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18.04 General Provisions

18.04.010 Title

Title 18 Subdivisions establishes rules, regulations, and standards governing the subdivision of land within the Town, sets forth the procedure to be followed by the planning commission and board of trustees in applying and administering these rules, regulations and standards, and sets forth the penalties for the violation thereof.

18.04.020 Purpose

Title 18 Subdivisions is designed and enacted for the purpose of promoting the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of the Town by encouraging the proper arrangement of streets in relation to existing or planned streets and to the master plan; providing for adequate and convenient open spaces; providing for drainage facilities and the restriction of development on lands subject to flood, areas covered by poor soils, and areas poorly suited for building because of danger from landslides, mud flows or other geological hazards; providing for public water supplies as needed to furnish citizens safe, potable water; assuring proper installation of sanitary facilities as needed for disposal of waste, encouraging coordination of inter-jurisdictional public improvements, plans and programs; and regulating such other matters as the planning commission and the board of trustees may deem necessary in order to best protect the interests of the public.

18.04.030 Permits

No permits, building or other, shall be issued by any administrative office of the Town for the construction of any building, or other improvements requiring a permit, upon any land for which a plat is required by this Title, unless and until the requirements hereof shall have been complied with. No building permit, except for public improvements, shall be issued prior to preliminary acceptance of all public improvements, except street paving, required pursuant to Chapter 18.24 Public Improvements of Title 18 Subdivisions unless waived by resolution of the board of trustees.

18.04.040 Certificates of occupancy

No certificate of occupancy shall be issued by the building official until offstreet parking, as required by Title 19 Zoning, has been constructed and inspected. In the event that parking lot pavement, when required, cannot be constructed without unreasonable delay, a certificate of occupancy may be issued following the submission of adequate financial security to guarantee the construction of pavement, but in such cases a higher-quality gravel base may be required for the interim period. Drives and parking areas will not be considered complete until all utility laterals have been constructed below the surface of such areas according to plan.

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18.08 Definitions

18.08.010 Definitions

The following definitions will be the meanings of terms as they are used in Title 18 Subdivisions :

1. "Dedication" means the intentional appropriation of land by the owner to some public use.
2. "Easement" means a right granted by the property owner, generally established in a real estate deed or on a recorded plat, to permit the use of land by the public, a public agency, a utility, a corporation, or particular persons for a specified purpose or use.
3. "Evidence" means any map, table, chart, contract, or any other document or testimony prepared and certified by a qualified person to attest to a claim or condition, which evidence must be relevant and competent and must support the position maintained.
4. "Final plat" means the final map prepared in accordance with subdivision regulations as an instrument for recording of real estate interests with the county clerk and recorder.
5. "Floor area" means the area included within the surrounding exterior walls of a building or portion thereof, exclusive of garages, vent shafts, areas primarily for maintenance access, and areas with unobstructed opening to the outside. Such area shall be measured from the exterior side of exterior walls.
6. "Land" means real property, including permanent improvements and usable air space.
7. "Lot" means a measured portion of a subdivision intended as a unit for transfer of ownership for lease or for development.
8. "Minor subdivision" means a subdivision, solely residential, with no more than five resulting dwelling units, the regulation of which, in the opinion of the planning commission and subject to review by the board of trustees, is not within the intent and purpose of Title 18 Subdivisions.
9. "Open space" means land uncovered by structures, streets, parking, or driveways.
10. "Open space, passive." "Passive open space" means land restricted by the subdivision plat and covenants from being covered by structures, parking, streets, or other improvements, except that trails for pedestrians or non-motorized vehicles may be located thereon. Such an open space should be designed and located in a manner to provide a feeling of openness to all parts of the subdivision.
11. "Planned unit development" means development of land in a manner which allows a number of uses in which normal restrictions of lot size, setbacks, densities, land uses, and other criteria may be relaxed in return for development conformance to an approved plan for the total parcel. Approval may be given as provided by this title and the provisions of Title 19 Zoning.
12. "Planning commission" means the Town planning commission as duly constituted by law and/or its appropriate staff.
13. "Planning commission staff." See "planning commission."
14. "Plat" means a map of certain described land prepared by a registered land surveyor in accordance with subdivision regulations as an instrument for recording of real estate interests with the County clerk and recorder.
15. "Preliminary plan" means a map of proposed subdivision with supporting materials, drawn and submitted in accordance with the subdivision regulations, to permit review of detailed engineering and design.
16. "Public facility" means any structure, building or land use furthering any governmental, civic or public service function necessary to the health, safety, morals, or general welfare of the general public.
17. "Public improvements" means all physical improvements upon a subdivision site erected, constructed, or installed for dedication to or benefit of the general public or a public agency.
18. "Rangely master plan" means the Rangely master plan as may be adopted, prepared or being prepared for the Town, and which includes any part or unit of any such plan separately adopted and

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any amendment to such plan or parts thereof. It is a plan for the future growth, protection and development of the Town, which makes recommendations and policies to provide adequate facilities for housing, transportation, convenience, public health, safety, and general welfare of its population.

19. "Replat" means a vacation of an existing subdivision plat, and a subsequent or contemporaneous platting of the same property or any portion thereof.
20. "Resubdivision" means the further division of any lot or unit as designated on any subdivision plat previously recorded with the County clerk and recorder.
21. "Roadway" means that portion of the street right-of-way designed for vehicular traffic.
23. "Separate interests" means any division of substantial interests in real estate. "Substantial interests" shall include, but not be limited to, fee title, future interests, leasehold interests, life estates, or other interests in which the holder has sufficient control to restrict the use of land by other parties.
23. "Sketch plan" means the map of a proposed subdivision, drawn and submitted in accordance with subdivision regulations, to permit evaluation of the concept of development.
24. "Street" means any street, avenue, boulevard, road, lane, parkway, viaduct, alley, or other way for the movement of vehicular traffic which is an existing street, County or municipal roadway, or a street or way shown upon a plat, heretofore recorded, pursuant to law; and includes the land between street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, sidewalks, parking areas, and other areas within the right-of-way. For the purposes of this title, streets shall be classified as follows:
 - a. Arterial street: a street designed to carry heavy vehicular traffic from one part of the municipality to another;
 - b. Collector street: a through street designed to collect vehicular traffic from intersecting local streets;
 - c. Local street: a street designed to carry vehicular traffic from one or more individual units to or from a collector street;
 - d. Alley: a minor way, which is used primarily for vehicular service access to the rear or side of property otherwise abutting on a major street;
 - e. Cul-de-sac: a short dead-end street terminating in a vehicular turnaround area;
 - f. Service road: a street paralleling and in the vicinity of arterial streets to provide access to adjacent property so that each adjacent use will not have direct access to the arterial street.
25. "Subdivider" means any person, firm, partnership, joint venture, association or corporation who shall participate as owner, promoter, developer or sales agent in the planning, platting, development, promotion, sale, or lease of a subdivision.
26. "Subdivision" means:
 - a. The division of any parcel of land into two or more parcels, separate interests, or interests in common, unless exempted below;
 - b. The term "subdivision" shall not apply to any division of land into two (2) or more parcels each containing fifteen (15) acres or more, none of which is intended for use by multiple owners, and which does not require the creation of any part of one or more streets, public easements, or other rights-of-way, whether public or private, for access to or from such parcels;
 - c. Unless the method of disposition is adopted for the purpose of evading this title, the term "subdivision" as defined in subsection a of this section shall not apply to any division of land:
 - i. Which creates parcels of land such that the land areas of each of the parcels, when divided by the number of separate interests in any such parcel, results in fifteen (15) or more acres per interest,
 - ii. Which is created by order of any court in this state or by operation of law,
 - iii. Which is created by a security or unit of interest in any investment trust regulated under the laws of this state or any other interest in any investment entity,
 - iv. Which creates cemetery lots,
 - v. Which creates an interest in oil, gas, minerals or water which are now or hereafter severed from the surface ownership of real property, or

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- vi. Which is created by the acquisition of an interest in land in the name of a husband or wife of other related persons, and any such interest shall be deemed for the purposes of this section as only one interest.
- 27. “Substantial conformity of final plat.” The final plat shall be in substantial conformity with the preliminary plan if there is no variation from the preliminary plan other than minor changes in the size of lots; locations of lot lines, easements or streets; and location, size, siting, height or character of buildings or structures. Substantial conformity shall not include any change in types or numbers of land uses, any variance in residential density, any change in location of a public right-of-way in excess of ten (10) feet, or any dimensional variation in excess of ten percent (10%).
- 28. “Unit, residential or dwelling.” “Residential or dwelling unit” means a parcel of real property designed to be occupied by one family, excluding lodging and overnight accommodations.

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18.12 Planning Criteria

18.12.010 Duties of the planning commission

- A. The planning commission shall periodically update the master plan for the physical development of the Town, including any areas outside of its boundaries, subject to the approval of the governing body having jurisdiction thereof, which, in the judgment of the planning commission, bear relation to the planning of the Town. Adoption of the master plan shall be subject to review and approval by the board of trustees.
- B. The planning commission shall continually update the master plan, subject to review and approval by the board of trustees.
- C. The planning commission shall review the plans for all subdivisions in conformance with town ordinances and shall insure that such plans conform to the prescribed design criteria and the Master Plan.
- D. The planning commission may appoint such employees as it may deem necessary for its work and may contract with planners, engineers, and other consultants for such services as it may require. Such appointments, promotions, demotions, removals and contracts shall be made only with the consent of the council. The planning commission is authorized to expend such moneys as may be appropriated by the board of trustees to accomplish their assigned duties.
- E. The planning commission shall recommend such changes to relevant provisions of this Code and other regulations, as it may deem desirable to aid in accomplishing its assigned duties.
- F. The planning commission shall perform such other tasks as may be assigned by the board of trustees.

18.12.020 Design criteria

- A. General.
 - 1. Development shall be designed to encourage optimum use of the land.
 - 2. Development under a planned unit development concept shall be encouraged.
 - 3. Development shall be coordinated with land use in the immediate area to ensure compatibility to the maximum extent, if possible.
 - 4. Special consideration and study shall be given to development on lands with slope greater than thirty percent (30%). Particular attention must be paid to geologic and soil conditions, road grades, cut-and-fill slopes, and revegetation. Special precautions such as cribbing, retaining walls, etc., should be considered where needed.
 - 5. Because of inherent conflicts between agricultural uses and urban development, development adjacent to active agricultural lands shall be carefully coordinated to ensure minimal impact upon those lands. A plan shall be required which will ensure an enforceable obligation of the proposed subdivision to contribute fifty percent (50%) of the expense of maintaining common fences for as long as the adjacent land remains in agricultural use. The subdivider shall protect the rights of access and freedom from interference by the users of irrigation waters.
 - 6. Development shall be designed to minimize adverse effects on any historical, recreational, or aesthetic values.
 - 7. Subdivisions shall be landscaped to create a pleasing visual effect and to minimize high-wind conditions, snow drifting and soil erosion. Vegetation shall be restored on all exposed land surfaces.
 - 8. Construction shall be guided to minimize obstruction of view from adjacent properties, highways, and other public areas.
 - 9. Development shall be encouraged which meets an existing demand in the immediate area.

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10. The planning commission shall encourage such design as will best promote the purposes and intent of this title.

11. No structure shall be built within one hundred fifty (150) feet of an oil or gas well.

B. Sites.

1. Areas proposed for building sites shall be capable of being built upon with adequate size, frontage, and proper setbacks.
2. Residential sites shall be built with adequate space for offstreet parking, and such parking areas shall have safe vehicular access to the public streets. Residential driveways shall not exceed ten percent (10%) in grade, with not less than a forty-five (45) degree intersecting angle unless recommended by the planning commission.
3. Commercial and industrial sites shall be provided with adequate space for offstreet parking, and such parking area shall have safe vehicular access to the public streets. Commercial and industrial driveways shall not exceed seven percent (7%) in grade, with not less than a sixty (60) degree intersecting angle. Service access shall be provided to commercial and industrial uses.
4. Lots with unusual configurations may be discouraged unless valid planning considerations dictate otherwise.
5. Subdividers shall be encouraged to avoid substantial tree cutting.
6. Sites shall be graded for surface drainage, and drainage easements shall be dedicated in areas of natural drainage to prohibit structures thereon.
7. Multi-family developments shall provide adequate garbage collection facilities deemed desirable by the planning commission.
8. Excavations and fills shall be designed in a manner compatible with adjacent properties.
9. Off-street parking spaces located directly adjacent to a public right-of-way, with no private driveway or maneuvering space shall be avoided.

C. Transportation.

1. Streets should conform to the road and street master plan.
2. Streets, public or private, shall be constructed by the subdivider to conform to the specifications of the town.
3. Streets shall be designed to avoid undue traffic congestion and hazards.
4. Streets shall be coordinated with transportation systems on adjacent land.
5. Streets terminating temporarily at a property boundary but planned for later extension shall be platted as a cul-de-sac. However, the plat may provide for vacation of the turnaround area at such time as the street is subsequently extended. Certain sites may require a T-shaped or Y-shaped terminus. Where provided, the wings of such T or Y shall be at least twenty (20) feet deep, measured from the street boundary, and at least twelve (12) feet wide, exclusive of parking space.
6. Developers shall provide non-motorized routes in conformity with the town's master plan for such routes.
7. Through traffic shall be discouraged on local streets.
8. Points of access will be limited on arterial streets.
9. Block lengths shall not be less than four hundred (400) feet nor more than one thousand six hundred (1,600) feet, unless valid planning considerations dictate otherwise.
10. Development will be set back sufficiently from airports and highways to ensure adequate safety of the residents or users. Sub-dividers shall erect fences, where appropriate, adequate to discourage children from wandering onto adjacent airports and highways, and sound barriers installed where needed.

D. Floodplains.

1. Development in a one hundred (100) year floodplain shall be limited as required by Chapter 15.40 Floodplain Management of Title 15 Buildings, Construction, and Housing.
2. Bridges in a one hundred (100) year floodplain shall be so constructed as to minimize the effects of providing a barrier to floodwater runoff.

E. Soils and Geology.

1. No development shall be allowed in areas of slides, mud flows, avalanches, or large rock falls unless it is convincingly demonstrated that engineering can and shall be accommodated to eliminate these hazards.
2. Special conditions may be required to minimize the effect of any pertinent geological or soils condition.

F. Ecology.

1. Subdividers shall make every effort to preserve existing waterways, primary tree cover, rock formations and other natural vistas.
2. Every precaution shall be taken to eliminate untreated discharges of criteria pollutants into existing waterways or surface runoff.
3. Development shall be designed, to the extent feasible, to place residences in the vicinity of jobs, commercial amenities and recreational facilities, to reduce the need for long driving distances. Collector and arterial streets shall be designed for the shortest feasible access between points and shall avoid unnecessary winding. Walking communities and non-motorized transportation routes shall be encouraged in order to reduce the polluting effects of motorized transportation.
4. Landscape plan shall consist of vegetation as may be recommended by the Soil Conservation District.
5. Development shall be discouraged from interrupting indigenous ecological cycles

G. Improvements.

1. Public improvements shall be constructed in accordance with Chapter 18.24 Public Improvements of Title 18 Subdivisions and other relative provisions of this Code.
2. Structures shall not be erected in advance of adequate fire precautions and public street access.

H. Open Space.

1. Land Dedication. Lands annexing and being developed increase the population of the Town and obtain the benefit of various town facilities. Those petitioning for annexation and zoned for residential use shall pay certain fees. The dedication of land for public uses should be a condition of preliminary/final plat approval. Every owner of land to be subdivided or pending PUD approval shall dedicate land for parks, unless otherwise permitted herein. The amount of land so required to be dedicated shall be determined on the basis of two and a half (2.5) acres of land per each one thousand (1,000) persons. For the purposes of meeting this requirement, household size is determined as follows:

Type of Unit	Persons Per Household
Single-family	3
Duplex	3
Multi-unit	2.5
Mobile home	3
Recreational Vehicle	2
Bachelor's Quarters	1

Open space formula: number of units x persons per household x 108.9 sq. ft./person = square footage of open space. Any land to be dedicated as a requirement of this section shall be reasonably adaptable for use as a vest-pocket park, neighborhood park and playground playfield, or community park. Factors used in evaluating the adequacy of proposed park areas shall include size and shape, topography, geology, tree cover, access, and location. If the recreation district board recommends, and/or the board of trustees determines, that dedication of land in conjunction with any one development is impractical or undesirable, the owner shall pay cash in lieu of open space prior to final plat approval by the board of trustees. The board shall deposit cash so received into a recreation fund established for this purpose. The amount of cash payment shall be determined by multiplying the square footage of the area required to be dedicated by this title by the park land acquisition multiplier (\$/sq. ft. of land). The multiplier shall be determined by the

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board of trustees during the first month of each year; in establishing this multiplier, the board shall consider the actual selling price of undeveloped residentially zoned land during the preceding year.

2. Payment of Fees for Park Development. In order to satisfy these requirements, the owner of any land to be subdivided or pending PUD approval shall pay fees to defray park land development, based upon the following formula: number of units x persons/household (as determined in paragraph b of subdivision 1 of this subsection) x 108.9 sq. ft./person x the park development multiplier. The park development multiplier is the average cost, (estimated and established during the first month of each year by the board of trustees, after recommendation by the recreation district board), to develop one square foot of land for active recreational purposes in the Town. Such fees shall be paid at/or prior to the time application is made for a building permit. If development exists on any site pending annexation, then fees for park development may be required prior to the time an annexation ordinance is considered on first reading. Failure to pay required fees may be considered grounds for the Town to withhold approval of the petition for annexation, or of any building permits for construction in the annexed areas.
3. Accounting of Fees. The fees paid to the Town shall be separately accounted for in the permanent Parks & Recreation Fund, and shall be used for the purpose of acquiring and developing new parkland, and broadening the recreational opportunities and development of existing parks in the neighborhood serving the needs of additional town residents.
4. Waiver of Fees. The parkland acquisition or development fee, or a part of it, may be waived by the board of trustees, after considering recommendations by the board of directors of the Western Rio Blanco Metropolitan Park and Recreation District, under the following circumstances: a. When sufficient public recreational areas, acceptable to the town, not including yards, setbacks or any other open areas required by zoning and building regulations, have been provided by the building permit applicant, and the perpetual use of such recreational areas by the public has been assured by agreements. When sufficient number of public recreational facilities, such as swimming pools, tennis courts and ball fields, which meet the standards as adopted by the board of directors of the Western Rio Blanco Metropolitan Park and Recreation District, are provided by the building permit applicant, and the perpetual use of such facilities by the public has been assured by agreements. In the event such facilities are provided, but are private in nature, no more than fifty percent (50%) of the fees may be waived.

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18.16 Procedures

18.16.010 Pre-application conference

A pre-application conference may be held with the planning commission for the purpose of establishing general guidelines and eliciting feedback from the members of the planning commission regarding specific questions or problem areas. The pre-application conference is a vehicle intended to provide the applicant with general guidance prior to expenditure of large amounts of time and money in the planning effort.

18.16.020 Sketch plan

- A. The sub-divider shall apply, by submitting the data required in Chapter 18.20 Specifications for Plans and Plats of Title 18 Subdivisions to the planning commission for review of a subdivision sketch plan. All data should be submitted at least fourteen (14) days prior to the meeting of the planning commission at which the sketch plan shall be considered.
- B. The sketch plan shall be thoroughly evaluated by the planning commission staff prior to the regular meeting at which it will be considered. The planning commission shall further review the plan at its regular meeting, and shall consider testimony by the subdivider, the planning commission staff, and any interested member of the public. The planning commission may approve, disapprove, approve conditionally, or table the plan requesting modifications. The planning commission may withhold its decision for a period not to exceed thirty-five (35) days following the first regular meeting at which the plan is considered or the date on which all the data required by Chapter 18.20 Specifications for Plans and Plats of Title 18 Subdivisions is submitted, whichever is later. If a decision is not rendered within sixty (60) days, the sketch plan is deemed to be approved.
- C. Sketch plan approval shall be effective for a maximum period of twelve (12) months, unless, upon application by the subdivider, the planning commission grants an extension of time. Submittal of a preliminary plan, even though for less than the entire area covered by the sketch plan, extends the effective date of the sketch plan approval to a date twelve (12) months following the date of submittal of such preliminary plan.

18.16.030 Preliminary plan

- A. The sub-divider shall apply by submitting the data required in Chapter 18.20 Specifications for Plans and Plats of Title 18 Subdivisions to the planning commission for review of a subdivision preliminary plan. All data should be submitted at least thirty-five (35) days prior to the public hearing of the planning commission at which the preliminary plan shall be considered.
- B. Upon submission of the preliminary plan, the planning commission staff may distribute the preliminary plan with appropriate supportive documents to the following offices for study:
 - 1. County planning commission;
 - 2. Rio Blanco RE No. 4;
 - 3. Soil Conservation District;
 - 4. Western Rio Blanco Metropolitan Recreation and Park District;
 - 5. Rangely Rural Fire Protection District;
 - 6. All relevant utility companies.Each of these offices or agencies shall return their recommendations and comments, if any, to the planning commission within twenty-four (24) days of the mailing date of the plan and appropriate supportive documents by the planning commission.

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- C. The appropriate fees, as set forth in Chapter 18.32 Fees of Title 18 Subdivisions, shall be paid in full at the time of application for preliminary plan approval. A receipt shall be issued to the subdivider for the preliminary plan and for any fees received.
- D. The planning commission shall set a public hearing at which any interested person may present testimony concerning the preliminary plan. The plan shall be thoroughly evaluated by the planning commission staff prior to such public hearing. The planning commission shall cause to be published a legal notice in a newspaper of general circulation in the Town at least four (4) days prior to the date of the public hearing, setting forth the nature of the hearing, a description of the property concerned, and the date, time and place at which the hearing will be held; such notice shall also be posted in the designated posting places for the Town at least four (4) days prior to the date of the public hearing and shall remain posted until after such hearing. The planning commission may approve conditionally or may disapprove or table the plan requesting modifications. The planning commission may withhold its decision for a period not to exceed thirty-five (35) days following the public hearing or the date on which all the data required by Chapter 18.20 Specifications for Plans and Plats of Title 18 Subdivisions, is submitted, whichever is later. If a decision is not rendered within thirty-five (35) days, the preliminary plan is deemed to be approved.
- E. Preliminary plan approval shall be effective for a maximum period of twelve (12) months, unless, upon application by the subdivider, the planning commission grants an extension of time. If a final plat is submitted, even though for less than the entire area covered by the preliminary plan, approval of the preliminary plan is extended to a date twelve (12) months following the date of submission of such final plat.

18.16.040 Final plat

- A. The subdivider shall apply, by submitting the data required in Chapter 18.20 Specifications for Plans and Plats of Title 18 Subdivisions, to the planning commission for review of a subdivision final plat. All data should be submitted at least seven (7) days prior to the meeting of the planning commission at which the final plat shall be considered.
- B. The planning commission staff shall thoroughly review the final plat and shall note any variation from the preliminary plan approval. Any variations from the preliminary plan shall be reported to the planning commission.
- C. If the final plat has no substantial variation from the approved preliminary plan, the planning commission shall approve the plat. If the plat is found to have a substantial variation from the approved preliminary plan, the planning commission may approve, disapprove, or table the plat requesting modifications.
- D. Following approval of the final plat by the planning commission, the plat and supporting documents shall be submitted to the board of trustees at their next regular meeting for approval, disapproval or remission to the planning commission for further study.
- E. The subdivider, within five (5) working days following approval of the final plat, shall file said plat in the office of the County clerk and recorder; otherwise, the approving action of the Town authorities shall be deemed withdrawn. There shall be no sales, agreements to sell, leases or rentals of parcels of a subdivision until the final plat has been duly recorded.

18.16.050 Special procedures

- A. Planned Unit Developments. In addition to the subdivision provisions set out in Title 18 Subdivisions, a planned unit development shall also comply with the procedure enumerated in the section for review and approval in Title 19 Zoning.
- B. Minor Subdivisions. The sub-divider shall apply, by submitting the data required in Chapter 18.20 Specifications for Plans and Plats of Title 18 Subdivisions to the planning commission for

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qualification as a minor subdivision. The required data shall be submitted at least fourteen (14) days prior to the date for planning commission review. If the planning commission determines that the subdivision is to be solely residential with not more than four (4) resulting dwelling units and is not within the intent and purpose of Title 18 Subdivisions, it shall qualify the subdivision as a minor subdivision. The qualification shall not take effect until thirty (30) days after planning commission decision, during which time the Town council may request review. If the council requests review within said thirty (30) day period, the qualification as a minor subdivision shall not take effect unless and until approved by the board of trustees. Either the planning commission or the board of trustees may attach to the qualification reasonable conditions, which promote the ends of Title Subdivisions .

- C. Re-subdivision. Any lot or lots of a subdivision of prior record intended for re-subdivision shall follow the normal procedures set forth in this Chapter, except that a re-subdivision may omit sketch plan procedures and proceed directly to preliminary plan review. Data requirements may be waived if necessary to avoid duplication of data previously submitted to the planning commission in conjunction with the original subdivision.

18.16.060 Withdrawal of approval

- A. The board of trustees may withdraw any recommendation of the planning commission or approval by the board of trustees of a plan or plat, or any portion of such plan or plat, if and when it is determined that information provided by the subdivider, upon which such approval was based, is false or inaccurate, and that if the true information had been known at the time of prior approval, such approval would not have been granted.
- B. Upon determination that reasonable grounds exist to believe that false or inaccurate information may have been provided, the board of trustees shall set a public hearing at which any interested person may present testimony. The board of trustees shall cause to be published a legal notice in a newspaper of general circulation in the Town at least thirty (30) days prior to the date of the public hearing, setting forth the nature of the hearing, a description of the property concerned, and the date, time and place at which the hearing will be held, such notice shall also be posted in the designated posting places for the Town at least ten (10) days prior to the date of the public hearing and shall remain posted until after such hearing. The board of trustees shall further notify all persons with a property interest of record by registered mail at least ten (10) days prior to the hearing. For the purpose of this Section, it shall be sufficient that the mailed notice be posted to the most current address on record with the County assessor's office.
- C. If approval of a recorded plat be withdrawn, the decision of the board of trustees shall be embodied in a written resolution stating the findings of fact, a description of the property, and the decision of the board of trustees. Such resolution shall then be recorded with the County clerk and recorder, and shall be effective from the date of recording. Written notice of the action by the board of trustees shall be mailed to all persons with a property interest of record.

18.16.070 Vacation of a plat of record

- A. A landowner may make application to vacate any plat of record, or portion of a plat of record, under the following conditions:
 - 1. The plat to be vacated is a legal plat of record;
 - 2. Vacation of the plat will not interfere with development nor deny access via public thoroughfare to adjoining properties, utility service, or other improvements;
 - 3. Vacation of the plat will not be contrary to the Rangely Master Plan or Title 19 Zoning .
- B. Vacation of a utility easement shall be brought directly to the board of trustees and shall be accompanied by letters of acquiescence from all interested utility companies. All other vacation petitions shall be brought to the planning commission for recommendation to the board of trustees.

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The board of trustees shall approve or deny the petition. If the petition is approved, it shall then be recorded with the County clerk and recorder. All fees for the recording of such vacation shall be paid by the petitioner.

18.16.080 Replat of existing plats

A vacation and replat of an existing plat of record shall follow the same procedure as any other subdivision. However, if in the determination of the board of trustees, upon recommendation of the planning commission, the replat is found to be a substantial benefit to the general public, the requirements for financial security under Chapter 18.24 Public Improvements of Title 18 Subdivisions public facilities fees under Chapter 18.12 Planning Criteria of said Title, or any portion thereof, may be waived.

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18.20 Specification for Plans and Plats

18.20.010 Sketch plan

- A. The purpose of the sketch plan is to secure a conceptual design of the overall area to be developed, delineating separate land uses and road design so that the plan may be evaluated with respect to the concept of development, its contribution to the public health, safety and welfare, and its coordination with adjacent properties and master plan.
- B. Data required for the sketch plan.
1. Three (3) copies of the sketch plan shall be submitted to the planning commission at a convenient scale and shall contain the following:
 - a. Proposed name of subdivision,
 - b. Date of preparation,
 - c. Written and graphic scale,
 - d. North arrow,
 - e. Designation of various land uses anticipated,
 - f. Street layouts, indicating general dimensions,
 - g. Contour intervals of not more than ten (10) feet, and
 - h. Existing zoning on all adjacent properties;
 2. A map, with the same scale as the sketch plan, of existing and recorded section lines, streets, areas, easements, watercourses, utilities, improvements, and any other major features in and adjacent to the tract shall be submitted - three (3) copies;
 3. Soil types and their boundaries, as shown on soil survey maps prepared by the U.S. Department of Agriculture, Soil Conservation Service, and also a table of interpretations for the soil types shown on the soil map prepared by the Soil Conservation Service. Requests for these maps and tables are to be made to the local Soil Conservation District; the subdivision does not need to be in a Soil Conservation District to obtain the map and table or have them prepared - three (3) copies are required;
 4. A vicinity sketch indicating the location of the proposed subdivision, and land uses and residential densities of other properties in the immediate vicinity. The sketch should be at a scale no smaller than one (1) inch equals five hundred (500) feet;
 5. A written statement containing the following information:
 - a. Names and addresses of adjoining property owners or the owners of property separated from the proposed subdivision only by a public way,
 - b. Names and addresses of property owner, subdivider, land planner, and designation of the person to be contacted for purposes of coordination,
 - c. Gross acreage of the subdivision,
 - d. Approximate number and types of units,
 - e. Estimated acreage of streets and parking (unless detailed planning has been accomplished, offstreet parking spaces should be calculated on the basis of two hundred (200) square feet per space),
 - f. Acreage and percentage of common open space,
 - g. The number of separate filings anticipated,
 - h. Zoning to be retained or applied for,
 - i. Type of water system proposed and source of water,
 - j. Type of sewage disposal system proposed,
 - k. For single-family or duplex development, minimum, maximum and average lot sizes, and
 - l. Developer's license number;

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6. Letters from any water and wastewater utilities and fire district which will provide services, concerning its ability to provide such services and setting forth an approximate date when service could be available,
7. Any additional information as may be required by the planning commission in furtherance of the purpose of the sketch plan.

18.20.020 Preliminary plan

- A. Purpose. The purpose of the preliminary plan is to review and check the proposed development against the specific design standards and improvement requirements as set forth in this title.
- B. Data required for the preliminary plan include:
 1. Twelve (12) copies of the preliminary plan, at a scale of one (1) inch equals one hundred (100) feet, shall be submitted to the planning commission and shall contain the following information:
 - a. Name of subdivision (including the number of the filing, if applicable),
 - b. Written and graphic scale,
 - c. North arrow,
 - d. Date of preparation,
 - e. Sheet size shall be twenty-four (24) inches by thirty-six (36) inches, and the cover shall include a key map showing sheet match lines if more than one (1) sheet is necessary,
 - f. Location of the subdivision by reference to a permanent survey monument or section corner,
 - g. Street layouts with specific dimensions,
 - h. Lot layouts with specific dimensions,
 - i. Driveways and offstreet parking spaces except in single-family developments,
 - j. The acreage of each parcel of land,
 - k. The number of units proposed for each parcel of land,
 - l. Snow storage areas,
 - m. Contours at no more than two (2) foot intervals, and
 - n. Designation of possible driveways in areas of more than seven percent (7%) slope, with driveway grade indicated;
 2. A slope study, overprinted on the preliminary plan, indicating the following slope categories:
 - a. 0 - 7 percent,
 - b. 8 - 15 percent,
 - c. 16 - 30 percent,
 - d. 31- 40 percent,
 - e. Over 40 percent - eight copies required;
 3. A letter of commitment from a municipal water utility and data as may be required to show the capability of the utility to provide service;
 4. A letter of commitment from a municipal wastewater utility, with data as may be required to assess the impact of development on sewage facilities;
 5. A soils map of the subdivision, overprinted on the preliminary plan, and accompanied by a written plan to overcome any soils problems or hazards (eight (8) copies required);
 6. A drainage study indicating one hundred (100) year flood volumes and an appropriate street drainage plan, overprinted on the preliminary plan, prepared by a professional engineer - eight (8) copies required;
 7. A centerline profile of streets, including amounts of cut and fill, prepared by a professional engineer. All centerline profiles shall be drawn to a scale of ten (10) feet vertical and one hundred (100) feet horizontal, or five (5) feet vertical and fifty (50) feet horizontal, to the inch. Cross-sections shall be provided as necessary to demonstrate that cut-and-fill slopes will be totally contained within the dedicated right-of-way, that driveway access can be constructed in areas

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exceeding ten percent (10%) slope, and that adequate area is provided for utilities to be placed in the dedicated right-of-way - ten (10) copies required;

8. A utility location plan, setting forth the planned located of water lines and facilities, wastewater lines and facilities, natural gas lines, electrical lines and stations, and telephone lines - seven (7) copies required). The utility location plan shall include a statement of approval signed by a representative for the applicable water and wastewater utilities and electric, gas, and telephone companies, as appropriate. The statements shall be worded substantially as follows:

I hereby certify that:

1. I have been authorized by my company or utility to review and approve this utility location plan;
2. I have reviewed said utility location plan; and
3. The facilities shown hereon are acceptable to my company or utility.

Signature: _____

Company/Utility: _____

Date: _____

9. A landscaping plan, overprinted on the preliminary plan, and accompanied by a written statement setting forth the types of vegetation and other landscaping improvements, including steps which will be taken to revegetate all exposed land surfaces, and the estimated costs to accomplish the plan - eight (8) copies required;
10. A preliminary draft of the protective covenants or deed restrictions for the subdivision - two (2) copies required;
11. Proof of ownership, which may be in the form of a title policy or attorney's opinion;
12. A written statement containing the following information:
- a. Names and addresses of adjoining property owners and owner's property separated only by a public way,
 - b. Gross acreage of the subdivision,
 - c. Number and type of units,
 - d. Acreage designated for land use,
 - e. Acreage covered by buildings, if buildings are shown on the preliminary plan,
 - f. Acreage of streets to be dedicated,
 - g. Acreage of off-street parking except for single-family developments (if buildings are not shown, parking may be estimated on the basis of two hundred square feet per parking space),
 - h. Acreage and percentage of open space,
 - i. Zoning to be retained or applied for, and
 - j. A plan for maintenance of common areas;
13. Any additional information as may be required by the planning commission in furtherance of the purpose of the preliminary plan.

18.20.030 Final plat

- A. The purpose of the final plat is to provide a permanent and accurate record of the exact size, shape, location and authorized use of the lots, blocks, streets, easements, common area and other parcels of land within the subdivision, and to insure that public improvements are constructed in an acceptable manner
- B. Data required for the final plat include:
1. Two (2) originals, drawn with India ink on plastic, and two (2) prints of the final plat shall be submitted containing the following:
 - a. Exact name of the subdivision (including the number of the filing, when applicable),

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- b. Written and graphic scale drawn at one hundred (100) feet to the inch and one (1) sepia at one (1) inch equals two hundred (200) feet,
 - c. North arrow,
 - d. The exact dimensions of easements,
 - e. Location of the subdivision be reference to permanent survey monuments with a tie to a section corner or a quarter section corner,
 - f. Dimensions and azimuths of lot lines and street centerlines,
 - g. All lots and blocks shall be numbered in consecutive order for ease of identification,
 - h. Area of each lot in acres,
 - i. Statement of the total number of dwelling units shown on the proposed plat,
 - j. All streets shall be named,
 - k. Sheet size shall be twenty-four (24) inches by thirty-six (36) inches, with a one-half (1/2) inch border on the top, bottom, and right-hand side, and a one and one-half (1 ½) inch border on the left-hand side (as many sheets as necessary may be submitted for a single plat or filing),
 - l. The names of abutting subdivisions, or, in the case of abutting un-platted property, the notation "Un-platted" shall appear, In. All public or quasi-public areas shall be Identified,
 - n. All section, range and township lines shall be shown and must close within the limits of one (1) in ten thousand (10,000); all boundary lines and lot lines must close within the limits of one (1) in ten thousand (10,000),
 - o. All curve data shall be shown in chart form on the face of the plat,
 - p. Radii, internal angles, points of curvature and length of all arcs,
 - q. Developer's license number, where one is required, and
 - r. All areas to be marketed, as separate units shall be individually identified;
2. The following statement shall be required on the final plat and shall be worded substantially as follows:
- a. Heading. The heading of the final plat shall include the complete name of the subdivision, the land sections, Township, Range, Principal Meridian, Town of Rangely, Rio Blanco County, Colorado. Also, where applicable, the United States Mineral Claim name, number, and mining district shall be shown,

b. Dedication.

Know all men by these presents: That (Printed name of owner), being the owner(s) of the land described as follows: (insert legal description of land being subdivided and include area in acres to two decimal places) in the Town of Rangely, Rio Blanco County, Colorado, under the name and style of (complete name of subdivision in capital letters), has laid out, platted and subdivided same as shown on this plat, and by these presents do (does) hereby dedicate to the perpetual use of the Town of Rangely, State of Colorado, the streets, alleys, roads, and other public areas as shown hereon and hereby dedicate those portions of land labeled as easements for the installation and maintenance of public utilities as shown hereon.

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c. Notarial

State of Colorado
County of _____
The foregoing instrument was acknowledged before me this _____ day of _____, A.D. 2____, by (printed name of owner). (If by natural persons here insert name; if by persons acting in a representative official capacity, then insert the name of said person and his capacity; if by officers of a corporation, then insert the names of said officers as the president or other officers of such corporation, naming it.)
My commission expires on (to be filled in by Notary).

Witness my hand and official seal.

Signature) _____ (Seal)
(Printed name of Notary)
Notary Public

d. Attorney's Opinion.

I, (printed name of attorney), being an Attorney-at-law duly licensed to practice before the Courts of Record in the State of Colorado, do hereby certify that I have examined the title to all lands herein dedicated and shown upon this plat and that title to such lands is in the dedicator free and clear of all liens, taxes, and encumbrances, except as follows: (list same or indicate NONE).
Dated this _____ day of _____, A.D. ____

(Signature) _____
Attorney-at-Law

e. Land Surveyor's Certificate.

I, (printed name of Land Surveyor), being a Registered Land Surveyor in the State of Colorado, do hereby certify that this plat and survey of (name of subdivision in capital letters) was made by me and under my supervision and that both are accurate to the best of my knowledge. I further certify that monuments and markers were set as required by the Title 18 Subdivisions of the Rangely Municipal Code.

Dated this _____ day of _____ A.D. ____

(Signature) _____ (Seal)

Colorado Registration Number (number of registration)

f. Town of Rangely Planning Commission Approval

The Planning Commission of the Town of Rangely, Colorado does hereby authorize and approve this plat of the above subdivision at a meeting of said Commission held on this _____ day of 2_____, AD._____

(Signature) _____
(Printed Name of Chairman)
Chairman

g. Approval by the Board of Trustees.

The within plat of _____ is approved for filing this _____ day of _____, 2_____. The dedication of the public ways shown hereon are accepted by the Town of Rangely, State of Colorado, subject to the condition that said Town shall undertake the maintenance of said public ways only after construction of said public ways has been satisfactorily completed to the Town specifications by the sub-divider and a resolution of the Town of Rangely Board of Trustees, Rangely, Colorado, accepting the same, has been adopted and placed on record.

Board of Trustees
Town of Rangely, Colorado

By: _____
Mayor
ATTEST: _____
Town Clerk

h. Rio Blanco County Clerk and Recorder's Acceptance (to be placed in the lower right hand corner of the cover sheet).

This plat was accepted for filing in the office of the clerk and Recorder of Rio Blanco County, Colorado on this _____ day of _____, A.D. 2_____.
Book Number _____, Page Number _____, Reception Number _____, Time _____

i. Recordation of Protective Covenants (if applicable).
Protective Covenants recorded in:
Book Number _____, Page Number _____

3. If the proposed subdivision is to contain more than twenty lots or parcels, proof of the developer's license held by the subdivider must be provided;
4. A certified statement by the subdivider to the effect that all supplemental information furnished with the preliminary plan is embodied in the final plat or, if this is not the case, revised

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supplemental data of the same scope and format as required for the preliminary plan is being furnished with the final plat;

5. Three copies of all the protective covenants or restrictions placed on the subdivision, one copy of which shall be filed with the plat;
6. A warranty deed to the Town of Rangely conveying to the Town all public lands other than streets shown on the plat;
7. A subdivision improvements agreement as required by Chapter 18.24 Public Improvements of Title 18 Subdivisions;
8. Engineering plans, descriptions and cost estimates for all public improvements required by the subdivision improvements agreement, in accordance with said Chapter 18.24 Public Improvements;
9. Financial security for public improvements as required by said Chapter 18.24 Public Improvements.

18.20.050 Re-subdivisions

- A. Purpose. The purpose of these provisions is to provide continuing supervision of prior development and avoid duplication of technical data and information.
- B. Data Required for the Preliminary Plan. Providing the original subdivision complied with this Title 18 Subdivisions, only the following data shall be required for a re-subdivision:
 1. A site plan, showing all structures, drives, sidewalks, parking, and loading areas drawn to scale - two copies required;
 2. Locations of garbage collection facilities, with adequate service access;
 3. Utility location plan, overprinted on the site plan, showing the location (and line sizes where appropriate) of water, sewer, electric and gas lines and fire hydrants - two copies required;
 4. A site-grading plan with proposed excavation and fill - two copies required;
 5. A landscaping plan overprinted on the site plan and accompanied by a written statement setting forth the types of vegetation and other landscaping improvements, including steps which will be taken to revegetate all exposed land surfaces and the estimated costs to accomplish the plan - one copy required;
 6. A certified copy of the protective covenants of the original subdivision;
 7. A written statement containing the following information:
 - a. Names and addresses of adjoining property owners, owners of property separated only by a public way, and all property owners in the original subdivision,
 - b. Gross acreage of the resubdivision,
 - c. Number and type of units,
 - d. Acreage covered by structures,
 - e. Acreage of driveways, streets, and open parking,
 - f. Acreage and percentage of open space, and
 - g. A plan for maintenance of common areas;
 8. Proof of ownership;
 9. Any additional information required by Section 18.20.020 Preliminary plan of Title 18 Subdivisions which was not submitted pursuant to the original subdivision.
- C. Data Required for Final Plat. The data required for the final plat on a re-subdivision shall be the same as required by Section 18.20.030 Final plat of said Title.

18.20.060 Minor subdivisions

- A. Purpose. The purpose of these provisions is to minimize the procedural requirements and review time for subdivisions, which have a relatively minimal impact on the planning area.

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1. A single lot may be exempted from this title and be divided into two (2) parcels with the approval of the planning/zoning commission and the board of trustees.
- B. Data to be submitted include:
1. Two (2) copies of a minor subdivision plan containing the following:
 - a. Name of the subdivision, if any,
 - b. Written and graphic scale at one hundred (100) feet to the inch,
 - c. North arrow,
 - d. Date of preparation,
 - e. Lot lines to the nearest foot,
 - f. Street dimensions to the nearest foot,
 - g. Location of structures, if applicable, and
 - h. Zoning and existing densities on adjoining properties;
 2. A letter of commitment from a municipal water utility;
 3. A letter of commitment from a municipal sanitation utility;
 4. A written statement containing the following:
 - a. Gross acreage of the subdivision,
 - b. Number and type of units,
 - c. Acreage of drives and open parking,
 - d. Acreage and percentage of open space,
 - e. Acreage covered by buildings or structure,
 - f. Acreage of each plot,
 - g. A legal description of the total subdivision area, and
 - h. Names and addresses of the property owner and sub-divider;
 5. Proof of ownership.
- C. Final Plat. A final plat as required by Section 18.20.030 Final plat is to be recorded, unless waived by the planning commission. Financial security for public improvements may be required by the Town council.

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18.24 Public Improvements

18.24 010 Subdivision improvements agreement

- A. No final plat shall be executed by the board of trustees until the subdivider has submitted to them a subdivision improvements agreement approved by the board of trustees, agreeing to construct the required improvements as set forth in this title.
- B. The subdivision improvements agreement shall be a contract between the Town and the subdivider. It shall describe the improvements to be constructed and shall set forth directly or by reference the construction specifications. It shall further provide a date for completion of the improvements and shall set forth the terms and conditions upon default by the subdivider and acceptance of the improvements by the Town.

18.24.020 Guarantee of completion

Suitable collateral, in an amount stipulated in the subdivision improvements agreement, shall accompany the final plat submission to ensure completion of the public improvements according to design and time specifications. Said collateral shall be in the form of a cash bond, time certificate, letter of credit, or other such legal assurance as may be deemed appropriate by the board of trustees. If the improvements are not constructed in accordance with all the required specifications, the town shall notify the sub-divider of noncompliance, setting forth the reasons for noncompliance. Proposed schedules for correction of noncompliance shall be established. If the Town determines that the subdivider will not construct any or all of the improvements in accordance with the subdivision improvements agreement the Town shall have the power to annul the subdivision improvements agreement and withdraw from the collateral such funds as may be necessary to construct the improvements in accordance with the agreed specifications.

18.24.030 Release of guarantee for improvements

- A. From time to time as the required public improvements in a subdivision are completed, the subdivider shall apply in writing to the Town for a partial or full release of the collateral. Upon receipt of such applications, the Town shall inspect the public improvements, which have been completed. If the Town determines from such inspection that the improvements have been made in accordance with the final plat and the subdivision improvements agreement, a portion of the collateral shall be released; however, collateral sufficient to cover the cost of the uncompleted improvements shall be retained. No partial release of collateral will be granted in amounts less than twenty percent (20%) of the total original collateral except the final release.
- B. If the board of trustees determines that reasonable grounds for insecurity exist with respect to the performance of the subdivider, the Town shall so notify the subdivider in writing, stating that the Town intends to withdraw funds from the collateral for the purpose of completing the improvements, giving the reasons therefore, and informing the sub-divider of his right to be heard before the board of trustees within forty-five (45) days from the date of notification. Following a hearing thereon or forty-five (45) days after notification, whichever is earlier, if the board of trustees determines that the subdivider will not or cannot construct the public improvements in accordance with the subdivision improvements agreement, the Town may withdrawn funds from the collateral and expend such funds as may be necessary to construct the agreed public improvements.

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18.24 040 Procedures for acceptance of streets, bridges, water and gas facilities

A. Inspection.

1. Upon completion of each phase of street, bridge, and water, wastewater, and gas facilities construction as set forth in the subdivision improvements agreement, the subdivider shall notify the Town and request inspection. The Town or its agent shall inspect the street, bridge, or water, wastewater, and gas facilities at the completion of each phase of construction, and shall notify the subdivider in writing of any unsatisfactory condition or that no unsatisfactory conditions were found.
2. Upon notification of unsatisfactory conditions, the subdivider shall take necessary corrective measures and shall again request inspection from the Town. Such process shall continue until the subdivider receives notification that no unsatisfactory conditions exist.

B. Preliminary Acceptance.

1. Upon completion of streets, bridges, water, wastewater, and gas facilities construction, the subdivider shall notify the Town and request inspection. The Town or its agent shall inspect all street, bridge, water, wastewater, or gas facility improvements and shall notify the subdivider in writing of non-acceptance or preliminary acceptance. If the street, bridge, water or gas facility improvements are not acceptable, the reasons for non-acceptance shall be stated, and corrective measures shall be outlined.
2. Upon preliminary acceptance, the Town will assume responsibility for snow removal and street cleaning, but the subdivider shall remain responsible for all other maintenance and repairs pending final acceptance. Upon application, the Town may release up to ninety-five percent (95%) of the total original collateral specified for street improvements or water, wastewater, and gas facility improvements.
3. The town shall not be required to make inspections during the period when climatic conditions make thorough inspection infeasible.

C. Final Acceptance.

1. One (1) year following preliminary acceptance, the Town or its agent shall inspect all street, bridge, water, wastewater, and gas facility improvements for final acceptance. The Town shall notify the subdivider in writing of non-acceptance or final acceptance. If the improvements are not acceptable, the reasons for non-acceptance shall be stated and corrective measures shall be outlined.
2. If the street, bridge, water, wastewater, and gas facility improvements are found to be acceptable following a resolution of acceptance by the board of trustees, the Town shall release the guarantee for improvements and assume full maintenance responsibility for the streets.

18.24.050 Procedure for acceptance of other improvements

A. Preliminary Acceptance.

1. Upon completion of improvements construction, the subdivider shall notify the Town and request inspection. The Town or its agent shall inspect such improvements, and shall notify the subdivider in writing of non-acceptance or preliminary acceptance. If the improvements are not acceptable, the reasons for non-acceptance shall be stated and corrective measures shall be outlined.
2. The Town shall assume no responsibilities for maintenance upon preliminary acceptance.

B. Final Acceptance.

1. Three (3) months following preliminary acceptance, the Town or its agent shall inspect all improvements for final acceptance, except that landscaping shall be inspected only in the month of July and at least three (3) months after preliminary acceptance. The Town shall notify the subdivider in writing of non-acceptance or final acceptance. If the improvements are not

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acceptable, the reasons for non-acceptance shall be stated and corrective measures shall be outlined.

2. Upon final acceptance, following a resolution of acceptance by the board of trustees, the Town shall release the guarantee for improvements and assume such maintenance responsibility as would normally accrue to the town.

18.24.060 Required improvements

In each new subdivision, the subdivider and the planning commission, subject to approval by the board of trustees, shall agree on the type, location and extent of necessary public improvements, depending on the characteristics of the proposed development and its relationship to surrounding area. Improvements shall be made by the subdivider at his expense according to agreed specifications.

18.24.070 Guidelines for required improvements

The following specifications are set forth as guidelines and may be varied by the planning commission and the board of trustees as deemed in the public interest depending on individual circumstances.

A. Streets.

1. Street Pavement. Asphalt or higher-type pavement will be required on all streets.
2. Recommended Specifications.

<i>Street Type</i>	<i>Right-of-way Width</i>	<i>Traveled Shoulder Width Surface Width (each side)</i>		<i>Maximum Grade</i>
Arterial	100 feet	48 feet	12 feet (paved)	5%
Collector	80 feet	32 feet	8 feet	5%
Local/service	60 feet	24feet	4 feet	7%
Alley	20 feet	20 feet	0 feet	7%

Grades will not exceed four percent (4%) for a distance extending at least one hundred (100) feet from each direction at a street intersection. Street cross-sections should provide for grades no less than five-tenths percent (0.5%) to facilitate adequate drainage.

3. Cul-de-sacs. Cul-de-sacs will be provided with circular turnarounds or T-shaped or Y-shaped terrain with minimal dimensions as follows:
 - a. Circular turnarounds will have a minimum outside right-of-way diameter of one hundred twenty (120) feet and a minimum pavement diameter of seventy (70) feet; with approval of the Town council, these minimums may be lowered on steep hillsides to prevent unnecessary environmental damage.
 - b. A T-shaped or Y-shaped terminus may be provided on steep terrain as an alternative to the circular turnaround. Where provided, the wings of such T or Y should be at least twenty (20) feet deep, measured from the street boundary, and at least twelve (12) feet wide, exclusive of parking space. The intersection of the street and the wings of the T or Y will be rounded with a minimum radius of twenty (20) feet.
4. Intersections.
 - a. Streets will intersect as nearly as possible at right angles. Intersecting angles of less than sixty (60) degrees should be avoided.
 - b. Right-angle intersections will be rendered with a minimum radius of twelve (12) feet at the intersections of local and collector streets, and a minimum radius of twenty-five (25) feet at the intersections of collector and arterial streets.
 - c. If an intersection occurs at an angle other than a right angle, it will be rendered with a radius acceptable to the Town manager.
5. Horizontal Alignment. Cross-through streets, which cannot be directly aligned at intersections, will be separated by horizontal offset of not less than one hundred fifty (150) feet between centerlines,

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provided that this requirement will not apply to the alignment of opposing cul-de-sacs servicing less than fifteen (15) dwelling units each.

6. Visibility Requirements.

a. Minimum forward sight distance of fifty (50) feet will be maintained throughout the vertical and horizontal alignment, measured from a point four (4) feet above the centerline to a point one and one-half (1 ½) feet above the centerline.

b. No substantial impediment to visibility between the heights of three (3) and eight (8) feet will be created or maintained at street intersections within a triangular area described as follows: Beginning at the point of intersection of the edges of the driving surface, then to points twenty-five (25) feet along both intersecting edges, and then along a traverse line connecting these points.

7. Alleys. Alleys for residential subdivisions will be discouraged unless they are a necessary feature to continuing an existing pattern, providing essentially needed access or property service entrances, and are not in conflict with design amenities of the subdivision.

B. Street Drainage. Curbs and gutters shall be required.

C. Pedestrian Walkways. Walkways will be constructed throughout the subdivisions to promote the free movement of pedestrians.

D. Street Signs. The subdivider will erect signs at street intersections setting forth the names of intersecting streets. Such signs will be consistent with standard design. Names of new streets will not duplicate names of existing streets throughout the County, and new streets, which are extensions of or in alignment with existing streets, will bear the names of such streets.

E. Water and Wastewater. All subdivisions will be connected to public water and wastewater facilities.

F. Fire Hydrants. Fire hydrants will be required in all subdivisions and will be located so that no building is farther than three hundred fifty (350) feet from a hydrant. No fire hydrant will be acceptable unless the outlet threads correspond with the hose threads used by the Rangely Rural Fire Protection District, and all hose connections shall be installed at twenty-four (24) inches from ground level.

G. Storm Drainage. Storm drainage will be required to accommodate an expected maximum flow in any twenty-five (25) year period. Culverts or drainage pipes will be galvanized, corrugated steel or the approved equivalent. Minimum acceptable culvert sizes will be eighteen (18) inches in diameter.

H. Street Lighting. Street lighting shall be required in residential, commercial and industrial areas, at intersecting collector streets or arterial streets, and approximately every five hundred (500) feet along arterial streets.

I. Utility Lines. All utility lines shall be placed underground to conserve the natural character of the area. Utility meters shall be placed in a common area easily accessible to the street.

J. Bridges. Bridges will be designed by a registered engineer, and will be constructed to prevent obstruction to a one hundred (100) year flood.

K. Fencing. When the subdivision adjoins property in an agricultural use, the subdivider will construct a six (6) foot fence, capable of preventing small animals from passing through, along his property line adjacent to the agricultural use.

L. Recreational Facilities. Any recreational facilities proposed for dedication to the Town or other public agency will be included in the subdivision improvements agreement.

M. Non-motorized Paths and Trails. Paths and trails for pedestrians, skiers, horses and bicycles will be constructed as required by the Town, and in furtherance of an overall plan for non-motorized transportation. Bicycle paths will be paved to a width of six (6) feet.

N. Landscaping.

1. Landscape plans will consist of indigenous vegetation or such other vegetation as may be recommended by the State Forest Service. Cut and fill slopes will be no steeper than 2:1 unless so recommended by a qualified consultant. All exposed ground surfaces will be re-vegetated. No vegetation will be located so as to interfere with the ability of motor vehicle operators to have unobstructed vision of traffic signs, street signs, and intersecting streets.

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2. Because landscaping is essential to the aesthetics, ecology, and soil conservation of the Town, the board of trustees hereby finds and declares all landscaping, whether on public or private land, to be a public improvement for the benefit of the general public. As such, landscaping will be subject to inclusion in the subdivision improvements agreement and insured by the guarantee of completion as provided in Title 18 Subdivisions.
 3. When necessary to insure the preservation of trees at the development site, the planning commission and the board of trustees may direct a designated official to conduct an on-site inspection and supervise flagging of trees to be preserved or installation of barriers at the construction stage.
- O. Offstreet Parking. Offstreet parking, as required by the zoning provisions set out in Title 19 Zoning, will be constructed for all structures and facilities. Such areas will be constructed with a gravel base capable of meeting the town's specifications, except that all driveways and parking areas for structures housing dwelling units, commercial structures, industrial structures, and public recreational facilities will be paved with an asphalt or higher-type surface. Pavements may be required by the Town for drives and parking areas or other type structures and facilities when deemed consistent with the purposes of this provision. Off-street parking spaces located directly adjacent to a public right-of-way, with no private driveway or maneuvering space shall be avoided.
- P. Survey Monuments. All surveying data shall be tied to primary control points, the location and description of which shall be recorded with the Town manager. Permanent survey monuments shall be set at all subdivision boundary corners, at points within the subdivision where there is a change of direction, at all lot corners, and at the intersection of street centerlines. Said monuments shall not be more than one thousand three hundred twenty (1,320) feet apart. Construction of survey monuments shall be set forth below:
1. Perimeter and Block Monuments.
 - a. Firm Soil. No. 5 steel rebar, thirty-six (36) inches long (Perimeter monuments shall be set in concrete);
 - b. Solid Rock. One and three-eighths (1 3/8) inch diameter metal tablet with one and one half (1 1/2) inch long shank counter-sunk in rock and grouted with cement;
 - c. Loose Soil, Sand, Marsh, Etc. Monuments shall not be set, but shall be witnessed pursuant to Section 136-2-1, Colorado Revised Statutes.
 2. Street Intersection and Lot Markers.
 - a. Firm Soil. No. 5 steel rebar, twenty-four (24) inches long;
 - b. Monuments Within Streets. No. 5 rebar, thirty-six (36) inches long. Monuments set within roadway areas shall be placed so that their tops are six (6) to eight (8) inches below the final street surface. At the time a street is paved, all such monuments within the paved area shall be fitted with monument boxes. Any monuments set after a street is paved shall also be provided with monument boxes.
- Q. Other Improvements. Other improvements not specifically mentioned herein but found appropriate and necessary by the planning commission, with the approval of the board of trustees, will be constructed within such time and in conformance with such specifications as deemed necessary and reasonable.

18.24.080 Processing and inspection fees

The subdivider shall reimburse to the Town any of its costs for processing of plans, inspections, and other services in excess of one point five percent (1.5%) of the actual costs of public improvements in the subdivision as certified by the sub-divider and approved by the Town manager. Such reimbursement shall be made to the Town prior to the final release of collateral guaranteeing completion of public improvements.

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18.28 Variance

18.28.010 Variance, modification or waiver—Conditions

Upon application by subdivider therefore, and where it can be shown in the case of a particular proposed subdivision that strict compliance with the requirements of this title would result in extraordinary hardship to the subdivider because of aesthetics, unusual topography, or other such conditions, thus retarding the achievement of the objective of this title, then the Town may vary, modify, or waive requirements so that substantial justice may be done and the public interest secured, provided that such variance, modification or waiver will not have the effect of nullifying the intent and purpose of Title 18 Subdivisions or of the Rangely Master Plan. In no case shall any variance, modification or waiver be more than a minimum easing of the requirements; in no case shall it have the effect of reducing the traffic capability of any collector streets; and in no case shall it be in conflict with the zoning provisions set out in Title 19 Zoning. In granting variances, modifications or waivers, the Town may require such conditions as will, in its judgment, secure substantially the objectives of the standards and regulations so affected.

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18.32 Fees

18.32.010 Purpose

In order to cover the costs of reviewing and other expenses incidental to the review of the subdivision, the subdivider shall pay a fee as calculated in this Chapter.

18.32.020 Time of payment

The required fee shall be paid in full at the time of application for approval of the preliminary plan or application for qualification as a minor subdivision. No preliminary plan or application for qualification as a minor subdivision shall be considered by the planning commission until such fee is paid in full. No fees are refundable for any processing or partial processing of a subdivision plan or plat.

18.32.030 Amount of fee

The fee for a subdivision, minor subdivision, and resubdivision shall be established by resolution of the Town council.

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18.36 General provisions—Administration and Enforcement

18.36.010 Amendments

Title 18 Subdivisions may be amended at any time by the Town council, following recommendation by the planning commission, after a public hearing has been held on such amendments as provided by law.

18.36.020 Administrative appeal

In the event that a petition, application, plan or plat of a subdivision has been disapproved by the planning commission, the applicant may petition the council for a hearing upon said rejection. After a public hearing, the council, upon a favorable vote of two-thirds (2/3) of its entire membership, may approve the subdivision or take other action consistent with the provisions of this title.

18.36.030 Violation—Penalty

It is unlawful for any subdivider or agent of a subdivider to sell or lease any subdivided land before a final plat for such subdivided land has been approved by the planning commission and the board of trustees and recorded by the County clerk and recorder. The Town may enjoin such transfer or sale or agreement by action for injunction in any court of equity jurisdiction or may recover it by civil action in any court of competent jurisdiction.

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Date
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