100-year floodplains, all existing watercourses, retention and detention areas, wetlands, aquifer recharge areas, streams and lakes on the affected property and within one-half mile of such property, as determined by the Flood Insurance Rate Map and the United States Department of the Interior's National Wetlands Inventory.
- 304.04.7 Ecosystems including species, as determined by the Colorado State Forest Service.
- 304.04.8 Wildlife habitat areas including breeding grounds, nesting areas, crossings, wintering areas, migratory routes, etc., as determined by the Colorado Division of Wildlife.
- 304.04.9 Historical and archaeological sites on the property and within 300 feet of the proposed subdivision, as determined by the State Historic Preservation Office.
- 304.04.10 Significant natural or man-made features, including major peaks, water features, peaks, rock outcroppings, drainages, etc., on the property and within 300 feet of the proposed subdivision.
- 304.05 Major vistas, short and long-range, of the proposed subdivision as visible from several points along public rights-of-way in the vicinity.
 - 304.05.1 Reasonably accurate renderings of all roads, buildings, significant earthwork and vegetation changes at full build out shall be provided.
- 304.06 Development Potential Map - submitted on a 24" x 36" sheet of paper and at the same scale as the Site Characteristics Analysis Maps. Based on an analysis of the Site Characteristics Analysis Maps as required in 304.04 above, depicting potential buildable areas.
- 304.07 Base Drainage Plan - submitted on a 24" x 36" sheet of paper, prepared and stamped by a Colorado licensed Professional Engineer, that indicates existing drainage patterns onto, within, and off the site.
- 304.08 Base Transportation Plan - submitted on a 24" x 36" sheet of paper that depicts the following:

Clear Creek County Subdivision Regulations: Article 3

- 304.08.1 Existing access to the proposed subdivision from County, State, and Federal road systems/exit interchanges.
- 304.08.2 Proposed new roads and anticipated grades in compliance with County road standards.
- 304.09 Conceptual Site Plan - submitted on a 24" x 36" sheet of paper at a scale of 1" = 100' or another scale if approved by the Planning Department. The Plan shall be in conformance with the Design Criteria as outlined in Article 14. The Plan shall depict the following:
 - 304.09.1 The title shall be placed at the top of the sheet along the long dimension of each sheet and shall include the name of the proposed subdivision. A general legal description stating the aliquot portion of the section, section, township, range, 6th P.M., and Clear Creek County shall be included under the name of the proposed subdivision. On the title sheet (sheet #1), under the general legal description, include the total acreage, the estimated total number of lots and the case number. The name of the builder, product line or marking name may only be used as a descriptor along the bottom of the sheet. Subdivision names may not duplicate existing subdivision names.
 - 304.09.2 A block in the lower right-hand corner shall include the following: the preparation data; a north arrow designated at 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.
 - 304.09.3 The boundary of the proposed subdivision shall be depicted in a heavy solid line. A survey performed by a Colorado licensed Professional Engineer or Surveyor is required to verify outside boundaries.
 - 304.09.4 Boundaries of adjacent properties or portions of those boundaries that are in immediate proximity of the parcels proposed for subdivision shall be depicted in a lighter line weight.
 - 304.09.5 Existing contour lines depicted at ten (10) foot intervals. Contour lines may be extrapolated from the USGS quadrangle maps.
 - 304.09.6 Depict all existing roads showing grade in percentages, width of traveled surface, existing drainage, structures, utilities, earthwork, and site modifications. If existing structures are present, note their uses and whether they are to remain on the site.
 - 304.09.7 Depict all lots proposed for residential uses. Such locations shall be consistent with the areas as identified on the Development Potential Map. Lots shall be numbered consecutively.
 - 304.09.8 Depict all tracts proposed for nonresidential uses such as areas to be dedicated for park land, open space systems and school sites. Tracts shall be lettered alphabetically.
 - 304.09.9 Depict all easements, including existing and proposed, public and private, on and adjacent to the proposed subdivision. For each specify their use, principal dimensions, and the owner or rightholder of the easement.
 - 304.09.10 Depict all lands to be dedicated or reserved in deeds or easements for the use of landowners, residents, or the general public.
 - 304.09.11 Depict the general location of all proposed roads and anticipated grades in compliance with County design standards.

304.09.12 Show the conceptual location of focal points, community facilities and other special features of the project.

305 Submittal Requirements - Development Reports

Development Reports shall be submitted with supporting materials that will completely address the following items at 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.

305.01 Project Descriptive Report - a narrative explanation of the following project elements:

305.01.1 The need for the project, to include, but not be limited to the need for the number of residential units proposed.

305.01.2 The number of lots proposed for residential uses, the size of each lot and the total acreage.

305.01.3 The number of tracts proposed for nonresidential uses such as areas to be dedicated for park land, open space systems and school sites; and the size of each tract and the total acreage.

305.01.4 Phasing of subdivision, if applicable.

305.02 Site Characteristics Analysis Report - an analysis of site features and environmental and wildlife impacts as depicted on the Site Characteristics Analysis Maps that may affect the evaluation of the development and proposed mitigation measures.

305.03 Fiscal Impact Report - an analysis of the fiscal costs and benefits anticipated to be accrued to the County as a result of the proposed subdivision to address, at a minimum, the following:

305.03.1 The projected yearly tax revenue at full build out using figures provided by the County Assessor. If phasing is proposed, the projected yearly tax revenue for each year including at full buildout.

305.03.2 Projected costs associated with impacts to schools and emergency services (fire and medical response), and the County Road and Bridge Department for on and off-site road traffic impacts, construction, and maintenance.

305.03.3 Projected costs associated with impacts to social services.

305.04 Base Soil Suitability and Geologic Report - an analysis, prepared and stamped by a Colorado licensed Professional Engineer, that minimally includes:

305.04.1 Evidence establishing soil suitability in the form of a report based on information from the Natural Resource Conservation Service of the United States Department of Agriculture (USDA) or another form acceptable to the Planning Department. 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.

305.04.2 The geologic characteristics of the site 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.

Clear Creek County Subdivision Regulations: Article 3

- 305.05 Base Drainage Report - a drainage analysis, prepared and stamped by a Colorado licensed Professional Engineer, including estimates of quantitative flows and rough plans for facilities to prevent storm waters in excess of historic runoff caused by the proposed subdivision, from entering, damaging or being carried by conduits, water supply ditches and appurtenant structures and other drainage facilities.
- 305.06 Existing Services and Infrastructure Report - a narrative describing the availability and adequacy of existing infrastructure and other necessary services including, but not limited to: fire and police protection; schools; recreation; utilities; and open space.
- 305.07 Base Traffic Report - a traffic study, prepared and stamped by a professional traffic engineer. The report shall minimally include:
- 305.07.1 All existing access to the proposed subdivision from County, State, and Federal road systems/exit interchanges.
 - 305.07.2 The current number of vehicles trips generated during peak hours on all existing access to the proposed subdivision from County, State, and Federal road systems/exit interchanges.
 - 305.07.3 The number of vehicle trips likely to be generated during peak hours from the proposed subdivision on existing County, State, and Federal road systems/exit interchanges.
 - 305.07.4 A narrative describing the impacts from increased traffic resulting from the proposed subdivision, including but not limited to, level of service, congestion, noise, dust, odors, and traffic hazards.
- 305.08 Initial Water Supply Report - an analysis, prepared by a water attorney or water engineer, that provides evidence that a legal water supply is likely to be available as follows:
- 305.08.1 For a subdivision of land located within an existing water or special district, a letter of commitment to serve the proposed subdivision stating the amount of water available for use within the subdivision and the feasibility of extending service to that area.
 - 305.08.2 For a subdivision of land where a water or special district is expected to be formed to serve the subdivision, a report outlining how a water augmentation plan and application for a special district (demonstrating compliance with Colorado Revised Statutes) can be obtained.
 - 305.08.3 For a subdivision of land where individual wells are proposed, evidence of the proposed legal water supply.
- 305.09 Initial Sewage Disposal System Report - that provides evidence of the legal capability to provide sanitation as follows:
- 305.09.1 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.
 - 305.09.2 For a subdivision of land where a sanitation or special district is expected to be formed to serve the subdivision, an outline of how the district shall be structured.
 - 305.09.3 For a subdivision of land where individual sewage disposal systems are proposed, proof that the following requirements can be met. Such evidence shall be prepared and stamped by a Colorado licensed Professional Engineer.

305.09.3.1 Each sewage treatment system and leach field shall be in accordance with the County Individual Sewage Disposal System regulations.

305.09.3.2 Specific reference in the subdivision covenants that there is a ban on the use of other than low phosphorus detergents.

Clear Creek County Subdivision Regulations: Article 4

ARTICLE 4 PRELIMINARY PLAN

401 Intent

Evaluation of the proposal prior to final engineering and design.

402 Prerequisite

402.01 The preliminary plan shall be in substantial compliance with the approved sketch plan and conditions and stipulations of the associated Board resolution.

402.02 Prior to submittal of the preliminary plan application, the applicant shall meet with the Planning Department to discuss the procedures and submittal requirements, and is encouraged to meet with other referral agencies and homeowner's associations to identify potential issues and ways to address these issues.

403 Submittal Requirements - General

In addition to the submittal requirements listed in Sections 403, 404 and 405, the Planning Department may request other materials or information as deemed necessary, before or during the process to facilitate a recommendation by the Planning Department to the Planning Commission and Board.

403.01 Application Form as provided by the Planning Department.

403.02 The appropriate fee(s), as established by the Board.

403.03 Current proof of ownership for the subject property(s) which includes an updated or current title insurance policy or title commitment.

403.04 A notarized letter of authorization from the landowner permitting a representative to process the application, if applicant is other than the owner(s) of record.

403.05 An updated list of all interest holders in the subject property(s), as indicated in a title insurance policy prepared by a title company, including subsurface interest if severed.

403.06 An updated list of owners of properties within 300 feet of the boundaries of any portion of the property(s) proposed for subdivision, no more than thirty (30) days old from the date of preliminary plan application. Such list shall include legal descriptions, names, and mailing addresses.

403.07 Certification from the County Treasurer's Office that all ad valorem taxes have been paid no more than thirty (30) days old from the date of preliminary plan application.

403.08 All associated documentation and resolution(s) that provided approval of the sketch plan.

403.09 An updated list of all parties, including addresses and numbers, involved on behalf of the proposed subdivision, no more than thirty (30) days old from the date of preliminary plan application.

403.10 All submittals shall be organized as specified in a table of contents by the Planning Department.

404 Submittal Requirements - Plans and Drawings

404.01 Vicinity Map - as required in Article 3.

404.02 Location Map - as required in Article 3.

404.03 Zoning/Special Districts Map(s) - as required in Article 3, with updated information, if applicable.

404.04 Site Characteristics Analysis Maps - as required in Article 3 with updated information, if

Clear Creek County Subdivision Regulations: Article 4

applicable.

- 404.05 Development Potential Map - as required in Article 3 with updated information, if applicable.
- 404.06 Approved Sketch Plan, with no modifications.
- 404.07 Preliminary Grading and Drainage Plan - submitted on a 24" x 36" sheet(s) of paper at a scale of 1" = 100' or another scale approved by the Planning Department. The plan shall be prepared and stamped by a Colorado licensed Professional Engineer, that indicates the following: finished contours at five (5) foot intervals, delineating extent of cut and fill slopes; location and construction details for all existing and proposed watercourses, retention and detention areas; ditch widening and treatment; drainage patterns and stormwater runoff from on-site and off-site flow; location and construction details for all existing and proposed culverts, retaining walls, curbs/gutters, etc.; stormwater management plan demonstrating compliance with the County's adopted Best Management Practices; lot lines, roads, and building envelopes; all applicable grading and drainage details, including notes; and anticipated slope stabilization measures for all cut and fill slopes.
- 404.08 Preliminary Roadway Design and Construction Drawings - submitted on 24" x 36" sheet(s) of paper at a scale of 1" = 100' or another scale approved by the Planning Department. The Plan shall be prepared and stamped by a Colorado licensed Professional Engineer and be in conformance with the County road standards (unless exempted by the County) and shall provide plan and profile drawings. The Plan shall depict the following: proposed lot lines and building envelopes; demonstrated compliance with the County adopted Best Management Practices; proposed traffic flow within the subdivision and from off-site roads; utility easements; adequate access and maneuverability for emergency and public utility vehicles; ingress, egress, and internal vehicular circulation; all existing and proposed roads; location of school bus turnarounds, if applicable; all existing and proposed access to the subdivision from County, State, and Federal road systems/exit interchanges; demonstration that all roads and associated cut and fill slopes do not encroach on or disturb adjacent properties, unless there is written approval from appropriate parties; and proposed road names which shall not duplicate existing road names; however, when adjoining existing roads, road names shall be continued.
- 404.09 Preliminary Site Plan - submitted on a 24" x 36" sheet of paper at a scale of 1" = 100' or another scale if approved by the Planning Department. The Plan shall be in conformance with the Design Criteria as outlined in Article 14. The Plan shall depict the following:
- 404.09.1 The title shall be placed at the top of the sheet along the long dimension of each sheet and shall include the name of the proposed subdivision. A general legal description stating the aliquot portion of the section, section, township, range, 6th P.M., and Clear Creek County shall be included under the name and planning area. On the title sheet (sheet #1), under the general legal description, include the total acreage, the estimated total number of lots and the case number. 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 names.
- 404.09.2 A block in the lower right-hand corner shall include the following: the preparation data; a north arrow designated at 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.
- 404.09.3 The boundary of the proposed subdivision shall be depicted in a heavy solid line. A registered survey is required to verify boundaries.
- 404.09.4 Boundaries of adjacent properties or portions of those boundaries that are in immediate proximity of the parcels proposed for subdivision shall be depicted in a

Clear Creek County Subdivision Regulations: Article 4

lighter line weight.

- 404.09.5 Surveyed existing contour lines depicted at five (5) foot intervals for proposed areas of disturbance (e.g., roads, driveways, building envelopes, well and septic locations). For the remainder of the plan, surveyed existing contour lines depicted at forty (40) foot intervals.
- 404.09.6 Depict all existing roads, structures, utilities, earthwork, and site modifications. If existing structures are present, note their uses and whether they are to remain on the site.
- 404.09.7 Depict all lots and building envelopes proposed for residential uses, providing accurate dimensions for each. Such locations shall be consistent with the areas approved by the sketch plan. Lots shall be numbered consecutively.
- 404.09.8 Depict all tracts proposed for nonresidential uses such as areas to be dedicated for park land, open space systems and school sites, providing accurate dimensions for each. Such locations shall be consistent with the areas approved by the sketch plan. Tracts shall be lettered alphabetically.
- 404.09.9 Depict all easements, including existing and proposed, public or private, on and adjacent to the proposed subdivision. For each specify their use, principal dimensions, and the owner or rightholder of the easement.
- 404.09.10 Depict all lands to be dedicated or reserved in deeds or easements for the use of landowners, residents, or the general public.
- 404.09.11 Locate and provide the name and principal dimension of all road rights-of-way. Indicate the maintenance responsibility, road percent grades, centerline radii and other pertinent roadway information such as distance between intersections.
- 404.09.12 Depict legal and physical public access to the proposed subdivision even if not part of the subdivision.
- 404.09.13 Depict the location of focal points, community facilities and other special features.

405 Submittal Requirements - Development Reports

Development Reports shall be submitted with supporting materials that will completely address the following items at a minimum. The degree of detail for analysis of some of the factors will depend upon the impact of the particular item on the surrounding area and the subject property.

- 405.01 Project Description Report - a narrative explanation of the following project elements:
 - 405.01.1 As required in Article 3 with updated information, if applicable.
 - 405.01.2 Concerns and issues brought forth by the Board during the approval of the sketch plan and measures proposed to mitigate these concerns.
 - 405.01.3 Proposed deviations or changes from the approved sketch plan and reasons for such modification.
 - 405.01.4 Phasing of subdivision, if applicable.
- 405.02 Site Characteristics Analysis Report - as required in Article 3 with updated information, if applicable.
- 405.03 Fiscal Impact Report - as required in Article 3 with updated information, if applicable.

Clear Creek County Subdivision Regulations: Article 4

- 405.04 Wildlife Management Report - an analysis, prepared by a qualified professional, including updated data from that which was presented in the Site Characteristics Analysis for the sketch plan, on-site investigation of wildlife presence, and proposed mitigation measures addressing any adverse impacts to wildlife habitats including breeding grounds, nesting areas, migration routes, and wintering areas. This report shall also address measures taken to preserve and improve such wildlife habitat. Rare and endangered species habitat protection shall be addressed, if applicable.
- 405.05 Emergency Services/Fire Protection/Wildfire Mitigation Report - an analysis, prepared by a qualified professional, including proposed mitigation measures addressing emergency protection and wildfire mitigation. This report shall also include a Colorado State Forest Service approved Wildfire Pre-Attack Plan outlining recommendations for forest management strategies to be implemented to reduce wildfire hazard as well as planning considerations and procedures to be followed in the event of a fire.
- 405.06 Preliminary Soil Suitability Report - an analysis, prepared and stamped by a Colorado licensed Professional Engineer, that minimally includes:
- 405.06.1 Data from the Base Soil Suitability and Geologic Report as required in Article 3, with updated soils data as required by the Board in the approval of the sketch plan, if applicable.
 - 405.06.2 An 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 uses and development.
 - 405.06.3 Constraints on development based on the analysis and findings.
- 405.07 Preliminary Geologic Report - an analysis, prepared and stamped by a Colorado licensed Professional Engineer, that minimally includes:
- 405.07.1 Data from the Base Soil Suitability and Geologic Report as required in Article 3, with updated geologic data as required by the Board in the approval of the sketch plan, if applicable.
 - 405.07.2 An analysis and evaluation of such information with recommendations.
 - 405.07.3 Constraints on development based on the analysis and findings.
- 405.08 Preliminary Grading and Drainage Report - prepared and stamped by a Colorado licensed Professional Engineer, that minimally includes:
- 405.08.1 The design and details of the Preliminary Grading and Drainage Plan.
 - 405.08.2 Provides details as to design capacity, calculations, and drainage easements for off-site and on-site runoff.
 - 405.08.3 A Best Management Practices analysis, in accordance with County regulations, which address the existing and potential erosion and sediment problems which may be created by the proposed development including conservation measures proposed to mitigate these concerns.
 - 405.08.4 Recommendations for how the subsurface drainage will be handled (i.e. sump pumps, trench drains, etc.), if applicable.
- 405.09 Preliminary Roadway Design and Construction Report - prepared and stamped by a Colorado

Clear Creek County Subdivision Regulations: Article 4

licensed Professional Engineer, that minimally includes:

- 405.09.1 Data from the Base Traffic Report as required in Article 3, with updated data as required by the Board in the approval of the sketch plan, if applicable.
- 405.09.2 An analysis addressing the design and details of the Preliminary Roadway Design and Construction Drawings, outlining compliance with County road standards.
- 405.10 Services and Infrastructure Report
 - 405.10.1 As required in Article 3 with updated information, if applicable, as required by the Board in the approval of the sketch plan.
 - 405.10.2 Written verification of utility access and availability from the supplier of said service at the level proposed.
- 405.11 Preliminary Water Supply Report - an analysis, prepared by a water attorney or water engineer, that provides evidence that a legal water supply, sufficient in terms of quality and quantity is available as follows:
 - 405.11.1 For a subdivision of land located within an existing water or special district, a letter of commitment to serve the proposed subdivision stating the amount of water available for use within the subdivision and the costs of extending service to that area.
 - 405.11.2 For a subdivision of land where a water or special district is proposed to be formed to serve the subdivision, an application for a special district demonstrating compliance with Colorado revised statutes.
 - 405.11.3 If individual wells are proposed, a copy of an approved water augmentation plan.
 - 405.11.4 Physical Water Analysis when individual wells are proposed - an expanded assessment of the ground water production capability and impacts by a qualified engineer or hydrologist shall be submitted which addresses: water requirements; general hydrogeology; site specific hydrogeology; water quality requirements; and off-site impacts. Where the hydrologic conditions of the site indicate potential negative impact to existing wells in the area, selected test wells may be required to determine quantity proposed is available.
- 405.12 Preliminary Sewage Disposal System Report - evidence of the physical and legal capability to provide sanitation as follows. Such report shall also include updated data which was required for the sketch plan phase.
 - 405.12.1 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 costs of extending service to that area.
 - 405.12.2 For a subdivision of land where a sanitation or special district is proposed to be formed to serve the subdivision, evidence of the ability of the district's ability to serve the demands of the proposed subdivision. A special district application for review of the proposed service plan shall be required.
 - 405.12.3 For a subdivision of land where individual sewage disposal systems are proposed, evidence that the following requirements are met. Such evidence shall be prepared and stamped by a Colorado licensed Professional Engineer.
 - 405.12.3.1 Each sewage treatment system and leach field shall be in accordance with

Clear Creek County Subdivision Regulations: Article 4

the County Individual Sewage Disposal System regulations.

- 405.12.3.2 Specific reference in the subdivision covenants that there is a ban on the use of other than low phosphorus detergents.
- 405.13 Impact to School District Report - an analysis of the projected impacts to schools from the proposed development. Such report shall include, but not be limited to, proposed fees in lieu/land dedication requirements and how this figure was calculated.
- 405.14 Open Space Report - a narrative explanation of the elements of the plan which shall include, but are not limited to: ownership, acreage, purpose, and maintenance. A Weed Management Plan shall also be included.
- 405.15 Proposed Subdivision Covenants and association agreement, if applicable.
- 405.16 Guarantee of Public Improvements - an itemized estimate of the cost of required improvements.
- 405.17 Copy of Metropolitan or Special District Service Plan, if applicable.
- 405.18 Preliminary Subdivision Improvements Agreement.

Clear Creek County Subdivision Regulations: Article 5

ARTICLE 5 FINAL PLAT

501 Intent

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

502 Prerequisite

502.01 The final plat shall be in substantial compliance with the Board approved preliminary plan and conditions and stipulations of the resolution.

502.02 Prior to submittal of the final plat application, the applicant shall meet with the Planning Department to discuss the procedures and submittal requirements, and is encouraged to meet with other referral agencies and homeowner's associations to identify potential issues and ways to address these issues.

503 Submittal Requirements - General

In addition to the submittal requirements listed in Sections 503, 504 and 505, the Planning Department may request other materials or information as deemed necessary, before or during the process to facilitate a recommendation by the Planning Department to the Planning Commission and Board.

503.01 Application Form as provided by the Planning Department.

503.02 The appropriate fee(s), as established by the Board.

503.03 Current proof of ownership for the subject property(s) which includes an updated or current title insurance policy or title commitment.

503.04 A notarized letter of authorization from the landowner permitting a representative to process the application, if applicant is other than the owner(s) of record.

503.05 An updated list of all interest holders in the subject property(s), as indicated in a title insurance policy prepared by a title company, including subsurface interest if severed.

503.06 An updated list of owners of properties within 300 feet of the boundaries of any portion of the property(s) proposed for subdivision, no more than thirty (30) days old from the date of final plat application.

503.07 An updated certification from the County Treasurer's Office that all ad valorem taxes have been paid, no more than thirty (30) days old from the date of final plat application.

503.08 All associated documentation and resolution(s) that provided approval of the preliminary plan.

503.09 An updated list of all parties, including addresses and numbers, involved on behalf of the proposed subdivision, no more than thirty (30) days old from the date of final plat application.

503.05 All submittals shall be organized as specified in a table of contents by the Planning Department.

504 Submittal Requirements - Plans and Drawings

504.01 Vicinity Map - as required in Article 3.

504.02 Location Map - as required in Article 3.

504.03 Approved Preliminary Plan, with no modifications.

504.04 Final Grading and Drainage Plan - submitted on a 24" x 36" sheet of paper, prepared and stamped

Clear Creek County Subdivision Regulations: Article 5

by a Colorado licensed Professional Engineer. The Plan shall depict any modifications established with the approved Preliminary Plan.

504.05 Final Roadway Design and Construction Drawings - submitted on a 24" x 36" sheet of paper at a scale of 1" = 100' or another scale approved by the Planning Department. The Plan shall be prepared and stamped by a Colorado licensed Professional Engineer and be in conformance with the County road standards and shall provide plan and profile drawings. The Plan shall depict any modifications established with the approved Preliminary Plan.

504.06 Final Site Plan - submitted on a 24" x 36" sheet of paper at a scale of 1" = 100' or another scale if approved by the Planning Department. The Plan shall be in conformance with the Design Criteria as outlined in Article 14. The Plan shall depict any modifications established with the approved preliminary plan.

504.06.1 An approved Final Plat shall be submitted in a digital form as specified by the County Mapping Department and as specified by the Planning Department.

505 Submittal Requirements - Development Reports

Development Reports shall be submitted with supporting materials that will completely address the following items at a minimum. The degree of detail for analysis of some of the factors will depend upon the impact of the particular item on the surrounding area and the subject property.

505.01 Project Description Report - a narrative of the following project elements:

505.01.1 As required in Article 4 with updated information, if applicable.

505.01.2 Concerns and issues identified by the Board during the approval of the preliminary plan as addressed in a Board resolution and measures proposed to mitigate these concerns.

505.01.3 Proposed deviations or changes from the approved preliminary plan and reasons for such modifications.

505.01.4 Phasing of subdivision, if applicable.

505.02 Site Characteristics Analysis Report - as required in Article 3 with updated information, if applicable.

505.03 Fiscal Impact Report - as required in Article 4 with updated information, if applicable, and shall depict any modifications established with the approved preliminary plan.

505.04 Wildlife Management Report - as required in Article 4 with updated information, if applicable, and shall depict any modifications established with the approved preliminary plan.

505.05 Emergency Services/Fire Protection/Wildfire Mitigation Report - as required in Article 4 with updated information, if applicable, and shall depict any modifications established with the approved preliminary plan.

505.06 Final Soil Suitability Report - as required in Article 4 with updated information, if applicable, and shall depict any modifications established with the approved preliminary plan.

505.07 Final Geologic Report - as required in Article 4 with updated information, if applicable, and shall depict any modifications established with the approved preliminary plan.

505.08 Final Grading and Drainage Report - as required in Article 4 with updated information, if applicable, and shall depict any modifications established with the approved preliminary plan.

Clear Creek County Subdivision Regulations: Article 5

- 505.09 Final Roadway Design and Construction Report - as required in Article 4 with updated information, if applicable, and shall depict any modifications established with the approved preliminary plan.
- 505.10 Services and Infrastructure Report - as required in Article 4 with updated information, if applicable, and shall depict any modifications established with the approved preliminary plan.
- 505.11 Final Water Supply Report - as required in Article 4 with updated information, if applicable, and shall depict any modifications established with the approved preliminary plan.
- 505.12 Final Sewage Disposal System Report - as required in Article 4 with updated information, if applicable, and shall depict any modifications established with the approved preliminary plan.
- 505.13 Final Impact to School District Report - as required in Article 4 with updated information, if applicable, and shall depict any modifications established with the approved preliminary plan.
- 505.14 Final Open Space Report - as required in Article 4 with updated information, if applicable, and shall depict any modifications established with the approved preliminary plan.
- 505.15 Final Subdivision Covenants - as required in Article 4 with updated information, if applicable, and shall depict any modifications established with the approved preliminary plan.
- 505.16 Final Financial Guarantee of Public Improvements - as required in Article 4 with updated information, if applicable, and shall depict any modifications established with the approved preliminary plan. Such guarantee shall include an itemized cost of revegetation, pursuant to the revegetation plan. Collateral for 115% of the total cost of the final plat improvements shall be required. An irrevocable letter of credit or other security approved by the County Attorney for said cost requirement shall also be included. The Board may, from time to time, review the adequacy of the security in light of inflation to ensure adequate security to fund the completion of the work in accordance with the public improvements.
- 505.17 Copy of Final Metropolitan or Special District Service Plan, if applicable - as required in Article 4 with updated information, if applicable, and shall depict any modifications established with the approved preliminary plan.
- 505.18 Revegetation Plan - submitted on a 24" x 36" sheet of paper, prepared by a landscape professional, that indicates the following: existing ecosystems that will be maintained and removed; proposed plant species, size, quantity, and location of plants; and proposed method of irrigation for a minimum of five (5) years.
- 505.19 Final Subdivision Improvements Agreement - as required in Article 4 with updated information, if applicable, and shall depict any modifications established with the approved preliminary plan.

Clear Creek County Subdivision Regulations: Article 6

ARTICLE 6 MULTI-UNIT SMALL SUBDIVISIONS

601 Purpose

The Multi-Unit Small Subdivision process is an application to authorize apartments, condominiums and other multiple unit developments, whether or not parcels of land or real property boundary lines are created, for developments of a total of twenty-four (24) units or less.

601.01 Relationship to other Articles

When Article 6 is applicable, it supersedes Articles 3, 4 and 5, but a Multi-Unit Small Subdivision is subject to Articles 12 (Dedication Standards) and 14 (Design Criteria) and such other provisions of these subdivision regulations as by their terms apply.

602 Prerequisite

Prior to submittal of the request, the applicant shall meet with the Planning Department to determine whether the request meets the criteria and to explain the procedure and submittal requirements.

603 Criteria

An application must meet, at a minimum, all of the following criteria.

603.01 Creates no more than a total of twenty-four (24) units.

603.02 The parcel(s) can comply with the required County Platting Conditions and optional conditions determined to be applicable by the Board.

603.03 The parcel(s) can comply with all applicable zoning, building, fire, and health codes, rules and regulations.

603.04 The property is accessed, at a minimum, by a public right-of-way or recorded easement.

603.05 The parcel(s) can comply with State and County Sanitary Sewage Disposal Requirements.

603.06 The applicant must be able to provide documentation of an adequate legal water supply.

604 Submittal Process

The following submittal process shall apply to all Multi-Unit Small Subdivisions:

604.01 The applicant shall submit one (1) copy of the submittal to the Planning Department.

604.02 The submittal shall be reviewed in a timely manner for completeness by the Planning Department. The applicant shall be notified of any inadequacies, or missing or incomplete documentation. An incomplete submittal shall not be processed.

604.03 The Planning Department will conduct a site characteristics analysis and perform a site visit to verify these characteristics. Once the submittal is determined complete by the Planning Department, staff will notify the applicant of the number of copies and content of the submittal required to be provided for distribution to adjacent property owners and referral agencies.

604.04 The Planning Department will notify adjacent property owners within 300 feet of the boundaries of the subject parcels and any referral agencies that may be affected by the proposed exemption. The applicable agencies shall be determined per case.

604.05 Adjacent property owners and referral agencies shall be given twenty-one (21) calendar days prior

Clear Creek County Subdivision Regulations: Article 6

to the Planning Commission public hearing to comment.

- 604.06 At least fourteen (14) calendar days prior to the Planning Commission and BOCC public hearings, the applicant shall post and maintain notice on the parcel(s) under consideration. Notice shall be placed within ten (10) feet of the property line and visible from the right-of-way. Signs will be provided by the Planning Department.
- 604.07 The Planning Department will review the referral comments, discuss any concerns with the applicant, prepare a staff report for the Planning Commission and notify the applicant of the hearing date and time and the number of submittals required for the Planning Commission.
- 604.08 The Planning Department is responsible for publishing a notice in a newspaper of general circulation in Clear Creek County a minimum of fourteen (14) calendar days prior to the Planning Commission and Board of County Commissioners' public hearings.
- 604.09 The Planning Commission shall evaluate the application, referral comments, staff report, and public testimony, and make a recommendation to the Board to approve, approve with conditions, or deny the application. The Planning Commission's decision shall be based on the evidence presented, compliance with the Design Criteria (as outlined in Article 14 of these regulations), adopted standards, regulations, policies and other guidelines.
- 604.10 The applicant may be required to modify the plan/plat or documentation, and/or provide additional information prior to the Board public hearing based on conditions/stipulations deemed necessary by the Planning Commission.
- 604.11 Following the recommendation by the Planning Commission, the Planning Department will schedule the application for a public hearing with the Board, and notify the applicant of the hearing date and time and the number of submittals required for the Board.
- 604.12 The Board shall evaluate the application, referral comments, staff report, the Planning Commission recommendation, and public testimony, and shall approve, approve with conditions, or deny the application. The Board's decision shall be based on the evidence presented, compliance with the Design Criteria (as outlined in Article 14 of these regulations), adopted standards, regulations, policies and other guidelines.

605 Submittal Requirements

In addition to the following submittal requirements, the Planning Department may request other materials or information as deemed necessary, before or during the process to facilitate a recommendation by the Planning Department to the Planning Commission and Board. All submittals shall be organized as specified in a table of contents prepared by the Planning Department.

- 605.01 Application Form as provided by the Planning Department.
- 605.02 The appropriate fee(s), as established by the Board.
- 605.03 Deeds or other proof of ownership for the subject property.
- 605.04 A notarized letter of authority from the landowner permitting a representative to process the application, if applicant is other than the owner(s) of record.
- 605.05 Certification from the County Treasurer's Office that all ad valorem taxes are current as of the date of application.

Clear Creek County Subdivision Regulations: Article 6

- 605.06 Vicinity Map - submitted on an 8 ½" x 11" sheet of paper, that indicates the location of the subject property in relation to the general context of the County.
- 605.07 Location Map - submitted on an 8 ½" x 11" sheet of paper or another size as approved by the Planning Department, that indicates the location of the subject property in relation to roads, streams, utilities, adjacent parcels and other features.
- 605.08 Grading and Drainage Plan - submitted on a 24" x 36" sheet(s) of paper at a scale of 1" = 100' or another scale approved by the Planning Department. The Planning Department may exempt elements of this Plan if it is determined not to be applicable. The Plan shall be prepared and stamped by a Colorado licensed Professional Engineer, and shall indicate the following: finished contours at five (5) foot intervals, delineating extent of cut and fill slopes; location and construction details for all existing and proposed watercourses, retention and detention areas; ditch widening and treatment; drainage patterns and stormwater runoff from on-site and off-site flow; location and construction details for all existing and proposed culverts, retaining walls, curbs/gutters, etc.; stormwater management plan demonstrating compliance with the County's adopted Best Management Practices; lot lines, roads, and building footprints; all applicable grading and drainage details, including notes; and anticipated slope stabilization measures for all cut and fill slopes.
- 605.09 Roadway Design and Construction Drawings - submitted on a 24" x 36" sheet(s) of paper at a scale of 1" = 100' or another scale approved by the Planning Department. The Planning Department may exempt elements of this Plan if it is determined not to be applicable. The Plan shall be prepared and stamped by a Colorado licensed Professional Engineer and be in conformance with the County road standards (unless exempted by the County) and shall provide plan and profile drawings. The Plan shall depict the following: proposed building footprints; demonstrated compliance with the County adopted Best Management Practices; proposed ingress, egress, and internal vehicular circulation; adequate access and maneuverability for emergency and public utility vehicles; parking plan; utility easements; location of school bus turnaround, if applicable; demonstration that all roads and associated cut and fill slopes do not encroach on or disturb adjacent properties, unless there is written approval from appropriate parties; and proposed road names which shall not duplicate existing road names; however, when adjoining existing roads, road names shall be continued.
- 605.10 Site Plan - submitted on a 24" x 36" sheet(s) of paper at a scale of 1" = 100' or another scale approved by the Planning Department. The Plan shall depict the following:
- 605.10.1 The title shall be placed at the top of the sheet along the long dimension of each sheet and shall include: the name of the proposed project; a general legal description; and the case number.
- 605.10.2 The Plan shall include: the preparation date; a north arrow designated at true north; a written and graphic scale; the name and address of the applicant, developer, engineer or surveyor who prepared the exhibit; vicinity map; the number of the sheet; and the total number of sheets.
- 605.10.3 The boundaries of the subject parcel(s) shall be depicted in a heavy solid line.
- 605.10.4 Boundaries of adjacent properties or portions of those boundaries that are in immediate proximity of the parcel(s) proposed for subdivision shall be depicted in a lighter line weight.

Clear Creek County Subdivision Regulations: Article 6

- 605.10.5 Surveyed existing contour lines depicted at five (5) foot intervals for proposed areas of disturbance (e.g., roads, driveways, building site, well and septic). For the remainder of the plan, surveyed existing contour lines depicted at ten (10) foot intervals.
- 605.10.6 Depict all existing and proposed roads, structures, utilities, earthwork, site modifications including location of wells and septic, and easements.
- 605.10.7 Depict all lots and building footprints proposed, including number of stories, providing accurate dimensions for each.
- 605.10.8 Depict all interior separation lines between units on each floor.
- 605.11 Fiscal Impact and Project Descriptive Report - a written explanation of the following project elements:
 - 605.11.1 The need for the project, including, but not limited to the need for the number of units proposed.
 - 605.11.2 The number of units and/or structures, and the total acreage.
 - 605.11.3 A narrative describing the availability and adequacy of existing infrastructure and other necessary services including, but not limited to: fire and police protection, schools, recreation, utilities and open space.
 - 605.11.4 An analysis of the fiscal costs and benefits anticipated to be accrued to the County as a result of the proposed project. Such analysis shall include, but not be limited to:
 - 605.11.4.1 The projected yearly tax revenue at full build out using figures provided by the County Assessor.
 - 605.11.4.2 Projected costs associated with impacts to schools and emergency services (fire, police, and medical responses), and the County Road and Bridge Department and/or metro district for on and off-site road traffic impacts, construction, and maintenance.
- 605.12 Site Characteristics Analysis Report - Based upon staff's analysis of site features and environmental and wildlife impacts that may affect the evaluation of the development and proposed mitigation measures, the applicant may be required to submit a site-specific analysis report provided by a professional, as identified in Article 304.04 of these regulations, with proposed mitigation measures.
- 605.13 Traffic Report - the report shall minimally include:
 - 605.13.1 All existing access to the property from County, State, and Federal road systems/exit interchanges.
 - 605.13.2 The most recent data available from the County or Colorado Department of Transportation (CDOT) summarizing the vehicle trips generated on existing access to the proposed development from applicable County, State, and Federal road systems/exit interchanges.

Clear Creek County Subdivision Regulations: Article 6

- 605.13.3 The number of vehicle trips likely to be generated during peak hours from the proposed development on existing County, State, and Federal road systems/exit interchanges.
- 605.13.4 A narrative describing the impacts from increased traffic resulting from the proposed development, including but not limited to, level of service, congestion, noise, dust, odors, and traffic hazards.
- 605.14 Water Supply Report - evidence that a legal water supply sufficient in terms of quality and quantity is available as follows:
 - 605.14.1 For a development located within an existing water or special district, a letter of commitment to serve the proposed properties stating the amount of water available for use and the feasibility of extending service to that area.
 - 605.14.2 For a property where an individual well(s) is proposed, evidence that a legal water supply is available to serve the proposed development.
 - 605.14.3 If required by the Planning Department, an analysis prepared by a water attorney, water consultant, or water engineer that provides evidence of the physical and legal water supply availability.
- 605.15 Sewage Disposal System Report - evidence of the physical and legal capability to provide sanitation as follows:
 - 605.15.1 For a property located within a sanitation district, a letter of commitment to serve the proposed development stating the capacity to serve and feasibility of extending service to that area.
 - 605.15.2 For a development where individual sewage disposal systems are proposed, evidence that the following requirements are met. Such evidence shall be prepared and stamped by a Colorado licensed Professional Engineer.
 - 605.15.2.1 Each sewage treatment system and leach field shall be in accordance with the County and/or State Individual Sewage Disposal System regulations.
 - 605.15.2.2 There shall be a ban on the use of other than low phosphorus detergents.
 - 605.15.3 For a development where a special district is proposed, other state and local review processes will apply.
- 605.16 Subdivision Improvements Agreement - the developer shall provide for the construction, at no cost to the County, school district, or public, of any necessary improvements and upgrades to access roads leading to the site, traffic signalization to serve the site, extension of utilities to the site, and other public infrastructure as required by the Board. An irrevocable letter of credit or other security approved by the County Attorney shall be required to ensure completion of such improvements. The Board may, from time to time, review the adequacy of the security in light of inflation to ensure adequate security to fund the completion of the work in accordance with the improvements.

606 Final Documents

- 606.01 Upon approval of the preliminary Plat or Map by the Board, a full certified Land Survey Plat, or

Clear Creek County Subdivision Regulations: Article 6

Improvement Survey Plat, for all affected parcels shall be submitted in compliance with Title 38, Article 51 C.R.S. and/or a Condominium Map, in compliance with Title 38, Article 33 C.R.S. shall be submitted on mylar, as specified by the Planning Department.

- 606.01.1 The approved Plat or Map shall also be submitted in a digital form as specified by the County Mapping Department.
- 606.02 An approved Subdivision Improvements Agreement (SIA) to construct any required public improvements shown in the final plat or map documents together with collateral that is sufficient, in the judgment of the Board, to make reasonable provision for the completion of said improvements in accordance with design and time specifications.
- 606.03 Final approval is not valid until the final Plat or Map and Subdivision Improvements Agreement are signed by the Board of County Commissioners and recorded with the County Clerk and Recorder.

Clear Creek County Subdivision Regulations: Article 7

ARTICLE 7 MINOR SUBDIVISIONS

701 Purpose

The Minor Subdivision process is an application to change real property boundaries to create four (4) or fewer new parcels.

701.01 Relationship to other Articles

When Article 7 is applicable, it supersedes Articles 3, 4, and 5, but a Minor Subdivision is subject to Article 14 (Design Criteria) and such other provisions of these Regulations as by their terms apply.

701.02 Applicability

If it is determined that the applicant is using this process to circumvent the full subdivision process (i.e. multiple applications in the same area of the County), the applicant shall be required to comply with the sketch plan, preliminary plan, and final plat process, in these Regulations.

702 Prerequisite

Prior to submittal of the Minor Subdivision request, the applicant shall meet with the Planning Department to determine whether the request meets the criteria and to explain the procedure and submittal requirements.

703 Criteria

An application must meet, at a minimum, all of the following criteria.

703.01 Creates no more than a total of four (4) parcels.

703.02 Resulting parcels can comply with the required County Platting Conditions and optional conditions determined to be applicable by the Board.

703.03 Resulting parcels comply with all applicable zoning, building, fire, and health codes, rules and regulations.

703.04 All of the parcels created comply with the minimum lot size requirements in the applicable zoning district.

703.05 Resulting parcels are accessed, at a minimum, by a public right-of-way or recorded easement which meet, or with improvements can meet, County Road Design Standards.

703.06 All of the parcels can comply with State and County Sanitary Sewage Disposal Requirements.

703.07 The applicant must be able to provide documentation of an adequate legal water supply for all proposed parcels.

704 Submittal Process

This submittal process shall apply to all Minor Subdivisions:

704.01 The applicant shall submit one (1) copy of the submittal to the Planning Department.

704.02 The submittal shall be reviewed in a timely manner for completeness by the Planning Department. The applicant shall be notified of any inadequacies, missing, or incomplete documentation. An incomplete submittal shall not be processed.

Clear Creek County Subdivision Regulations: Article 7

- 704.03 The Planning Department will conduct a site characteristics analysis and perform a site visit to verify these characteristics. Once the submittal is determined complete by the Planning Department, staff will notify the applicant of the number of copies and content of the submittal required to be provided for distribution to adjacent property owners and referral agencies.
- 704.04 The Planning Department will notify adjacent property owners within 300 feet of the boundaries of the subject parcels and any referral agencies that may be affected by the proposed minor subdivision. The applicable agencies shall be determined per case.
- 704.05 Adjacent property owners and referral agencies shall be given twenty-one (21) calendar days prior to the Planning Commission public hearing to comment.
- 704.06 The Planning Department will review the referral comments, discuss the concerns with the applicant, prepare a staff report for the Planning Commission and notify the applicant of the hearing date and time and the number of submittals required for the Planning Commission.
- 704.07 The Planning Department is responsible for publishing a notice in a newspaper of general circulation in Clear Creek County fourteen (14) calendar days prior to the Planning Commission public hearing.
- 704.08 The Planning Commission shall evaluate the application, referral comments, staff report, and public testimony, and make a recommendation to the Board to approve, approve with conditions, or deny the minor subdivision. The Planning Commission's decision shall be based on the evidence presented, compliance with the adopted standards, regulations, policies and other guidelines.
- 704.09 The applicant may be required to modify the plan/plat or documentation, and/or provide additional information prior to the Board public hearing based on conditions/stipulations deemed necessary by the Planning Commission.
- 704.10 Following the recommendation by the Planning Commission, the Planning Department will schedule the minor subdivision for a public hearing with the Board, and notify the applicant of the hearing date and time and the number of submittals required for the Board.
- 704.11 The Planning Department is responsible for publishing a notice in a newspaper of general circulation in Clear Creek County fourteen (14) calendar days prior to the Board's hearing.
- 704.12 The Board shall evaluate the application, referral comments, staff report, the Planning Commission recommendation, and public testimony, and shall approve, approve with conditions, or deny the minor subdivision. The Board's decision shall be based on the evidence presented, compliance with the adopted standards, regulations, policies and other guidelines.
- 705 Submittal Requirements
In addition to the following listed submittal requirements, the Planning Department may request other materials or information as deemed necessary, before or during the process to facilitate a recommendation by the Planning Department to the Planning Commission and Board. All submittals shall be organized as specified in a table of contents by the Planning Department.
- 705.01 Application Form as provided by the Planning Department.
- 705.02 The appropriate fee(s), as established by the Board.

Clear Creek County Subdivision Regulations: Article 7

- 705.03 Deeds or other proof of ownership for the subject properties.
- 705.04 A notarized letter of authority from the landowner permitting a representative to process the application, if applicant is other than the owner(s) of record.
- 705.05 Certification from the County Treasurer's Office that all ad valorem taxes have been paid no more than thirty (30) days old from the date of application.
- 705.06 Vicinity Map - submitted on a 8 ½" x 11" sheet of paper, that indicates the location of the subject properties in relation to the general context of the County.
- 705.07 Location Map - submitted on a 8 ½" x 11" sheet of paper or another size as approved by the Planning Department, that indicates the location of the subject properties in relation to roads, streams, utilities, adjacent parcels and other features.
- 705.08 Grading and Drainage Plan - submitted on a 24" x 36" sheet(s) of paper at a scale of 1" = 100' or another scale approved by the Planning Department. The Planning Department may exempt elements of this Plan if it is determined not to be applicable. The Plan shall be prepared and stamped by a Colorado licensed Professional Engineer, that indicates the following: finished contours at five (5) foot intervals, delineating extent of cut and fill slopes; location and construction details for all existing and proposed watercourses, retention and detention areas; ditch widening and treatment; drainage patterns and stormwater runoff from on-site and off-site flow; location and construction details for all existing and proposed culverts, retaining walls, curbs/gutters, etc.; stormwater management plan demonstrating compliance with the County's adopted Best Management Practices; lot lines, roads, and building envelopes; all applicable grading and drainage details, including notes; and anticipated slope stabilization measures for all cut and fill slopes.
- 705.09 Roadway Design and Construction Drawings - submitted on a 24" x 36" sheet(s) of paper at a scale of 1" = 100' or another scale approved by the Planning Department. The Planning Department may exempt elements of this Plan if it is determined not to be applicable. The Plan shall be prepared and stamped by a Colorado licensed Professional Engineer and be in conformance with the County road standards (unless exempted by the County) and shall provide plan and profile drawings. The Plan shall depict the following: proposed lot lines and building envelopes; demonstrated compliance with the County adopted Best Management Practices; proposed traffic flow within the division and from off-site roads; utility easements; adequate access and maneuverability for emergency and public utility vehicles; ingress, egress, and internal vehicular circulation; all existing and proposed roads; location of school bus turnarounds, if applicable; all existing and proposed access to the subdivision from County, State, and Federal road systems/exit interchanges; demonstration that all roads and associated cut and fill slopes do not encroach on or disturb adjacent properties, unless there is written approval from appropriate parties; and proposed road names which shall not duplicate existing road names; however, when adjoining existing roads, road names shall be continued.
- 705.10 Site Plan - submitted on a 24" x 36" sheet(s) of paper at a scale of 1" = 100' or another scale approved by the Planning Department. The Plan shall depict the following:
- 705.10.1 The title shall be placed at the top of the sheet along the long dimension of each sheet and shall include: the name of the proposed minor subdivision; a general legal description; and the case number.

Clear Creek County Subdivision Regulations: Article 7

- 705.10.2 The Plan shall include: the preparation date; a north arrow designated at true north; a written and graphic scale; the name and address of the applicant, developer, engineer or surveyor who prepared the exhibit; vicinity map; the number of the sheet; and the total number of sheets.
- 705.10.3 The boundaries of the proposed parcels shall be depicted in a heavy solid line.
- 705.10.4 Boundaries of adjacent properties or portions of those boundaries that are in immediate proximity of the parcels proposed for subdivision shall be depicted in a lighter line weight.
- 705.10.5 Surveyed existing contour lines depicted at five (5) foot intervals for proposed areas of disturbance (e.g., roads, driveways, homesite, well and septic). For the remainder of the plan, surveyed existing contour lines depicted at ten (10) foot intervals.
- 705.10.6 Depict all existing and proposed roads, structures, utilities, earthwork, site modifications including location of wells and septics, and easements.
- 705.10.7 Depict all lots and building envelopes proposed, providing accurate dimensions for each.
- 705.11 Fiscal Impact and Project Descriptive Report - a narrative explanation of the following project elements:
 - 705.11.1 The need for the project, including, but not limited to the need for the number of residential units proposed.
 - 705.11.2 The number of lots, the size of each lot, and the total acreage.
 - 705.11.3 A narrative describing the availability and adequacy of existing infrastructure and other necessary services including, but not limited to: fire and police protection; schools; recreation; utilities; and open space.
 - 705.11.4 An analysis of the fiscal costs and benefits anticipated to be accrued to the County as a result of the proposed division. Such analysis shall include, but not be limited to:
 - 705.11.4.1 The projected yearly tax revenue at full build out using figures provided by the County Assessor.
 - 705.11.4.2 Projected costs associated with impacts to schools and emergency services (fire, police, and medical responses), and the County Road and Bridge Department for on and off-site road traffic impacts, construction, and maintenance.
- 705.12 Site Characteristics Analysis Report - an analysis of site features and environmental and wildlife impacts that may effect the evaluation of the development and proposed mitigation measures.
- 705.13 Traffic Report - the report shall minimally include:
 - 705.13.1 All existing access to the properties from County, State, and Federal road systems/exit interchanges.

Clear Creek County Subdivision Regulations: Article 7

- 705.13.2 The most recent data available from the County or Colorado Division of Transportation (CDOT) outlining the vehicle trips generated on existing access to the proposed division from applicable County, State, and Federal road systems/exit interchanges.
 - 705.13.3 The number of vehicle trips likely to be generated during peak hours from the proposed division on existing County, State, and Federal road systems/exit interchanges.
 - 705.13.4 A written narrative describing the impacts from increased traffic resulting from the proposed division, including but not limited to, level of service, congestion, noise, dust, odors, and traffic hazards.
- 705.14 Water Supply Report - evidence that a legal water supply sufficient in terms of quality and quantity is available as follows:
- 705.14.1 For a division of land located within an existing water or special district, a letter of commitment to serve the proposed properties stating the amount of water available for use and the feasibility of extending service to that area.
 - 705.14.2 For a division of land where individual wells are proposed, evidence that a legal water supply is available to serve the proposed properties.
 - 705.14.3 If required by the Planning Department, an analysis prepared by a water attorney, water consultant, or water engineer that provides evidence of the physical and legal water supply available.
- 705.15 Sewage Disposal System Report - evidence of the physical and legal capability to provide sanitation as follows:
- 705.15.1 For a division of land located within a sanitation district, a letter of commitment to serve the proposed properties stating the capacity to serve and feasibility of extending service to that area.
 - 705.15.2 For a division of land where individual sewage disposal systems are proposed, evidence that the following requirements are met. Such evidence shall be prepared and stamped by a Colorado licensed Professional Engineer.
 - 705.15.2.1 Each sewage treatment system and leach field shall be in accordance with the County Individual Sewage Disposal System regulations.
 - 705.15.2.2 There shall be a ban on the use of other than low phosphorus detergents.
- 705.16 General Requirements - the developer shall provide for the construction, at no cost to the County, 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. An irrevocable letter of credit or other security approved by the County Attorney shall be required to ensure such improvements. The Board may, from time to time, review the adequacy of the security in light of inflation to ensure adequate security to fund the completion of the work in accordance with the improvements.

Clear Creek County Subdivision Regulations: Article 7

706 Final Documents

- 706.01 Upon approval of the preliminary Minor Subdivision Plat by the Board, a full certified Land Survey Plat, or Improvement Survey Plat, in compliance with Title 38, Article 51 C.R.S. and all other relevant statutes shall be submitted on mylar, as specified by the Planning Department.
- 706.01.1 The approved Minor Subdivision Plat shall also be submitted in a digital form as specified by the County Mapping Department.
- 706.02 The applicant shall submit to the Planning Department new deeds reflecting the newly created legal descriptions for each parcel.
- 706.03 Final approval is not valid until the final Plat and Resolution are signed by the Board of County Commissioners, the new deeds are received and all are recorded with the County Clerk and Recorder.
- 706.04 The applicant is responsible for payment of all recording fees associated with the final plat and deeds.

Clear Creek County Subdivision Regulations: Article 8

ARTICLE 8 BOUNDARY LINE ADJUSTMENTS

801 Intent

To establish criteria and a review process for divisions of land that revise real property boundaries without increasing the number of legal building sites, unless the parcel is physically divided by a currently paved, County maintained road or a state or federal highway.

801.01 Relationship to other Articles

When Article 8 is applicable, it supersedes Articles 3, 4, and 5, but a Boundary Line Adjustment is subject to Article 14 (Design Criteria) and such other provisions of these Regulations as by their terms apply.

801.02 Applicability

If it is determined that the application meets the criteria of any other process outlined in these Regulations, or the applicant is using the Boundary Line Adjustment process to circumvent the subdivision process (i.e. multiple applications in the same area of the County), the applicant shall be required to comply with the sketch plan, preliminary plan, and final plat or other appropriate process, as identified in these Regulations.

802 Prerequisite

Prior to submittal of the boundary line adjustment request, the applicant shall meet with the Planning Department to determine whether the request meets the boundary line adjustment criteria and to explain the procedure and submittal requirements.

803 Criteria

An application for any Boundary Line Adjustment must meet, at a minimum, all of the following criteria. If the proposal can meet the additional criteria, as outlined in 805, it may be processed administratively as a Minor Boundary Line Adjustment.

803.01 Resulting parcels comply with the adopted standard platting conditions, County adopted Best Management Practices, and any other conditions determined applicable by the Planning Department.

803.02 Resulting parcels comply with all applicable zoning, building, fire, and health codes, rules and regulations.

803.03 Must comply with one of the following:

803.03.1 Will not increase the total number of parcels.

803.03.2 Resulting parcels were previously divided by a currently paved, County maintained road or a state or federal highway and proposed division is consistent with that physical division.

803.03.2.1 All resulting parcels can meet minimum acreage requirements for newly created lots.

803.03.3 Resulting parcels are publicly owned land proposed for transfer into private ownership and at least some of which are then combined with existing adjacent private lands. If the proposal meets this criteria, it may be exempt from 803.05.

803.04 Parcels zoned Mountain Residential - Single-Family Units (MR-1) or Mining One (M-1) are able

Clear Creek County Subdivision Regulations: Article 8

to meet area requirements as follows:

- 803.04.1 Lots less than two (2) acres in size which were legally created prior to 2 April 1979, shall not be decreased to less than one (1) acre.
- 803.04.2 All lots created after 2 April 1979, are required to be a minimum of two (2) acres.
- 803.04.3 Legally created parcels less than one (1) acre shall not be decreased in size unless a Variance from this requirement has been granted by the Board of Adjustment.
- 803.05 Resulting Parcels will all have legal access and all proposed driveways can meet adopted driveway standards.
 - 803.05.1 Any new roadway proposed to serve five or more residences must meet adopted roadway design standards.

804 Submittal Process

This submittal process shall apply to all Boundary Line Adjustments, unless the application meets the criteria for a Minor Boundary Line Adjustment.

- 804.01 The applicant shall submit one (1) copy of the submittal to the Planning Department.
- 804.02 The submittal shall be reviewed in a timely manner for completeness by the Planning Department. The applicant shall be notified of any inadequacies, missing, or incomplete documentation. An incomplete submittal shall not be processed.
- 804.03 The Planning Department will conduct a site characteristics analysis and perform a site visit to verify these characteristics. Once the submittal is determined completed (by the Planning Department), staff will notify adjacent property owners within 300 feet of the boundaries of the subject parcels and any referral agencies that may be affected by the proposal. The applicable agencies shall be determined per case.
- 804.04 Adjacent property owners and referral agencies shall be given twenty-one (21) calendar days prior to the Board of County Commissioners' public hearing to comment.
- 804.05 If the application includes a request for a utility easement vacation, all known utility companies within the area will be notified and shall be given twenty-one (21) calendar days prior to the Board of County Commissioners' public hearing to comment.
- 804.06 The Planning Department will review the referral comments, discuss the concerns with the applicant, prepare a staff report for the Board of County Commissioners (Board) and notify the applicant of the hearing date and time and the number of submittals required for the Board.
- 804.07 The Planning Department is responsible for publishing a notice in a newspaper of general circulation in Clear Creek County fourteen (14) calendar days prior to the Board's public hearing.
- 804.08 The Board shall evaluate the application, referral comments, staff report, and public testimony, and shall approve, approve with conditions, or deny the Boundary Line Adjustment. The Board's decision shall be based on the evidence presented, compliance with the adopted standards, regulations, policies and other guidelines.

Clear Creek County Subdivision Regulations: Article 8

804.09 If deemed appropriate, the Board may remand the case to the Planning Commission for review and recommendation prior to making a decision.

805 Minor Boundary Line Adjustment

805.01 Purpose

The Minor Boundary Line Adjustment process, an administrative process conducted by the Planning Department, is intended to revise real property boundaries in cases where a) no new building sites are being proposed, b) existing encroachments or encroachments of a developed parcel(s) will be resolved, or c) identified deed conflicts will be resolved. The Minor Boundary Line Adjustment process does not apply if the application includes a request to vacate a utility easement.

805.02 Criteria

In addition to meeting the criteria in 803, an application must meet, at a minimum, the following.

805.02.1 Will not increase the total number of parcels.

805.02.2 Parcels zoned Mountain Residential - Single-Family Units (MR-1) or Mining One (M-1) which are legally created parcels less than one acre shall not be decreased in size unless a Variance from this requirement has been granted by the Board of Adjustment and all of the resulting parcels have existing permitted principal uses.

805.02.3 Must comply with one of the following:

805.02.3.1 Affected parcels have identified deed conflicts that need to be resolved and can be resolved through this process.

805.02.3.2 The purpose of revising the property boundary is to resolve existing physical encroachments.

805.02.3.3 The purpose of revising the property boundary is to resolve building setback encroachments in favor of an existing developed parcel(s) with a permitted principal use.

805.02.3.4 All resulting parcels will have existing permitted principal uses, as defined in their respective zoning district in the Clear Creek County Zoning Regulations.

805.03 Submittal Process

The following submittal process shall apply to all Minor Boundary Line Adjustments:

805.03.1 The applicant shall submit one (1) copy of the submittal to the Planning Department.

805.03.2 The submittal shall be reviewed in a timely manner for completeness by the Planning Department. The applicant shall be notified of any inadequacies, missing, or incomplete documentation. An incomplete submittal shall not be processed.

805.03.3 Once the submittal is determined complete (by the Planning Department), the Planning Department will conduct a site characteristics analysis and perform a site visit to verify these characteristics and determine if the application meets the criteria for a Minor Boundary Line Adjustment.

Clear Creek County Subdivision Regulations: Article 8

805.03.3.1 If the Planning Department denies the application, the applicant shall have the right to appeal it to the Board for a decision in a public hearing. Appeals must be filed within twenty-one (21) calendar days following the Planning Department's denial.

805.03.4 If the application meets the criteria of the Minor Boundary Line Adjustment, as determined by the Planning Department, staff will notify adjacent property owners within 300 feet of the boundaries of the subject parcels and any referral agencies that may be affected by the proposed division. The applicable agencies shall be determined per case and based upon the site characteristics analysis.

805.03.5 Adjacent property owners and referral agencies shall be given twenty-one (21) calendar days to comment.

805.03.6 The Planning Department is responsible for publishing a notice in a newspaper of general circulation in Clear Creek County twenty-one (21) calendar days prior to the Planning Department's final decision.

805.03.7 Appeals may be filed by any aggrieved party and must be submitted in writing to the Planning Department within twenty-one (21) calendar days following publication.

805.03.7.1 If there are no appeals, or appeals are received and resolved between parties, the Planning Department will provide, in writing, the conditions of final approval and notify the applicant of any modifications or requirements needed to finalize the application.

805.03.7.2 If an appeal cannot be resolved between parties, the case will go to the Board for a decision in a public hearing.

806 General Submittal Requirements for All Boundary Line Adjustments

In addition to the following submittal requirements, the Planning Department may request other materials or information as deemed necessary, before or during the process.

806.01 Application Form as provided by the Planning Department.

806.02 The appropriate fee(s), as established by the Board.

806.03 Deeds or other proof of ownership for the subject properties.

806.04 A notarized letter of authority from the landowner permitting a representative to process the application, if applicant is other than the owner(s) of record.

806.05 Certification from the County Treasurer's Office that all ad valorem taxes have been paid no more than thirty (30) days old from the date of application.

806.06 Vicinity Map - submitted on a 8 ½" x 11" sheet of paper, that indicates the location of the subject properties in relation to the general context of the County.

806.07 Location Map - submitted on a 8 ½" x 11" sheet of paper or another size as approved by the Planning Department, that indicates the location of the subject properties in relation to roads, streams, utilities, adjacent parcels and other features.

Clear Creek County Subdivision Regulations: Article 8

- 806.08 Site Plan - submitted on a 24" x 36" sheet(s) of paper at a scale of 1" = 100' or another scale approved by the Planning Department. The Plan shall depict the following:
- 806.08.1 The title shall be placed at the top of the sheet along the long dimension of each sheet and shall include: the name of the proposed division; a general legal description; and the case number.
 - 806.08.2 The Plan shall include: the preparation date; a north arrow designated at true north; a written and graphic scale; the name and address of the applicant, developer, engineer or surveyor who prepared the exhibit; vicinity map; the number of the sheet; and the total number of sheets.
 - 806.08.3 The boundaries of the proposed parcels shall be depicted in a heavy solid line.
 - 806.08.4 Boundaries of adjacent properties or portions of those boundaries that are in immediate proximity of the parcels under consideration shall be depicted in a lighter line weight.
 - 806.08.5 Other elements that may be required are: existing and proposed roads; existing structures; utilities; earthwork; site modifications including location of wells and septic systems; existing and proposed contours; and easements.
 - 806.08.6 If the proposal includes publicly owned land proposed for transfer into private ownership, it may be exempt from the site plan requirements, but a map depicting the proposal will be required.
- 806.09 If the application includes a request to vacate a utility easement, a list of all known utility companies providing service to the area.

807 Additional Submittal Requirements for All Boundary Line Adjustments

The following submittal requirements apply, except when determined inappropriate by the Planning Department or the Board.

- 807.01 Water Supply Report - evidence that a legal water supply sufficient in terms of quality and quantity is available as follows:
- 807.01.1 If the proposal is located within an existing water or special district, a letter stating the properties are currently served by the district or a letter of commitment to serve the proposed properties stating the amount of water available for use and the feasibility of extending service to that area.
 - 807.01.2 If the proposal is served or proposed to be served by individual wells, copies of the Well Permits issued by the Division of Water Resources or other evidence that a legal water supply is available to serve the proposed properties.
 - 807.01.3 If required by the Planning Department, an analysis prepared by a water attorney, water consultant, or water engineer that provides evidence that the physical and legal water supply is available.
- 807.02 Sewage Disposal System Report - evidence of the physical and legal capability to provide sanitation as follows:
- 807.02.1 If the proposal is located within an existing sewer or special district, a letter stating the

Clear Creek County Subdivision Regulations: Article 8

properties are currently served by the district or a letter of commitment stating the capacity to serve the proposed properties and feasibility of extending service to that area.

807.02.2 If the proposal is served by existing individual sewage disposal systems, copies of any ISDS Permits and a letter from a Colorado licensed Professional Engineer stating the systems are not failing shall be provided.

807.02.3 If the proposal is planning to be served by individual sewage disposal systems, evidence that the following requirements are met. Such evidence shall be prepared and stamped by a Colorado licensed Professional Engineer.

807.02.3.1 Each sewage treatment system and leach field shall be in accordance with the County Individual Sewage Disposal System regulations.

807.02.3.2 There shall be a ban on the use of other than low phosphorus detergents.

807.03 Grading and Drainage Plan - submitted on a 24" x 36" sheet(s) of paper at a scale of 1" = 100' or another scale approved by the Planning Department. The Planning Department may exempt elements of this Plan if it is determined not to be applicable. The Plan shall be prepared and stamped by a Colorado licensed Professional Engineer, that indicates the following: finished contours at five (5) foot intervals, delineating extent of cut and fill slopes; location and construction details for all existing and proposed watercourses, retention and detention areas; ditch widening and treatment; drainage patterns and stormwater runoff from on-site and off-site flow; location and construction details for all existing and proposed culverts, retaining walls, curbs/gutters, etc.; stormwater management plan demonstrating compliance with the County's adopted Best Management Practices; lot lines, roads, and building envelopes; all applicable grading and drainage details, including notes; and anticipated slope stabilization measures for all cut and fill slopes.

807.04 Roadway Design and Construction Drawings - submitted on a 24" x 36" sheet(s) of paper at a scale of 1" = 100' or another scale approved by the Planning Department. The Planning Department may exempt elements of this Plan if it is determined not to be applicable. The Plan shall be prepared and stamped by a Colorado licensed Professional Engineer and be in conformance with the County road standards (unless exempted by the County) and shall provide plan and profile drawings. The Plan shall depict the following: proposed lot lines and building envelopes; demonstrated compliance with the County adopted Best Management Practices; proposed traffic flow within the division and from off-site roads; utility easements; adequate access and maneuverability for emergency and public utility vehicles; ingress, egress, and internal vehicular circulation; all existing and proposed roads; location of school bus turnarounds, if applicable; all existing and proposed access to the subdivision from County, State, and Federal road systems/exit interchanges; demonstration that all roads and associated cut and fill slopes do not encroach on or disturb adjacent properties, unless there is written approval from appropriate parties; and proposed road names which shall not duplicate existing road names; however, when adjoining existing roads, road names shall be continued.

807.05 Fiscal Impact and Project Descriptive Report - a narrative explanation of the following project elements:

807.05.1 A narrative describing the availability and adequacy of existing infrastructure and other necessary services including, but not limited to: fire and police protection; schools; recreation; utilities; and open space.

Clear Creek County Subdivision Regulations: Article 8

- 807.05.2 An analysis of the fiscal costs and benefits anticipated to be accrued to the County as a result of the proposed division. Such analysis shall include, but not be limited to:
- 807.05.3 The projected yearly tax revenue at full build out using figures provided by the County Assessor.
- 807.05.4 Projected costs associated with impacts to schools and emergency services (fire, police, and medical responses), and the County Road and Bridge Department for on and off-site road traffic impacts, construction, and maintenance.
- 807.06 Site Characteristics Analysis Report - an analysis of site features and environmental and wildlife impacts that may effect the evaluation of the development and proposed mitigation measures.
- 807.07 Traffic Report - the report shall minimally include:
 - 807.07.1 All existing access to the properties from County, State, and Federal road systems/exit interchanges.
 - 807.07.2 The most recent data available from the County or Colorado Division of Transportation (CDOT) outlining the vehicle trips generated on existing access to the proposed division from applicable County, State, and Federal road systems/exit interchanges.
 - 807.07.3 The number of vehicle trips likely to be generated during peak hours from the proposed division on existing County, State, and Federal road systems/exit interchanges.
 - 807.07.4 A narrative describing the impacts from increased traffic resulting from the proposed division, including but not limited to, level of service, congestion, noise, dust, odors, and traffic hazards.
- 807.08 General Requirements - the developer shall provide for the construction, at no cost to the County, 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. An irrevocable letter of credit or other security approved by the County Attorney shall be required to ensure such improvements. The Board may, from time to time, review the adequacy of the security in light of inflation to ensure adequate security to fund the completion of the work in accordance with the improvements.

808 Final Documents

- 808.01 The Planning Department will notify the applicant of what is required to finalize the decision of the Board following the public hearing or following Conditional Approval by the Planning Director. The fully executed resolution and attachments, if applicable, shall be filed with the County Clerk and Recorder's Office.
- 808.02 Upon approval of the preliminary plan by the Board or the Planning Director, a certified Land Survey Plat for all affected boundaries, or a full certified Land Survey Plat, or Improvement Survey Plat, in compliance with Title 38, Article 51 C.R.S. and all other relevant statutes, may be required. This shall be submitted on mylar, as specified by the Planning Department.

Clear Creek County Subdivision Regulations: Article 8

- 808.02.1 The approved Plat shall also be submitted in a digital form as specified by the County Mapping Department.
- 808.03 The applicant shall submit to the Planning Department new deeds reflecting the newly created legal descriptions for each parcel.
- 808.04 Final approval is not valid until the final Plat and Resolution are signed by the Board of County Commissioners, or the Findings of Fact are signed by the Planning Director, new deeds are received and all are recorded with the County Clerk and Recorder.
- 808.05 The applicant is responsible for payment of all recording fees associated with the final plan and deeds.
- 808.06 If the approved plan includes publicly owned land proposed for transfer into private ownership, it may be exempt from 808.02, however, a map will be required to accompany the Board's Resolution.

Clear Creek County Subdivision Regulations: Article 9

ARTICLE 9 REPLATS

901 Purpose

Changes other than corrections to any recorded plat of land or exemption processes which are subject to these Regulations shall be considered a replat and shall comply with the standards and conditions for approval included in these Regulations. Examples include, but are not limited to, building envelope revisions, driveway re-alignment, or revisions to Stipulations and Conditions required on the previously approved plat.

901.01 Applicability

If it is determined that the application meets the criteria of any other process outlined in these Regulations, the applicant shall be required to comply with the appropriate process, as identified in these Regulations.

902 Prerequisite

Prior to submittal of the replat request, the applicant shall meet with the Planning Department to determine whether the request meets the replat criteria and to explain the procedure and submittal requirements.

903 Criteria

In addition to considering the criteria in the applicable subdivision or subdivision exemption process, the Planning Department, while reviewing replats, shall consider the change in the context of how it is changing the subdivision from what was originally approved. Not only does this include consideration of the Design Criteria as presented in Article 14, but it also includes consideration of any evidence in the subdivision case file and/or any evidence in any stipulations or conditions of the subdivision that pertain to the goals and objectives, intent, or purpose of the layout of the subdivision.

904 Submittal Process

The following submittal process shall apply to all Replats that do not fall under any of the other subdivision or subdivision exemption process.

904.01 The applicant shall submit one (1) copy of the submittal to the Planning Department.

904.02 The submittal shall be reviewed in a timely manner for completeness by the Planning Department. The applicant shall be notified of any inadequacies, missing, or incomplete documentation. An incomplete submittal shall not be processed.

904.03 Once the submittal is determined complete (by the Planning Department), staff will notify the applicant of the number of copies and content of the submittal required to be provided for distribution to adjacent property owners and referral agencies.

904.04 The Planning Department will notify adjacent property owners within 300 feet of the boundaries of the subject parcels and any referral agencies that may be affected by the proposed revision. The applicable agencies shall be determined per case.

904.05 Adjacent property owners and referral agencies shall be given twenty-one (21) calendar days prior to the Board of County Commissioners' (Board) public hearing to comment.

904.06 The Planning Department will review the referral comments, discuss the concerns with the applicant, prepare a staff report for the Board and notify the applicant of the hearing date and time and the number of submittals required for the Board.

Clear Creek County Subdivision Regulations: Article 9

- 904.07 The Planning Department is responsible for publishing a notice in a newspaper of general circulation in Clear Creek County fourteen (14) calendar days prior to the Board's public hearing.
- 904.08 The Board shall evaluate the application, referral comments, staff report, and public testimony, and shall approve, approve with conditions, or deny the request. The Board's decision shall be based on the evidence presented, compliance with the adopted standards, regulations, policies and other guidelines.
- 904.09 If deemed appropriate, the Board may remand the case to the Planning Commission for review and recommendation prior to making a decision.
- 905 General Submittal Requirements
In addition to these submittal requirements, the Planning Department may request other materials or information as deemed necessary, before or during the process.
- 905.01 Application Form as provided by the Planning Department.
- 905.02 The appropriate fee(s), as established by the Board.
- 905.03 Deeds or other proof of ownership for the subject properties.
- 905.04 A notarized letter of authority from the landowner permitting a representative to process the application, if applicant is other than the owner(s) of record.
- 905.05 Certification from the County Treasurer's Office that all ad valorem taxes have been paid no more than thirty (30) days old from the date of application.
- 905.06 Vicinity Map - submitted on a 8 ½" x 11" sheet of paper, that indicates the location of the subject properties in relation to the general context of the County.
- 905.07 Location Map - submitted on a 8 ½" x 11" sheet of paper or another size as approved by the Planning Department, that indicates the location of the subject properties in relation to roads, streams, utilities, adjacent parcels and other features.
- 905.08 Site Plan (only if dimensional revisions to the plat are proposed) - submitted on a 24" x 36" sheet(s) of paper at a scale of 1" = 100' or another scale approved by the Planning Department. The Plan shall depict the following:
- 905.08.1 The title shall be placed at the top of the sheet along the long dimension of each sheet and shall include: the name of the amendment; a general legal description; and the case number.
- 905.08.2 The Plan shall include: the preparation date; a north arrow designated at true north; a written and graphic scale; the name and address of the applicant, developer, engineer or surveyor who prepared the exhibit; vicinity map; the number of the sheet; and the total number of sheets.
- 905.08.3 The boundaries of the parcel(s) shall be depicted in a heavy solid line.
- 905.08.4 Boundaries of adjacent properties or portions of those boundaries that are in immediate proximity of the parcel(s) shall be depicted in a lighter line weight.

Clear Creek County Subdivision Regulations: Article 9

905.08.5 Other elements that may be required are: existing and proposed roads; existing structures; utilities; earthwork; site modifications including location of wells and septic systems; existing and proposed contours; and easements.

905.09 Narrative - A written narrative describing what, on the subdivision, in the stipulations and conditions, or in any other subdivision documents, is being changed and why it is proposed to be changed. The narrative shall describe why the change is proposed and what impacts it will have on the existing subdivision and/or surrounding area.

906 Additional Submittal Requirements

The following submittal requirements apply, except when determined inappropriate by the Planning Department or the Board.

906.01 Grading and Drainage Plan - submitted on a 24" x 36" sheet(s) of paper at a scale of 1" = 100' or another scale approved by the Planning Department. The Planning Department may exempt elements of this Plan if it is determined not to be applicable. The Plan shall be prepared and stamped by a Colorado licensed Professional Engineer, that indicates the following: finished contours at five (5) foot intervals, delineating extent of cut and fill slopes; location and construction details for all existing and proposed watercourses, retention and detention areas; ditch widening and treatment; drainage patterns and stormwater runoff from on-site and off-site flow; location and construction details for all existing and proposed culverts, retaining walls, curbs/gutters, etc.; stormwater management plan demonstrating compliance with the County's adopted Best Management Practices; lot lines, roads, and building envelopes; all applicable grading and drainage details, including notes; and anticipated slope stabilization measures for all cut and fill slopes.

906.02 Roadway Design and Construction Drawings - submitted on a 24" x 36" sheet(s) of paper at a scale of 1" = 100' or another scale approved by the Planning Department. The Planning Department may exempt elements of this Plan if it is determined not to be applicable. The Plan shall be prepared and stamped by a Colorado licensed Professional Engineer and be in conformance with the County road standards (unless exempted by the County) and shall provide plan and profile drawings. The Plan shall depict the following: proposed lot lines and building envelopes; demonstrated compliance with the County adopted Best Management Practices; proposed traffic flow within the division and from off-site roads; utility easements; adequate access and maneuverability for emergency and public utility vehicles; ingress, egress, and internal vehicular circulation; all existing and proposed roads; location of school bus turnarounds, if applicable; all existing and proposed access to the subdivision from County, State, and Federal road systems/exit interchanges; demonstration that all roads and associated cut and fill slopes do not encroach on or disturb adjacent properties, unless there is written approval from appropriate parties; and proposed road names which shall not duplicate existing road names; however, when adjoining existing roads, road names shall be continued.

906.03 Site Characteristics Analysis Report - an analysis of site features and environmental and wildlife impacts that may effect the evaluation of the development and proposed mitigation measures.

906.04 Water Supply Report - evidence that a legal water supply sufficient in terms of quality and quantity is available as follows:

906.04.1 If the proposal is located within an existing water or special district, a letter stating the property(s) is currently served by the district or a letter of commitment to serve the property(s) stating the amount of water available for use and the feasibility of extending service to that area.

Clear Creek County Subdivision Regulations: Article 9

- 906.04.2 If the proposal is served or proposed to be served by an individual well(s), a copy of the Well Permit issued by the Division of Water Resources or other evidence that a legal water supply is available to serve the property(s).
- 906.04.3 If required by the Planning Department, an analysis prepared by a water attorney, water consultant, or water engineer that provides evidence of the physical and legal water supply available.
- 906.05 Sewage Disposal System Report - evidence of the physical and legal capability to provide sanitation as follows:
 - 906.05.1 If the proposal is located within an existing sewer or special district, a letter stating the property(s) is currently served by the district or a letter of commitment stating the capacity to serve the property(s) and feasibility of extending service to that area.
 - 906.05.2 If the proposal is served by existing individual sewage disposal system(s), copies of any ISDS Permits and a letter from a Colorado licensed Professional Engineer stating the system(s) are not failing shall be provided.
 - 906.05.3 If the proposal is to be served by an individual sewage disposal system(s), evidence that the following requirements are met. Such evidence shall be prepared and stamped by a Colorado licensed Professional Engineer.
 - 906.05.3.1 Each sewage treatment system and leach field shall be in accordance with the County Individual Sewage Disposal System regulations.
 - 906.05.2.2 There shall be a ban on the use of other than low phosphorus detergents.
- 907 Final Documents
 - 907.01 The Planning Department will notify the applicant of what is required to finalize the decision of the Board following the public hearing. The fully executed resolution and attachments, if applicable, shall be filed with the County Clerk and Recorder's Office.
 - 907.02 If the application requires a land survey plat, or Improvement Survey Plat to be prepared, upon approval of the preliminary plan by the Board, a certified Land Survey Plat, or Improvement Survey Plat, in compliance with Title 38, Article 51 C.R.S. and all other relevant statutes, may be required. This shall be submitted on mylar, as specified by the Planning Department.
 - 907.02.1 The approved Plat shall also be submitted in a digital form as specified by the County Mapping Department.
 - 907.03 Final approval is not valid until the final Plat, Map and/or Resolution are signed by the Board of County Commissioners and all are recorded with the County Clerk and Recorder.
 - 907.04 The applicant is responsible for payment of all recording fees associated with the final plan.

Clear Creek County Subdivision Regulations: Article 10

ARTICLE 10 CORRECTION PLATS

1001 Purpose

The Correction Plat process is used only to make *minor technical revisions* to previously approved subdivision or exemption plats. This may include surveyor corrections.

1002 Prerequisite

Prior to submittal of the correction plat request, the applicant shall meet with the Planning Department to determine whether the request meets the criteria and to explain the procedure and submittal requirements. If it is determined that the application meets the criteria of any other process outlined in these Regulations, the applicant shall be required to comply with the appropriate process, as identified in these Regulations.

1003 Criteria

The correction plat shall comply with all provisions and requirements contained in the Subdivision Regulations, and shall bear an explanation of the relationship between the correction plat and the plat corrected, including a full description of all matters corrected. Correction plats are permitted only to correct the following:

1. Legal description errors
2. Typographical and mapping/platting errors
3. Lot identification
4. Surveyor corrections

In all cases, the correction plat shall be consistent with the characteristics of the subdivision plat.

1004 Submittal Process

This submittal process shall apply to all Correction Plats:

1004.01 The applicant shall submit one copy of the submittal to the Planning Department.

1004.02 The submittal shall be reviewed in a timely manner for completeness by the Planning Department. The applicant shall be notified of any inadequacies, missing, or incomplete documentation. An incomplete submittal shall not be processed.

1004.03 Based upon the submittal documentation, the Planning Department will prepare written findings of fact for approval.

1005 General Submittal Requirements

In addition to the following submittal requirements, the Planning Department may request other materials or information as deemed necessary to adequately review the application.

1005.01 Application Form as provided by the Planning Department.

1005.02 The appropriate fee(s), as established by the Board.

1005.03 Written explanation of what is being corrected and why, and an explanation of the relationship between the correction plat and the plat corrected.

1005.04 A copy of the previously approved Final Plat.

1005.05 A written narrative verifying that the correction plat can comply with all provisions and requirements contained in the Subdivision Regulations.

Clear Creek County Subdivision Regulations: Article 10

1005.06 Revised Final Plat - The scaled Plat shall, at a minimum, depict the following:

1005.06.1 Title block, including the words "Correction Plat".

1005.06.2 Everything which appeared on the previously approved final plat, with any corrections clearly distinguishable.

1005.06.3 Brief explanation of all matters being corrected, together with any supporting documentation.

1005.06.4 Approval block.

1005.06.5 Other documentation/analysis may be requested based on use(s) and/or site/location characteristics.

1006 Final Documents

1006.01 The Planning Department will notify the applicant of what is required to finalize the correction plat. The fully executed resolution and attachments, if applicable, shall be filed with the County Clerk and Recorder's Office.

1006.02 If the application requires a land survey plat or Improvement Survey Plat to be prepared, upon approval of the preliminary plat by the Planning Director, a certified Land Survey Plat, or Improvement Survey Plat in compliance with Title 38, Article 51 C.R.S. and all other relevant statutes, may be required. This shall be submitted on mylar, as specified by the Planning Department.

1006.02.1 The approved Plat shall also be submitted in a digital form as specified by the County Mapping Department.

1006.03 Final approval is not valid until the final Plat and the Findings of Fact are signed by the Planning Director, and all are recorded with the County Clerk and Recorder.

1006.04 The applicant is responsible for payment of all recording fees associated with the final plat.

Clear Creek County Subdivision Regulations: Article 11

ARTICLE 11 ROAD AND EASEMENT VACATION

1101 Intent

To establish criteria and a review process to transfer a roadway, or a portion thereof, to the abutting parcel owners and/or to vacate easements that cannot be vacated through the Lot Combination process or vacated/realigned through the Boundary Line Adjustment process.

1102 Prerequisite

Prior to submittal of a road or easement vacation request, the applicant shall meet with the Planning Department to determine whether the request meets the criteria of the Road and Easement Vacation criteria and to explain the procedure and submittal requirements.

1103 Applicability

1103.01 A “roadway” is defined as a platted or designated public street, alley, lane, parkway, avenue, road, or other public way, whether or not it has been used as such.

1103.02 An “easement” is defined as an interest in land for a specific limited use which has been laid out, described and dedicated on a plat and, after July 1, 1972, the plat was accepted by the County.

1104 Criteria

An application must meet the following applicable criteria:

1104.01 Vacation of a roadway shall be in compliance with Part 3 of Article 2 of Title 43 C.R.S., as amended and will not result in any adjoining land without an established public road or private access easement connecting said land with another established public road.

1104.02 Vacation of an easement shall be demonstrated to be in the general interest of the public’s health, safety and welfare.

1104.03 In granting a vacation, the County may reserve easements for the installation or maintenance of utilities, ditches, ingress/egress ways and other similar improvements.

1105 Submittal Process

The following submittal process shall apply to all Road and Easement Vacations, except utility easements that may be vacated through the Lot Combination process or realigned through the Boundary Line Adjustment process.

1105.01 The applicant shall submit one (1) copy of the submittal to the Planning Department.

1105.02 The submittal shall be reviewed in a timely manner for completeness by the Planning Department. The applicant shall be notified of any inadequacies, missing, or incomplete documentation. An incomplete submittal shall not be processed.

1105.03 If deemed appropriate, the Planning Department will conduct a site characteristics analysis and perform a site visit to verify these characteristics. Once the submittal is determined complete (by the Planning Department), staff will notify any adjacent property and any referral agencies that may be affected by the proposal. The applicable agencies shall be determined on a case by case basis.

1105.04 Adjacent property owners and referral agencies shall be given fourteen (14) calendar days prior to the Board of County Commissioners (Board) public hearing to comment.

Clear Creek County Subdivision Regulations: Article 11

1105.05 The Planning Department is responsible for publishing a notice in a newspaper of general circulation in Clear Creek County a minimum of fourteen (14) calendar days prior to the Board's public hearing.

1105.06 Based upon the submittal documentation, site characteristics analysis, and comments received, the Planning Department will prepare a staff recommendation/report and draft resolution for the Board's public hearing. The applicant will be notified of the public hearing date, time, and place.

1105.07 The Board shall evaluate the application, referral comments, staff report, and public testimony, and shall approve, approve with conditions or deny the request. The Board's decision shall be based on the evidence presented, compliance with the adopted standards, regulations, policies and other guidelines.

1106 General Submittal Requirements

In addition to the following submittal requirements, the Planning Department may request other materials or information as deemed necessary, before or during the process.

1106.01 Application Form as provided by the Planning Department.

1106.02 The appropriate fee(s), as established by the Board.

1106.03 Proof of Ownership - deeds or other proof of ownership for the subject property(s).

1106.04 Landowner Authority - a notarized letter of authority from the landowner permitting a representative to process the application, if applicant is other than the owner(s) of record.

1106.05 Vicinity Map - submitted on a 8 ½" x 11" sheet of paper, that indicates the location of the subject property(s) in relation to the general context of the County.

1106.06 Location Map - submitted on a 8 ½" x 11" sheet of paper or another size approved by the Planning Department, that indicates the location of the subject property(s) in relation to roads, streams, utilities, adjacent parcels and other features.

1106.07 A full sized copy of the original Subdivision plat (if a dedicated County Road or easement is located in such) which shows the portion(s) to be vacated cross hatched. If the proposal is not within a subdivision, a scaled site plan depicting the road and/or easements to be vacated cross hatched.

1106.08 A written narrative describing the need for the request, adjacent properties that may be affected and how, and a list of all utilities providing service to the area.

1107 Additional Submittal Requirements

The following submittal requirements apply, except when determined inappropriate by the Planning Department or the Board.

1107.01 Land Survey Plat or Improvement Survey Plat, depending on the specific request.

1107.02 Topographic Information - Existing and proposed topographic contours depicted at specific intervals (to be determined on a case-by-case basis by the Planning Department). Contour lines may be extrapolated from the USGS quadrangle maps when approved by the Planning Department.

Clear Creek County Subdivision Regulations: Article 11

1107.03 Photographs which depict the character of the site and the surrounding area.

1108 Final Documents

1108.01 The Planning Department will notify the applicant of what is required to finalize the decision of the Board following the public hearing. The fully executed resolution and attachments, if applicable, shall be filed with the County Clerk and Recorder's Office.

1108.02 A certified Land Survey Plat, or Improvement Survey Plat, in compliance with Title 38, Article 51 C.R.S. and all other relevant statutes, may be required. This shall be submitted on mylar, as specified by the Planning Department.

1108.02.1 The approved Plat shall also be submitted in a digital form as specified by the County Mapping Department.

1108.03 Final approval is not valid until the final Plat, Map and/or Resolution are signed by the Board of County Commissioners and all are recorded with the County Clerk and Recorder.

1108.04 The applicant is responsible for payment of all recording fees associated with the final plan and deeds.

Clear Creek County Subdivision Regulations: Article 12

ARTICLE 12 DEDICATION STANDARDS

- 1201 Intent
To provide a minimum standard for the required land dedication pursuant to Section 30-28-133(4)(a) C.R.S.
- 1202 Applicability
Any division of land into five (5) or more parcels must comply with this Article. This Article is not applicable to Correction Plats, Replats, Lot Combinations, Exemptions by Resolution, Boundary Line Adjustments or Minor Subdivisions.
- 1203 General Requirements
The developer shall provide for the construction, at no cost to the County, 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. An irrevocable letter of credit or other security approved by the County Attorney shall be required to ensure such improvements. The Board may, from time to time, review the adequacy of the security in light of inflation to ensure adequate security to fund the completion of the work in accordance with the improvements.
- 1204 Parks
Whenever land is proposed for a residential or non-residential subdivision, the owner of the land shall provide land or cash-in-lieu of land for the recreational use and benefit of the inhabitants of the proposed subdivision.
- 1204.01 Formula for Dedication of Parks in Residential Developments
The minimum land dedication for parks in residential developments is 0.1 acres/dwelling unit.
- The following formula shall be used to calculate the minimum amount of land dedication required in residential developments.
- | | | |
|-------------------|---|------------------------------------|
| Neighborhood Park | = | 5 to 15 dwelling unit subdivision |
| Community Park | = | 16 to 30 dwelling unit subdivision |
| Local Park | = | 31 to 45 dwelling unit subdivision |
- 1204.02 Formula for Dedication of Parks in Non-Residential Developments
Non-residential developments shall be required to dedicate a minimum of three (3) percent of the gross site for park purposes. Provision of park facilities within non-residential developments is encouraged.
- 1204.03 Park Classifications
- 1204.03.1 Land will not be considered for park land dedication 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 park; or is an area, outlined in Article 13, which is required to be protected or avoided.
- 1204.03.2 A Neighborhood Park shall be a minimum of (½) acre and shall, at a minimum, include: picnic areas and play area with apparatus.

Clear Creek County Subdivision Regulations: Article 12

1204.03.3 A Community Park shall be a minimum of (1.6) acre and shall, at a minimum, include: picnic areas, play area with apparatus, comfort station, landscaping elements, and parking facilities.

1204.03.4 A Local Park shall be a minimum of (3.1) acres and shall, at a minimum, included: picnic areas, play area with apparatus, multi-purpose field, comfort station, landscaping elements, and parking facilities.

1204.03.5 The developer shall, at its own expense, provide the required infrastructure and elements within the park.

1204.03.6 The developer, or its designee, shall be responsible for maintenance of park and park facilities.

1204.04 Cash-in-lieu of Park Land Dedication

1204.04.1 Cash-in-lieu of land dedication shall be used in cases in which the 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; developments which already have adjacent facilities that could be expanded to satisfy the need created by the proposed development; and developments which are within five (5) miles of an existing park and recreation district.

1204.04.2 The Board shall make a final determination of the method in which the dedication requirements shall be satisfied.

1204.04.3 When the combination of land and cash-in-lieu of land is requested by the Board, the following formula shall be used:

1.	Total dedication in acres requires 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

1204.04.4 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 (1) appraisal of the property by a licensed appraiser.

1204.04.5 The cash-in-lieu fee will be prorated on a per unit basis at the time of final platting.

1204.04.6 Cash-in-lieu fee collected shall be used to benefit the residents within the service area for which the fees were collected.

Clear Creek County Subdivision Regulations: Article 12

1204.04.7 Any conveyance of dedicated park land 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.

1204.05 Exemption

The Board may, at its discretion, exempt, wholly or partially, this park dedication requirement for attainable housing projects.

1205 Schools

Land dedicated to the County shall be suitable for development and the intended use to meet the need generated by the proposed development. All of the dedicated school land shall be suitable for construction of school facilities and associated outdoor areas. The dedicated school land shall be a single parcel, centrally located 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.

1205.01 Land Dedication

1205.01.1 The formula for dedication of schools is 0.03 acres per dwelling unit proposed which shall be used to calculate the minimum amount of required school land dedication to meet the needs of the proposed subdivision. The Board reserves the right to adjust the acreage requirements as deemed necessary to meet specific needs of the site.

1205.01.2 The following is the minimum acreage requirement per school:

Elementary School	=	10 acres
Middle School	=	25 acres
High School	=	50 acres
Middle and High School combined	=	70 acres

1205.02 Cash-in-lieu of Land Dedication

1205.02.1 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 size requirement and developments which are served by adjacent facilities that could be expanded to satisfy the need created by the proposed development.

1205.02.1.1 The County school district shall review the applicant's request to dedicate land or pay cash-in-lieu of land dedication.

1205.02.1.2 The Board shall make a final determination of the method in which the dedication requirements shall be satisfied.

1205.02.1.3 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 and supply the information necessary for the Board to evaluate the adequacy of the proposal. This information shall include at least one (1) appraisal of the property by a licensed appraiser. The full market value shall be determined after completion of the platting process and shall be of the entire property as it

Clear Creek County Subdivision Regulations: Article 12

is valued after platting.

1205.03 Combination of Dedication and Cash-in-lieu

1205.03.1 The applicant may propose a combination of cash-in-lieu of land dedication. The County school district shall review the applicant's request and the Board shall make the final determination.

1205.03.2 The value of the combination of both the land dedication and the cash-in-lieu of land shall not exceed the full market value of the total required dedication of sites and land areas.

1205.04 Conveyance of Land or Payment of Fees

1205.04.1 The conveyance of land or payment of fees obtained through the County's dedication requirement shall be required within thirty (30) calendar days of the recordation of the final plat for the subdivision. The conveyance of dedicated school land to the 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.

1205.04.2 The conveyance of lands or transfer of fees obtained through the County's dedication requirement shall be pursuant to petition to the Board.

Clear Creek County Subdivision Regulations: Article 13

ARTICLE 13 DEVELOPMENT DENSITY BONUSES

1301 Applicability

Any division of land into five (5) or more parcels must comply with this Article. This Article is not applicable to Correction Plats, Replats, Lot Combinations, Exemptions by Resolution, Boundary Line Adjustments, Minor Subdivisions or Multi-Unit Small Subdivisions.

1302 Density Bonus Programs

Colorado Revised Statutes allow divisions of land which create parcels comprising of thirty-five (35) acres or more without County subdivision approval (C.R.S. 30-28-101(10)(b)(10)). Divisions of land which create parcels smaller than thirty-five (35) acres will be considered when one or more of the following alternatives are proposed by the applicant.

1302.01 Clustering

To provide flexibility for developers to construct residential structures in clusters while remaining within the constraints of overall average density restrictions. Under the clustering option, maximum densities are calculated not for individual lots, but for overall development areas. Rather than requiring uniform intervals between building sites, this option waives minimum lot size and dimension requirements to allow tight clusters of buildings in some areas, with other portions of the parcel set aside for open space or habitat uses.

1302.02 Conservation Easements

To preserve and protect critical and sensitive areas, conservation easements may be proposed. These areas include, but are not limited to, significant natural features, environmental hazard areas, wildlife habitat, flood plains, wetlands and transitional areas, and open water bodies.

1302.03 Transferable Development Rights (TDRs)

Density transfers involve the shifting of permissible development densities from unsuitable development areas to more appropriate sites. Its purpose is to conserve and protect from further degradation the remote areas of the County. Such unsuitable development areas contain one or more of the following: difficult emergency services response; little or no existing access from County maintained roads; natural hazard areas or areas which include steep slopes, avalanche, wildfire hazards or critical wildlife areas; locations within subalpine (areas dominated by Engleman spruce and fir) or alpine (areas above tree-line) ecosystems.

1302.04 Attainable Housing

If a minimum of twenty (20) percent of the proposed units will be for sale or rental to low or moderate income levels, a Development Agreement may be proposed by the applicant which would allow for flexibility in the design process. Low or moderate income levels shall be as published by the U.S. Department of Housing and Urban Development (HUD). "Low income household" and "moderate income household" both refer to a percentage of the median. "Median income" means the annual median household income, adjusted for household size as established, from time to time, by HUD.

1302.05 Open Space

When significant funding is earmarked for County open space acquisition and management, a Development Agreement may be proposed by the applicant.

1302.06 Unique Proposal

For unique and exceptional proposals, a Development Agreement may be submitted by the applicant.

Clear Creek County Subdivision Regulations: Article 13

1303 No Guarantee of Density

The provisions of this Article shall not be interpreted as guarantees of achievable density. Developments using density bonus provisions shall be subject to all other applicable regulations of these Regulations. These other regulations or site-specific conditions may prevent density bonus levels from being achieved due to the character of the land or surrounding uses and may be subject to the simultaneous approval of a rezoning application.

1304 Review and Approval Procedure

Projects requesting bonuses under this Article for land that has not been platted, or for land that is being voluntarily replatted, shall be reviewed during the Subdivision process.

Clear Creek County Subdivision Regulations: Article 14

ARTICLE 14 DESIGN CRITERIA

1401 Intent

The following standards shall apply to all new divisions of land in Clear Creek County thereby resulting in the creation of lots which are developable in conformance with these Regulations and other applicable County regulations.

1402 Applicability

This Article is applicable to any division of land.

1403 Overall Design Criteria

1403.01 Protection of the Natural Environment

Developments shall be designed to minimize the alteration of natural landforms and significant stands of native vegetation, and to preserve, wherever practical, distinctive natural features. Placement of lots and alignment of roads shall respect the existing contours of the land and the natural environment.

1403.02 Waterway and Wetland Protection

1403.02.1 Soil disturbance and dwellings are discouraged within twenty-five (25) feet from the top of the bank of a lake, stream or intermittent stream. Structures or disturbance within twenty-five (25) feet shall require an analysis demonstrating suitability prepared and stamped by a Colorado licensed Professional Engineer.

1403.02.2 Soil disturbance and structures are prohibited within twenty-five (25) feet of a wetland area, as determined by the U.S. Army Corp. of Engineers.

1403.02.3 Soil disturbance and structures are prohibited within the 100-year flood plain.

1403.03 Ridgeline Protection

1403.03.1 To preserve the character of the County's prominent ridgelines and to minimize visual impact, building envelopes on prominent ridgelines are discouraged.

1403.03.2 Ridgeline zones shall be defined as an elevation decrease of fifty (50) feet below the point of departure of the projected overall average slope angles from the slope cross section.

1403.03.3 Dwellings and structures proposed for location inside prominent ridgeline zones shall be subject to special review, which may include, but is not limited to, design, height, form, color, exterior materials, lighting, window area, and similar characteristics related to overall visual impacts.

1403.04 Slope Stability

Building envelopes shall avoid slopes in excess of thirty (30) percent, unless a site-specific analysis, prepared and stamped by a Colorado licensed Professional Engineer, is submitted which demonstrates that the geologic hazards listed in 1303.06 do not jeopardize the dwelling.

1403.05 Protection of Wildlife

Developments shall be designed to avoid or mitigate impacts to significant wildlife habitats including breeding grounds, nesting areas, migration routes, and wintering areas. Developments shall also take appropriate measures to preserve and improve such wildlife habitats.

Clear Creek County Subdivision Regulations: Article 14

1403.06 Areas Subject to Environmental Hazard

Lots proposed for development shall not be located in areas subject to avalanches, landslides, rockfalls, mudflows, unstable slopes or soil unless these hazards are eliminated or mitigated. If hazards cannot be mitigated, then affected areas shall be placed in tracts where development is prohibited.

1403.07 Protection of Historical and Archaeological Sites

Developments shall be designed to avoid or mitigate impact to historical and archaeological sites on the state and national register of historic places. Any mitigation efforts shall be approved by the State Historic Preservation Office.

1403.08 Solar Orientation

Clear Creek County has a severe winter climate but a high number of days with sunshine. It is the County's policy to encourage the design of developments such that solar access is maximized for each building site and on adjacent properties. This objective is of lesser importance, however, than avoiding environmental damage, minimizing site disturbance, fitting the development to the terrain and protection of ridgelines.

1403.09 Minimum Lot Size

1403.09.1 All subdivisions and minor subdivisions of land pursuant to these regulations that creates new parcels of less than five (5) acres, shall be provided with a centralized water supply system, unless said parcels are at least 50 % within the alluvial area as described in the '*Hydrogeologic Map of Clear Creek County*', kept on file with the Planning Department. The boundary lines on this map shall be determined by the scale appearing on the map. Where there is a conflict between the boundary lines illustrated on the map and actual geologic conditions of a parcel, the person contesting the location of the boundary shall be given a reasonable opportunity to present their case to the Planning Manager and shall submit appropriate technical evidence to support such contests. The Planning Manager shall not allow deviations from the boundary line as mapped within the boundary areas, unless appropriate technical evidence clearly and conclusively establishes that the map location of the line is incorrect.

1403.09.2 As per the *Clear Creek County Onsite Wastewater Treatment System Regulations*, Section 3 (10); all subdivisions and minor subdivisions of land pursuant to these regulations that creates new parcels of less than five (5) acres, shall be provided with central sewage treatment works.

1404 When Significant Mitigation Efforts are not Incorporated

When significant mitigation efforts are not incorporated into the development in order to comply with the overall design criteria as outlined in Section 1403, the Board reserves the right to require land to be reserved for one or more of the following functions:

1404.01 To protect prominent natural landforms/landmarks, distinctive natural features, and significant stands of native vegetation.

1404.02 To protect wetlands, 100-year flood plain, and surface water.

1404.03 To buffer or provide transitions between different land uses.

1404.04 To protect significant wildlife habitats.

Clear Creek County Subdivision Regulations: Article 14

1404.05 To avoid significant natural hazard areas.

1404.06 To protect historical and archaeological sites on the state and national register of historic places or of local significance.

1405 Subdivision Improvements

1405.01 In each new development, the Board shall determine the type, location and extent of necessary public improvements depending upon the characteristics of the proposed development and its relationship to surrounding areas. Improvements shall be made by the applicant at the applicant's expense according to standards and specifications prepared and stamped by a Colorado licensed Professional Engineer in accordance with County regulations.

1405.02 Proposed improvements shall conform to the objectives of the County master plans and all other applicable regulations pertaining to the development of land including, but not limited to the County's road standards and Best Management Practices.

1405.03 Underground placement of utility lines shall be required in all subdivisions; unless the public utility determines that physical constraints make underground placement infeasible or exempted by the Board.

1406 Roads

1406.01 All roads and rights-of-way shall be constructed in conformance with the County road standards and other applicable County regulations, unless a deviation of standards is granted by the Board.

1406.02 The subdivider may be required to make improvements to the existing access road(s) to the proposed subdivision to safely accommodate anticipated increase in traffic volume generated by the proposed development.

1406.03 These improvements may be imposed in lieu of, or offset by, County adopted impact fees.

1406.04 Multiple access points to a subdivision are highly encouraged, and may be required, based on emergency service recommendations or requirements, and to safely accommodate total anticipated traffic volume of the proposed development on new and/or existing access.

1407 Erosion and Sediment Control

Erosion and sediment control shall be designed and constructed in accordance with County Best Management Practices, County road design standards, Uniform Building Code, and other applicable County regulations.

1408 Drainage

Drainage improvements shall be designed and constructed in accordance with County road design standards, Uniform Building Code, and other applicable County regulations. In addition, the following design requirements shall be met:

1408.01 Individual lot drainage shall be coordinated with the general storm drainage pattern for the area.

1408.02 Lots shall be laid out to provide positive drainage away from all building envelopes.

1408.03 Drainage shall be designed so that any concentration of storm drainage from any lot to an adjacent lot will be mitigated.

Clear Creek County Subdivision Regulations: Article 14

1408.04 Appropriate off-site and on-site drainage easements shall be obtained.

1409 Soil Suitability

1409.01 The layout of subdivisions shall create lots having soil conditions which are suitable for the intended use.

1409.02 Areas subject to geologic hazards shall not be platted for any use which might endanger health and safety, life or property unless the hazards are mitigated in a manner acceptable to the County.

1410 Fiscal Impacts to Existing Services

1410.01 Emergency Services - Measures shall be provided to sufficiently address the needs of the Clear Creek Fire Authority, Evergreen Fire Protection District, and all other applicable emergency services providers.

1410.02 School District - Measures shall be provided to sufficiently address the needs of the school district.

1410.03 County, State, and Federal Roads - Measures shall be provided to sufficiently address the needs of the County Road and Bridge Department and the Colorado Division of Transportation.

1411 Required Dedications and Easements

Dedications and easements shall be specifically referenced on the applicable documents (e.g., final plat, subdivision improvements agreement).

1412 Other Public Improvements

Other reasonable improvements, not specifically mentioned herein and found appropriate and necessary by the Board of County Commissioners, shall be constructed at the developer's expense within such time and in conformance with such specifications as deemed necessary and appropriate.

1413 Guarantee of Public Improvements

1413.01 No final plat shall be approved until the applicant has submitted and the Board of County Commissioner has reviewed and accepted one or a combination of the following:

1413.01.1 Subdivision improvements agreement (SIA) to construct any required public improvements shown in the final plat documents together with collateral that is sufficient, in the judgement of the Board, to make reasonable provision for the completion of said improvements in accordance with design and time specifications.

1413.01.2 Other agreements or contracts setting forth the plan, method and parties responsible for the construction of any required public improvements shown in the final plat documents which, in the judgement of the Board, will make reasonable provision for completion of said improvements in accordance with design and time specifications.

1413.02 As improvements are completed, the subdivider may apply to the Board for a release of part or all of the collateral. Upon inspection and approval by the County, the Board shall release the collateral. If the Board determines that any improvements are not constructed in substantial compliance with the specifications, it shall furnish the applicant a list of specific deficiencies and shall withhold collateral sufficient to ensure such compliance. If the Board determines that the applicant has not constructed any or all of the improvements in accordance with all of the specifications, the Board may withdraw and employ from the deposit of collateral such funds as may be necessary to construct the improvement in accordance with the specifications.

Clear Creek County Subdivision Regulations: Article 15

ARTICLE 15 EXEMPTIONS

1501 Intent

To establish criteria and a review process whereby the Board may grant exemptions from the definition of the terms "subdivision" and "subdivided land" for any division of land if the Board determines that such a division is not within the purpose of Article 28, Title 30 of the Colorado Revised Statutes. The Board has adopted five exemptions from the definition of the term "subdivision"; (1) Lot Combination, (2) Exemption by Resolution, (3) Exemption for Certain Illegal Divisions of Land – Unimproved, (4) Exemption for Certain Illegal Divisions of Land – Improved Without Proper County Occupancy Approval, and (5) Exemption for Certain Illegal Divisions of Land – Improved With Applicable County Occupancy Approval. When Article 15 is applicable, it supersedes Articles 3, 4, and 5, but Exemptions are subject to Article 14 (Design Criteria) and such other provisions of these Regulations as by their terms apply.

1502 Prerequisite

Prior to submittal of the exemption request, the applicant shall meet with the Planning Department to determine whether the exemption request meets the exemption criteria and to explain the procedure and submittal requirements. If it is determined that the application meets the criteria of any other process outlined in these Regulations, or the applicant is using the exemption process to circumvent the subdivision process, the applicant shall be required to comply with the sketch plan, preliminary plan, and final plat or other appropriate process, as identified in these Regulations.

1503 Lot Combination

1503.01 Purpose

The Lot Combination process is to eliminate real property boundaries between two or more parcels to result in one larger parcel. The process is intended to provide a streamlined approach because it has been identified that fewer lots in the unincorporated part of the county where there is no available public water or sewer is desirable. However, if there currently is public water and/or sewer availability, the County believes that further review of the lot combination request is warranted.

1503.02 Criteria

An application must meet, at a minimum, all of the following criteria.

1503.02.1 Applications that propose the combination of two or more lots where the resulting number of parcels is fewer than what was begun.

1503.02.2 Parcels being combined shall be contiguous with at least 10 feet of common boundary. This contiguity may span over a road or road right of way provided the width of the road or right of way is no further than 60', or by an intervening body of water.

1503.03 Submittal Process

This submittal process shall apply to all Lot Combinations. If the proposal includes at least one parcel with water and/or sewer service from a centralized service and/or the application includes vacation of utility easements, it will require further review pursuant to 1503.04.

1503.03.1 The applicant shall submit one (1) copy of the submittal to the Planning Department.

1503.03.2 The submittal shall be reviewed in a timely manner for completeness by the Planning Department. The applicant shall be notified of any inadequacies, missing, or incomplete documentation. An incomplete submittal shall not be processed.

Clear Creek County Subdivision Regulations: Article 15

- 1503.03.3 Once the submittal is determined complete by the Planning Department, the application will be reviewed by all pertinent departments, including the Assessor's Office, Treasurer's Office, Mapping Department and the Zoning Official. When the application has been certified by the various departments, it will be returned to the Planning Department.
- 1503.03.4 The Planning Director shall evaluate the application, referral comments and shall approve or deny the request for Lot Combination. The Planning Director's decision shall be based on the evidence presented, compliance with the adopted standards, regulations, policies and other guidelines. This does not apply to proposals which include at least one parcel with water and/or sewer service from a centralized service and/or the application includes vacation of utility easements.
- 1503.04 Additional Submittal Process
The following process will be required for lot combinations where at least one parcel has water and/or sewer service from a centralized service and/or the application includes a request for vacation of utility easements.
- 1503.04.4 The Planning Department is responsible for publishing a notice in a newspaper of general circulation in Clear Creek County a minimum of fourteen (14) calendar days prior to the Board's public hearing.
- 1503.04.5 The Board, during a public hearing, shall evaluate the application, referral comments, staff report, and public testimony, and shall approve or deny the request for Lot Combination. The Board's decision shall be based on the evidence presented, compliance with the adopted standards, regulations, policies and other guidelines.
- 1503.05 Submittal Requirements
- 1503.05.1 Application Form and a signed and notarized Lot Combination Agreement as provided by the Planning Department.
- 1503.05.2 The appropriate fee(s), as established by the Board.
- 1503.05.3 Deeds or other proof of ownership for the subject properties.
- 1503.05.4 A notarized letter of authority from the landowner permitting a representative to process the application, if applicant is other than the owner(s) of record.
- 1503.05.5 Letter(s) of "No Objection" from any known utility company if utility easements are proposed to be vacated. If utility easements exist and are not proposed to be vacated, a letter from the owner and/or utility company explaining why the easements are to remain.
- 1503.05.6 A certified Land Survey Plat for all affected boundaries, or a full certified Land Survey Plat, or Improvement Survey Plat, in compliance with Title 38, Article 51 C.R.S. and all other relevant statutes, may be required in order to determine conformance with criteria found at 1503.02.2 if conformance with such criteria cannot be determined otherwise.

Clear Creek County Subdivision Regulations: Article 15

1503.06 Final Documents

1503.06.1 The Planning Department will notify the applicant of what is required to finalize the decision of the Board following the public hearing or following approval by the Planning Director. The fully executed agreement and attachments, if applicable, shall be filed with the County Clerk and Recorder's Office.

1503.06.2 A certified Land Survey Plat for all affected boundaries, or a full certified Land Survey Plat, or Improvement Survey Plat, in compliance with Title 38, Article 51 C.R.S. and all other relevant statutes, may be required. This shall be submitted on mylar, as specified by the Planning Department.

1503.06.2.1 The approved Plat shall also be submitted in a digital form as specified by the County Mapping Department.

1504 Exemption by Resolution

1504.01 Purpose

The Exemption by Resolution process is a subdivision exemption procedure used when a division of land is considered to have unique circumstances or, the Board of County Commissioners otherwise determines the request is not within the purpose of "subdivision" under CRS 30-28-101(10).

1504.02 Criteria

The proposal is unique in that it does not meet the criteria for any other process outlined in these Regulations, and the resulting parcels can comply with the conditions determined to be applicable by the Board.

1504.03 Submittal Process

This submittal process shall apply to all Exemptions by Resolution:

1504.03.1 The applicant shall submit one (1) copy of the submittal to the Planning Department.

1504.03.2 The submittal shall be reviewed in a timely manner for completeness by the Planning Department. The applicant shall be notified of any inadequacies, missing, or incomplete documentation. An incomplete submittal shall not be processed.

1504.03.3 The Planning Department will conduct a site characteristics analysis and perform a site visit to verify these characteristics. Once the submittal is determined complete (by the Planning Department), staff will notify the applicant of the number of copies and content of the submittal required to be provided for distribution to adjacent property owners and referral agencies.

1504.03.4 The Planning Department will notify adjacent property owners within 300 feet of the boundaries of the subject parcels and any referral agencies that may be affected by the proposed exemption. The applicable agencies shall be determined per case.

1504.03.5 Adjacent property owners and referral agencies shall be given twenty-one (21) calendar days to comment.

Clear Creek County Subdivision Regulations: Article 15

1504.03.6 The Planning Department will review the referral comments, discuss the concerns with the applicant, prepare a staff report for the Board of County Commissioners and notify the applicant of the hearing date, time and place.

1504.03.7 The Planning Department is responsible for publishing a notice in a newspaper of general circulation in Clear Creek County fourteen (14) calendar days prior to the Board's public hearing.

1504.03.8 The Board, during a public hearing, shall evaluate the application, referral comments, staff report, and public testimony, and make a decision to approve, approve with conditions, or deny the exemption. The Board's decision shall be based on the evidence presented, compliance with the adopted standards, regulations, policies and other guidelines.

1504.04 Submittal Requirements

In addition to the following submittal requirements, the Planning Department may request other materials or information as deemed necessary due to the uniqueness of each case, before or during the process to facilitate a recommendation by the Planning Department to the Board.

1504.04.1 General Submittal Requirements

The following submittal requirements shall apply to all Exemption by Resolution applications.

1504.04.1.1 Application Form as provided by the Planning Department.

1504.04.1.2 The appropriate fee(s), as established by the Board.

1504.04.1.3 Deeds or other proof of ownership for the subject properties.

1504.04.1.4 A notarized letter of authority from the landowner permitting a representative to process the application, if applicant is other than the owner(s) of record.

1504.04.1.5 Certification from the County Treasure's Office that all ad valorem taxes have been paid no more than thirty (30) days old from the date of application.

1504.04.1.6 Vicinity Map - submitted on a 8 ½" x 11" sheet of paper, that indicates the location of the subject properties in relation to the general context of the County.

1504.04.1.7 Location Map - submitted on a 8 ½" x 11" sheet of paper or another size as approved by the Planning Department, that indicates the location of the subject properties in relation to roads, streams, utilities, adjacent parcels and other features.

1504.04.1.8 Site Plan - submitted on a 24" x 36" sheet(s) of paper at a scale of 1" = 100' or another scale approved by the Planning Department. The Plan shall depict the following:

1504.04.1.8.1 The title shall be placed at the top of the sheet along the long dimension of each sheet and shall include: the name

Clear Creek County Subdivision Regulations: Article 15

of the proposed exemption; a general legal description; and the case number.

1504.04.1.8.2 The Plan shall include: the preparation date; a north arrow designated at true north; a written and graphic scale; the name and address of the applicant, developer, engineer or surveyor who prepared the exhibit; vicinity map; the number of the sheet; and the total number of sheets.

1504.04.1.8.3 The boundaries of all parcels involved in the proposal shall be depicted in a heavy solid line.

1504.04.1.8.4 Boundaries of adjacent properties or portions of those boundaries that are in immediate proximity of the proposal shall be depicted in a lighter line weight.

1504.04.1.8.5 Other elements that may be required are: existing and proposed roads; existing structures; utilities; earthwork; site modifications including location of wells and septic systems; existing and proposed contours; and easements.

1504.05 Final Exemption Documents

1504.05.1 The Planning Department will notify the applicant of what is required to finalize the decision of the Board following the public hearing. The fully executed resolution and attachments, if applicable, shall be filed with the County Clerk and Recorder's Office.

1504.05.2 Upon approval of the preliminary exemption plan by the Board, a full certified Land Survey Plat, or Improvement Survey Plat, in compliance with Title 38, Article 51 C.R.S. and all other relevant statutes may be required. This shall be submitted on mylar, as specified by the Planning Department.

1504.05.2.1 The approved Exemption Plat shall also be submitted in a digital form as specified by the County Mapping Department.

1504.05.3 The applicant shall submit to the Planning Department new deeds reflecting the newly created legal descriptions for each parcel.

1504.05.4 Final approval is not valid until the final Plat and Resolution are signed by the Board of County Commissioners, the new deeds (if applicable) are received and all are recorded with the County Clerk and Recorder.

1505 Exemption for Certain Illegal Divisions of Land – Unimproved

1505.01 Purpose

The purpose of this exemption is to provide a process to remedy some illegal divisions of land when, at the time of submittal of an application, the land is unimproved. For these purposes, "unimproved" means the land has no alterations from its natural condition.

1505.02 Criteria

An application must, at a minimum, provide information meeting the following criteria.

Clear Creek County Subdivision Regulations: Article 15

- 1505.02.1 The division of land was created without county approval between September 1, 1972 and January 7, 2009, the date of adoption of this process.
- 1505.02.2 Resulting parcel(s) shall be able to meet applicable zoning district requirements. If applicable zoning district requirements cannot be met, the applicant(s) must apply for and receive a variance from the Board of Adjustment in compliance with Section 13 of the *Clear Creek County Zoning Regulations*.
- 1505.02.3 Resulting parcel(s) is accessed, at a minimum, by a public right-of-way or recorded easement which meets, or with improvements can meet, County road design standards. If access standards can not meet, the applicant(s) must apply for and received a deviation from the Board of County Commissioners.
- 1505.02.4 Resulting parcel(s) can comply with County sanitary sewage disposal requirements. If sanitary disposal requirement cannot be met, the applicant(s) must apply for and receive a variance from the County Board of Health.
- 1505.02.5 The applicant(s) must be able to provide documentation of an adequate physical water supply for the resulting parcel(s).
- 1505.02.6 Demonstrate that the resulting parcel(s) will not cause a substantial detriment to health, safety, and/or general welfare of the citizens of Clear Creek County.

1505.03 Submittal Process

The following submittal process shall apply to illegal divisions of land which are unimproved:

- 1505.03.1 The applicant shall submit two (2) copies of the submittal to the Planning Department.
- 1505.03.2 The submittal shall be reviewed in a timely manner for completeness by the Planning Department. The applicant shall be notified of any inadequacies, missing, or incomplete documentation. An incomplete submittal shall not be processed.
- 1505.03.3 The Planning Department will conduct a site characteristics analysis and perform a site visit to verify these characteristics. Once the submittal is determined complete by the Planning Department, staff will notify the applicant of the number of copies and content of the submittal required to be provided for distribution to adjacent property owners and referral agencies.
- 1505.03.4 The Planning Department will notify adjacent property owners within 300 feet of the boundaries of the subject parcel(s) and any referral agencies that may be affected by the proposed exemption. The applicable agencies shall be determined on a case by case basis.
- 1505.03.5 Adjacent property owners and referral agencies shall be given twenty-one (21) calendar days prior to the Board of County Commissioners (Board) public hearing to comment.
- 1505.03.6 The Planning Department will review the referral comments, discuss the concerns with the applicant, prepare a staff report for the Board and notify the applicant of the hearing date and time and the number of submittals required for the Board.
- 1505.03.7 At least fourteen (14) calendar days prior to the Board public hearing, the applicant shall post and maintain a notice on the parcel(s) under consideration. The notice(s)

Clear Creek County Subdivision Regulations: Article 15

shall be placed within ten (10) feet of the property line and visible from an adjacent right-of-way, where applicable. Signs will be provided by the Planning Department.

1505.03.8 The Planning Department is responsible for publishing a notice in a newspaper of general circulation in Clear Creek County fourteen (14) calendar days prior to the Board's public hearing.

1505.03.9 The Board shall evaluate the application, referral comments, staff report, and public testimony, and shall approve, approve with conditions, or deny the exemption. The Board's decision shall be based on the evidence presented, compliance with the adopted standards, regulations, policies and other guidelines.

1505.04 General Submittal Requirements

In addition to the following listed submittal requirements, the Planning Department may request other materials or information as deemed necessary, before or during the process to facilitate its review and preparation of a recommendation to the Board. For good cause shown, the Planning Director may waive certain submittal requirements listed below which, in his/her judgment, are not pertinent to a particular application.

1505.04.1 Application form as provided by the Planning Department.

1505.04.2 The appropriate fee(s), as established by the Board.

1505.04.3 Deeds and/or other proof of ownership for the subject parcel(s).

1505.04.4 Deed Research, which includes all deeds and/or records, providing ownership history of the subject parcel(s) from the present date to the last owner(s) of the parcel(s) prior to September 1, 1972.

1505.04.5 A notarized letter of authority from the landowner permitting a representative to process the application, if applicant is other than the owner(s) of record.

1505.04.6 Certification from the County Treasurer's Office that all ad valorem taxes have been paid no more than thirty (30) days old from the date of application.

1505.04.7 Vicinity Map - submitted on an 8 ½" x 11" sheet of paper, which indicates the location of the subject properties in relation to the general context of the County.

1505.04.8 Location Map - submitted on an 8 ½" x 11" sheet of paper, or another size as approved by the Planning Department, which indicates the location of the subject properties in relation to roads, streams, utilities, adjacent parcels and other features.

1505.04.9 Land Survey Plat or Improvement Survey Plat – in compliance with Title 38, Article 51 C.R.S. and all other relevant statutes which, at a minimum, includes the following items:

1505.04.9.1 Surveyed existing contour lines depicted at five (5) foot intervals for proposed areas of disturbance (e.g., roads, driveways, homesites, well and septic). For the remainder of the plan, surveyed existing contour lines depicted at ten (10) foot intervals.

Clear Creek County Subdivision Regulations: Article 15

- 1505.04.9.2 Depict all existing and proposed roads, utilities, earthwork, site modifications including location of wells and septic, and easements, where applicable.
- 1505.04.9.3 Depict the proposed building envelope(s) with accurate dimensions. For these purposes, “building envelope” means the area(s) of the parcel(s) which can contain a structure(s). The only excavation allowed outside of the identified building envelope area(s) shall be for an individual sewage disposal system, well, and/or driveway.
- 1505.04.10 Water Supply Report - evidence that a physical water supply sufficient in terms of quality and quantity is available as follows:
 - 1505.04.10.1 For a division of land located within an existing water or special district, a letter of commitment to serve the proposed properties stating the amount of water available for use and the feasibility of extending service to that area.
 - 1505.04.10.2 For a division of land where an individual well(s) on a parcel that is less than five acres in size is proposed, an analysis prepared by a water attorney, water consultant, or water engineer that provides evidence of the availability of a physical water supply.
- 1505.04.11 Sewage Disposal System Report - evidence of the physical and legal capability to provide sanitation as follows:
 - 1505.04.11.1 For a division of land located within a sanitation district, a letter of commitment to serve the proposed parcel(s) stating the capacity to serve and feasibility of extending service to that area.
 - 1505.04.11.2 For a division of land where an individual sewage disposal system(s) is proposed, evidence that the following requirements are met. Such evidence shall be prepared and stamped by a Colorado licensed Professional Engineer.
 - 1505.04.11.2.1 Each sewage treatment system and leach field shall be in accordance with county sanitary sewage disposal requirements.
- 1505.04.12 General Requirements – when deemed necessary by the Board, the applicant may be required to construct or improve existing or proposed access roads, utility extensions, sanitation features, and/or other public infrastructure. All costs associated with such construction and/or improvements required by the Board shall be borne entirely by the applicant. An irrevocable letter of credit or other security approved by the County Attorney may be required to ensure such improvements.

1505.05 Final Documents

- 1505.05.1 Upon approval of the exemption by the Board, a full certified Land Survey Plat or Improvements Survey Plat in compliance with Title 38, Article 51 C.R.S. and all other relevant statutes shall be submitted on Mylar, as specified by the Planning Department.

Clear Creek County Subdivision Regulations: Article 15

1505.05.1.1 The plat shall also be submitted in a digital form as specified by the County Mapping Department

1505.05.2 The applicant shall submit to the Planning Department a new deed(s) reflecting the legal description for the newly created parcel(s).

1505.05.3 Final approval is not valid until the final plat and resolution are signed by the Board and the new deed(s) is received and recorded with the County Clerk and Recorder.

1506 Exemption for Certain Illegal Divisions of Land – Improved Without Proper County Occupancy Approval

1506.01 Purpose

The purpose of this exemption, an administrative process conducted by the Planning Department, is to provide a process to remedy some illegal divisions of land when, at the time of submittal of an application, the land is improved with a structure which has not received proper County occupancy approvals. For these purposes, “improved” means the land has been altered from its natural condition and contains a permitted principal use structure.

1506.02 Criteria

An application must, at a minimum, provide information meeting the following criteria.

1506.02.1 The division of land was created without county approval between September 1, 1972 and January 7, 2009, the date of adoption of this process.

1506.02.2 An existing permitted principal use structure is located upon the illegal parcel(s). The existing illegal structure(s) must be certified through the applicable Building Department and/or Site Development Department processes, where applicable.

1506.02.4 Resulting parcel(s) and structure(s) shall be able to meet applicable zoning district requirements. If applicable zoning district requirements cannot be met, the applicant(s) must apply for and receive a variance from the Board of Adjustment in compliance with Section 13 of the *Clear Creek County Zoning Regulations*.

1506.02.5 Resulting parcel(s) are accessed, at a minimum, by a public right-of-way or recorded easement which meets, or with improvements can meet, County road design standards. If access standards can not meet, the applicant(s) must apply for and received a deviation from the Board of County Commissioners.

1506.02.6 Resulting parcel(s) shall have a permitted ISDS, other approved method of sanitation, or the ability to obtain an approved method for sanitation in compliance with County sanitary sewage disposal requirements. If sanitary disposal requirement cannot be met, the applicant(s) must apply for and receive a variance from the County Board of Health.

1506.02.7 The applicant must be able to provide documentation of an adequate physical water supply for the resulting parcel(s).

1506.02.8 Demonstrate that the resulting parcel(s) will not cause a substantial detriment to health, safety, and/or general welfare of the citizens of Clear Creek County.

Clear Creek County Subdivision Regulations: Article 15

1506.03 Submittal Process

If the purpose of legalizing a specific parcel(s) is to obtain a building permit, this exemption process may be reviewed concurrently with the building permit plan review conducted by the Land Use Division. Upon approval of the exemption process and any other required variances or deviations, where applicable, the Planning Department will sign off for the issuance of a building permit.

1506.03.1 The applicant shall submit two (2) copies of the submittal to the Planning Department.

1506.03.2 The submittal shall be reviewed in a timely manner for completeness by the Planning Department. The applicant shall be notified of any inadequacies, missing, or incomplete documentation. An incomplete submittal shall not be processed.

1506.03.3 The Planning Department will conduct a site characteristics analysis and perform a site visit to verify these characteristics and determine if the application meets the criteria for an administrative approval.

1506.03.4 The Planning Department will notify property owners adjacent to the subject parcel(s) and any referral agencies that may be affected by the proposed division. The applicable agencies shall be determined on a case by case basis.

1506.03.5 Adjacent property owners and referral agencies shall be given fourteen (14) calendar days to comment.

1506.03.6 The Planning Department shall evaluate the application and referral comments and shall approve, approve with conditions, or deny the exemption. The Planning Department's decision shall be based on the compliance with the adopted standards, regulations, policies and other guidelines.

1506.03.6.1 If the Planning Department denies the application, the applicant shall have the right to appeal the decision to the Board of County Commissioners in the form of a public hearing. Appeals must be filed within twenty-one (21) calendar days following the Planning Department's denial of the application.

1506.04 General Submittal Requirements

In addition to the following listed submittal requirements, the Planning Department may request other materials or information as deemed necessary, before or during the process to facilitate its review and preparation of a recommendation to the Board. For good cause shown, the Planning Director may waive certain submittal requirements listed below which, in his/her judgment, are not pertinent to a particular application.

1506.04.1 Application form as provided by the Planning Department.

1506.04.2 The appropriate fee(s), as established by the Board.

1506.04.3 Deeds and/or other proof of ownership for the subject properties.

1506.04.4 Deed Research, which includes all deeds and/or records, providing ownership history of the subject parcel(s) from the present date to the last owner(s) of the parcel(s) prior to September 1, 1972.

Clear Creek County Subdivision Regulations: Article 15

- 1506.04.5 A notarized letter of authority from the landowner permitting a representative to process the application, if applicant is other than the owner(s) of record.
- 1506.04.6 Certification from the County Treasurer's Office that all ad valorem taxes have been paid no more than thirty (30) days old from the date of application.
- 1506.04.7 Vicinity Map - submitted on an 8 ½" x 11" sheet of paper, which indicates the location of the subject properties in relation to the general context of the County.
- 1506.04.8 Location Map - submitted on an 8 ½" x 11" sheet of paper, or another size as approved by the Planning Department, which indicates the location of the subject properties in relation to roads, streams, utilities, adjacent parcels and other features.
- 1506.04.9 Scaled Site Plan - the drawing shall, at a minimum, include the following items:
 - 1506.04.9.1 Scale and north arrow designated at true north.
 - 1506.04.9.2 Boundaries of the property.
 - 1506.04.9.3 If required by the Planning Department, surveyed existing contour lines depicted at five (5) foot intervals for proposed areas of disturbance (e.g., roads, driveways, homesites, wells and septics). For the remainder of the plan, surveyed existing contour lines depicted at ten (10) foot intervals.
 - 1506.04.9.4 Depict all existing and proposed building improvements, roads, utilities, earthwork, streams, site modifications including location of wells and septics, easements, and rights-of-way, where applicable.
 - 1506.04.9.5 Delineate setbacks from all property boundaries.
 - 1506.04.9.6 If required by the Planning Department, a surveyor setback verification form must be submitted for any property boundary or building setback in question.
- 1506.04.10 Water Supply Narrative – providing evidence that a physical water supply sufficient in terms of quality and quantity is available as follows:
 - 1506.04.10.1 For a division of land located within an existing water or special district, proof of service to the proposed parcel(s).
 - 1506.04.10.2 For a division of land where an individual well(s) exists, information that the well(s) is sufficient to serve the proposed parcel(s). If available, a copy of the state approved well permit(s) shall be submitted.
 - 1506.04.10.3 For a division of land where an individual well(s) or some other form of water supply is proposed, evidence that a physical water supply is available and is adequate to serve the proposed use.
- 1506.04.11 Sewage Disposal System Narrative – providing evidence of the physical and legal capability to provide sanitation as follows:

Clear Creek County Subdivision Regulations: Article 15

1506.04.11.1 For a division of land located within a sanitation district, proof of service to the proposed parcel(s).

1506.04.11.2 For a division of land where an individual sewage disposal system currently exists or is proposed, evidence that the sewage treatment system and leach field are in accordance with the County Individual Sewage Disposal System regulations.

1506.04.12 General Requirements – when deemed necessary by the Planning Director, the applicant may be required to construct or improve existing or proposed access roads, utility extensions, sanitation features, and/or other public infrastructure. All costs associated with such construction and/or improvements required by the Board shall be borne by the applicant entirely. An irrevocable letter of credit or other security approved by the County Attorney may be required to ensure such improvements.

1506.05 Final Documents

1506.05.1 If required by the Planning Department, the applicant shall submit a new deed(s) reflecting the legal description for the newly created parcel(s).

1506.05.2 Final approval is not valid until the resolution is signed by the Planning Director and the new deed(s), if applicable, is received and recorded with the County Clerk and Recorder.

1507 Exemption for Certain Illegal Divisions of Land - Improved With Valid County Occupancy Approval

1507.01 Purpose

The purpose of this exemption, an administrative process conducted by the Planning Department, is to provide a process to remedy some illegal divisions of land when, at the time of submittal of an application, the land has been improved with applicable County occupancy approval. For these purposes, “improved” means the land has been altered from its natural condition and contains a permitted principal use structure.

1507.02 Criteria

An application must, at a minimum, provide information meeting the following criteria.

1507.02.1 The division of land was created without county approval between September 1, 1972 and January 7, 2009, the date of adoption of this process.

1507.02.2 An existing permitted principal use structure with valid occupancy approval is located upon the illegal parcel(s).

1507.02.3 Resulting parcel(s) and structure(s) shall be able to meet applicable zoning district requirements. If applicable zoning district requirements cannot be met, the applicant(s) must apply for and receive a variance from the Board of Adjustment in compliance with Section 13 of the *Clear Creek County Zoning Regulations*.

1507.02.4 Resulting parcel(s) are accessed, at a minimum, by a public right-of-way or recorded easement which meets, or with improvements can meet, County road design standards. If access standards can not meet, the applicant(s) must apply for and received a deviation from the Board of County Commissioners.

Clear Creek County Subdivision Regulations: Article 15

- 1507.02.5 Resulting parcel(s) shall have a permitted ISDS, other approved method of sanitation, or the ability to obtain an approved method for sanitation in compliance with County sanitary sewage disposal requirements. If sanitary disposal requirement cannot be met, the applicant(s) must apply for and receive a variance from the County Board of Health.
- 1507.02.6 The applicant must be able to provide documentation of an adequate physical water supply for the resulting parcel(s).
- 1507.02.7 Demonstrate that the resulting parcel(s) will not cause a substantial detriment to health, safety, and/or general welfare of the citizens of Clear Creek County.

1507.03 Submittal Process

If the purpose of legalizing a specific parcel(s) is to obtain a building permit, this exemption process may be reviewed concurrently with the building permit plan review conducted by the Land Use Division. Upon approval of the exemption process and any other required variances or deviations, where applicable, the Planning Department will sign off for the issuance of a building permit.

- 1507.03.1 The applicant shall submit two (2) copies of the submittal to the Planning Department.
- 1507.03.2 The submittal shall be reviewed in a timely manner for completeness by the Planning Department. The applicant shall be notified of any inadequacies, missing, or incomplete documentation. An incomplete submittal shall not be processed.
- 1507.03.3 The Planning Department may conduct a site characteristics analysis and perform a site visit to verify these characteristics and determine if the application meets the criteria for an administrative approval.
- 1507.03.4 The Planning Department shall evaluate the application and shall approve, approve with conditions, or deny the exemption. The Planning Department's decision shall be based on the compliance with the adopted standards, regulations, policies and other guidelines.
 - 1507.03.4.1 If the Planning Department denies the application, the applicant shall have the right to appeal the decision to the Board of County Commissioners for in the form of a public hearing. Appeals must be filed within twenty-one (21) calendar days following the Planning Department's denial of the application.

1507.04 General Submittal Requirements

In addition to the following listed submittal requirements, the Planning Department may request other materials or information as deemed necessary, before or during the process to facilitate its review and preparation of a recommendation to the Board. For good cause shown, the Planning Director may waive certain submittal requirements listed below which, in his/her judgment, are not pertinent to a particular application.

- 1507.04.1 Application form as provided by the Planning Department.
- 1507.04.2 The appropriate fee(s), as established by the Board.

Clear Creek County Subdivision Regulations: Article 15

- 1507.04.3 Deeds and/or other proof of ownership for the subject properties.
- 1507.04.4 Deed research, which includes all deeds and/or records, providing ownership history of the subject parcel(s) from the present date to the last owner(s) of the parcel(s) prior to September 1, 1972.
- 1507.04.5 A notarized letter of authority from the landowner permitting a representative to process the application, if applicant is other than the owner(s) of record.
- 1507.04.6 Certification from the County Treasurer's Office that all ad valorem taxes have been paid no more than thirty (30) days old from the date of application.
- 1507.04.7 Water Supply Narrative – providing evidence that a physical water supply sufficient in terms of quality and quantity is available as follows:
 - 1507.04.7.1 For a division of land located within an existing water or special district, proof of service to the proposed parcel(s).
 - 1507.04.7.2 For a division of land where an individual well(s) exists, information that the well(s) is sufficient to serve the proposed parcel(s). If available, a copy of the state approved well permit(s) shall be submitted.
 - 1507.04.7.3 For a division of land where an individual well(s) or some other form of water supply is proposed, evidence that a physical water supply is available and is adequate to serve the proposed use.
- 1507.04.8 Sewage Disposal System Narrative – providing evidence of the physical and legal capability to provide sanitation as follows:
 - 1507.04.8.1 For a division of land located within a sanitation district, proof of service to the proposed parcel(s).
 - 1507.04.8.2 For a division of land where an individual sewage disposal system currently exists or is proposed, evidence that the sewage treatment system and leach field are in accordance with the County Individual Sewage Disposal System regulations.
- 1507.04.9 General Requirements – when deemed necessary by the Planning Director, the applicant may be required to construct or improve existing or proposed access roads, utility extensions, sanitation features, and/or other public infrastructure. All costs associated with such construction and/or improvements required by the Board shall be borne by the applicant entirely. An irrevocable letter of credit or other security approved by the County Attorney may be required to ensure such improvements.

1507.05 Final Documents

- 1507.05.1 If required by the Planning Department, the applicant shall submit a new deed(s) reflecting the legal description for the newly created parcel(s).
- 1507.05.2 Final approval is not valid until the resolution is signed by the Planning Director and the new deed(s), if applicable, is received and rec

Clear Creek County Subdivision Regulations: Article 16

ARTICLE 16 GENERAL SURVEYOR REQUIREMENTS

- 1601 The following general guidelines relate to survey plats when required by any process identified in the Subdivision Regulations.
- 1602 The final survey plat must meet the following standards prior to recordation:
- 1602.01 All land survey plats must comply with C.R.S. 38-50-101(3)(II)(b) as it relates to plat size, and be prepared on mylar, in horizontal format, with sufficient contrast to produce high quality sepia copies and paper prints.
- 1602.02 Plats must be free of written-in corrections or erasures.
- 1602.03 All signatures must be original on the final mylar plat.
- 1602.04 The survey must comply with all land survey plat requirements pursuant to Colorado Revised Statutes Title 38, Article 51 and all other applicable statutes.
- 1602.05 Paper prints should be submitted for all review purposes prior to final execution.
- 1602.06 In addition to those items listed at C.R.S. 38-51-106, survey plats must include the items listed below:
- 1602.06.1 Title Block as follows placed in the lower-right corner, or the top-center of the plat
- Line 1: _____ DIVISION OF LAND,
or for an amendment, the original name(s) of the division(s) of land that is(are) being amended with amendment number.
Example: LOWE DIVISION OF LAND, 5TH AMENDMENT*
- Line 2: LAND SURVEY PLAT or AMENDED LAND SURVEY PLAT or IMPROVEMENT SURVEY PLAT*
- Line 3: (Insert the Name of Process) CASE NO. _____*
- Line 4: Brief legal description of all property affected: (Choose one)*
- (a) ¼ SECTION, TOWNSHIP, RANGE*
- (b) LOT AND BLOCK NO.*
- (c) MINING CLAIM BY NAME AND MINERAL SURVEY NO.*
- Line 5: CLEAR CREEK COUNTY*
- Line 6: STATE OF COLORADO*
- 1602.06.2 Include the name and complete mailing address of the applicant in the lower-right corner of the plat
- 1602.06.3 Name, Complete Mailing Address, Telephone Number of Individual/Firm preparing the plat placed in the lower-right corner of the plat
- 1602.06.4 Include page number on upper-right corner of each sheet: SHEET ____ OF ____
- 1602.06.5 Include surveyed building envelope(s) on parcel(s) if applicable
- 1602.06.6 For Amended Land Survey Plats, include a note explaining the purpose of the amendment(s).

Clear Creek County Subdivision Regulations: Article 16

- 1602.06.7 Vicinity map at a scale of 1:24,000 or 1:50,000 showing the subject property and its relationship to significant geographic features, graphic features, political boundaries and/or major thoroughfares.
- 1602.06.8 Each written property description shall include a name for each parcel on the property description and on each lot on the scale drawing as follows:
- i. Lot 1,2,3, etc.
 - ii. For Amended Lots: Lot 1A, 2A, 3A, etc.
- Include the parcel size in the property description and on each lot on the scale drawing as follows:
- i. _____± ACRES
 - ii. _____± SQUARE FEET (if lot is smaller than 1 acre)
- 1602.06.9 All recorded and apparent rights-of-way and easements, and, if research for recorded rights-of-way and easements is done by someone other than the professional land surveyor who prepares the plat, the source from which such recorded rights-of-way and easements were obtained
- 1602.06.10 Certificates (Agreement and Signature Blocks for):
- a. Owners
 - b. Surveyor
 - c. Notary Public
 - d. Board of County Commission Approval or Planning Department Approval
 - e. Clerk & Recorder
- 1602.06.11 All platting conditions listed on the final resolution of approval, or final Findings of Fact, approving the plat shall be depicted on the plat.
- 1602.06.12 If applicable, include location of flood lines that have been depicted on the property in accordance with the Flood Damage Prevention Regulation as written in Section 12 of the Clear Creek County Guidelines and Regulations for Matters of State Interest. If the flood study that depicted such lines occurred prior to the use of the most recent FEMA flood maps, a note shall be shown on the plat depicting when the study was conducted, and under what series of FEMA maps information was referenced.
- 1602.06.13 If applicable, identify all boundaries of adjacent divisions of land, their names, case number, reception number, lot/parcel numbers, or mining claim name and mineral survey number.
- 1602.06.14 Identify the location of any municipal or county line that crosses the site or falls adjacent to the site, unless it is the County line in common with Jefferson County in which a general location of the County line may be identified if desired by the applicant/owner.
- 1602.06.15 Identify the case number(s) of all dimensional variances approved for the subject property/properties as provided by the Planning Department with a plat note stating the following: *“Check with the Planning Department for additional variances that might have been approved after the filing of this plat”*.
- 1602.06.16 For Boundary Line Adjustment Exemptions only, property lines created and deleted by the plat shall be identified and shown with arrows drawn to the appropriate lines on the scale drawing.

Clear Creek County Subdivision Regulations: Article 16

1602.06.17 The final survey plat shall be recorded in the Office of the County Clerk and Recorder no later than six (6) months from the date of approval by the Board of County Commissioners, unless otherwise specified by the Board of County Commissioners in their approval.

1603 Certifications

The following certifications shall be shown on the plat.

1603.01 The following applicant agreement is required for all divisions of land **that are not exempt by the Board of County Commissioners from the term "subdivision"**. Include on the plat the language below. Note that each owner/applicant must have a place to sign; only include signature lines for the correct number of applicants. We advise you sign the final mylar plat at the same time to avoid the necessity for numerous notary public signatures.

Owner/Leinholder or Mortgagee Certification

Owner(s) hereby agree(s) to hold harmless, indemnify, and defend Clear Creek County in any action which may arise in connection with any and all errors, omissions, or mistakes in this land survey plat and/or other information which owner(s) has/have submitted in connection with this request;

I/We hereby acknowledge and state under oath that I/we are the legal owners of, and/or leinholders/mortgagee for the property described hereon, and I/we do hereby dedicate and set apart all of the public roads and other public improvements and places as shown on the accompanying plat to the use of the public forever, and do hereby dedicate those portions of said real property which are created as easements on the accompanying plat to the public forever as easements for the purposes shown herein, unless otherwise expressly provided thereon; and do hereby grant the right to install and maintain necessary structures to the entity responsible for providing the services for which the easements are established;

I/We hereby agree that this (state process name) constitutes the "Site Specific Development Plan" which establishes all vested property rights pursuant to CRS 24-68-101, et seq.; and

I/We hereby agree to abide by the conditions and stipulations contained herein.

Owner

Mortgagee or Lienholder

Owner

Mortgagee or Lienholder

The foregoing instrument was subscribed and sworn before me by _____ this _____ day of _____, 20____.

Notary Public

Clear Creek County Subdivision Regulations: Article 16

1603.02 The following applicant agreement is required for all divisions of land **that have been exempted from the term "subdivision" by the Board of County Commissioners**. Include on the plat the language below. Note that each owner/applicant must have a place to sign; only include signature lines for the correct number of applicants. We advise you sign the final mylar plat at the same time to avoid the necessity for numerous notary public signatures.

Owner/Leinholder or Mortgagee Certification

Owner(s) hereby agree(s) to hold harmless, indemnify, and defend Clear Creek County in any action which may arise in connection with any and all errors, omissions, or mistakes in this land survey plat and/or other information which owner(s) has/have submitted in connection with this request;

I/We hereby acknowledge and state under oath that I/we are the legal owners of, and/or the leinholders/mortgagee for the property described hereon, and I/we do hereby dedicate and set apart all of the public roads and other public improvements and places as shown on the accompanying plat to the use of the public forever, and do hereby dedicate those portions of said real property which are created as easements on the accompanying plat to the public forever as easements for the purposes shown herein, unless otherwise expressly provided thereon; and do hereby grant the right to install and maintain necessary structures to the entity responsible for providing the services for which the easements are established;

I/We hereby agree that this (state process name) constitutes the "Site Specific Development Plan" which establishes all vested property rights pursuant to CRS 24-68-101, et seq.; and

I/We hereby agree to abide by the conditions and stipulations contained herein.

Owner

Mortgagee or Lienholder

Owner

Mortgagee or Lienholder

The foregoing instrument was subscribed and sworn before me by _____ this _____ day of _____, 20__.

Notary Public

My commission expires:

Clear Creek County Subdivision Regulations: Article 16

1603.03 The following Approval certificate must be included on the plat for divisions of land **that are not exempt by the Board of County Commissioners from the term "subdivision.** Please use the appropriate signature depending upon the approval body; either the current Chairman for BOCC decisions, or the current Planning Director for administrative decisions.

Approval

The foregoing plat is hereby approved for filing; and conveyance of the dedications and easements for the benefit of the public shown hereon; . is accepted by Clear Creek County, State of Colorado, this __ day of _____, 20__; subject to the provision that approval in no way obligates Clear Creek County for maintenance of roads dedicated to the public until construction of improvements hereon shall have been completed in accordance with Clear Creek County road design standards and the Board of County Commissioners has by a subsequent resolution agreed to undertake maintenance of the same. This approval does not guarantee that the size, soil conditions, subsurface geology, groundwater conditions, or flooding conditions of any lot shown hereon are such that a building permit, sewage disposal permit, or any other required permit will be issued. This approval is with the understanding that all expenses involving required 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 Clear Creek County. Approval of this plat may create a vested property right pursuant to Article 68 of Title 24 C.R.S., as amended.

Date

_____,
Chairman, Board of County Commissioners / Planning Director, as Agent for the Board of County Commissioners

Attest:

Clerk and Recorder

Clear Creek County Subdivision Regulations: Article 16

1603.04 The following Approval certificate is required for all divisions of land **that have been exempted from the term “subdivision” by the Board of County Commissioners**. Please use the appropriate signature depending upon the approval body; either the current Chairman for BOCC decisions, or the current Planning Director for administrative decisions.

Approval

This plat is hereby approved and exempted from the terms “subdivision” and “subdivided land” pursuant to C.R.S. Section 30-28-101 (10) (d). The foregoing plat is further hereby approved for filing; and conveyance of the dedications and easements for the benefit of the public shown hereon; is accepted by Clear Creek County, State of Colorado, this __ day of _____, 20__; subject to the provision that approval in no way obligates Clear Creek County for maintenance of roads dedicated to the public until construction of improvements hereon shall have been completed in accordance with Clear Creek County road design standards and the Board of County Commissioners has by a subsequent resolution agreed to undertake maintenance of the same. This approval does not guarantee that the size, soil conditions, subsurface geology, groundwater conditions, or flooding conditions of any lot shown hereon are such that a building permit, sewage disposal permit, or any other required permit will be issued. This approval is with the understanding that all expenses involving required 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 Clear Creek County. Approval of this plat may create a vested property right pursuant to Article 68 of Title 24 C.R.S., as amended.

Date

_____,
Chairman, Board of County Commissioners / Planning Director, as Agent for the Board of County Commissioners

Attest:

Clerk and Recorder

1603.05 The following planning commission note is required on each land survey plat that received a formal recommendation from the Clear Creek County Planning Commission.

Planning Commission Recommendation

The Clear Creek County Planning Commission recommended approval/denial of this land use request to the Board of County Commissioners on _____.

Clear Creek County Subdivision Regulations: Article 16

1603.06 The following certificates are required for every land survey plat.

Surveyor's Certificate

I, _____, a registered land surveyor, certify that the survey lines shown hereon are based upon the best evidence available following a ground survey made under my direct responsibility, supervision and checking during _____, and _____, 20__.

I do further certify that this land survey plat is in compliance with C.R.S. Title 38, Article 51, and all other applicable statutes.

(Name of Surveying Company)

(Name of Surveyor)

(Address)

(Phone Number)

Surveyor

Recorder's Certificate

This plat was filed for record in the office of the County Clerk and Recorder of Clear Creek County at _____m. on this ____ day of _____, 20__ at Book _____, Page _____, Reception No. _____.

Clerk and Recorder

Clear Creek County Subdivision Regulations: Article 17

ARTICLE 17 DEFINITIONS

1701 Intent

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

1702 Rules of Construction of Language

1702.01 The particular controls the general.

1702.02 In case of any difference of meaning or implication between the text of these Regulations and the captions of each section, the text shall control.

1702.03 The word 'shall' is always mandatory and the word 'may' is permissive.

1702.04 Words used in the present tense include the future, unless the context clearly indicates the contrary.

1702.05 Words used in the singular include the plural and words used in the plural include the singular, unless the context clearly indicates the contrary.

1703 Definitions

Definitions provided for in the Clear Creek County Zoning Regulations shall apply here.