

CHAPTER II
Subdivision of Land

(Ordinance 110, January 22, 1988, Amended by Ordinance 206, September 9, 2003, Amended by Ordinance 210, May 11, 2004, Amended by Ordinance 228, February 5, 2006, Amended by Ordinance 233, May 10, 2006, Amended by Ordinance 240, November 15, 2006, Ordinance 249, June 13, 2007)

Section 1

2-1 Declaration of Purpose

2-1-1 The regulations contained in this chapter shall be held to be minimum requirements enacted to promote the health, safety and general welfare of the Town of Ignacio. To these ends, such regulations are intended to assure efficient circulation, adequate improvements, sufficient open space and basic order in subdivision design by providing for the proper arrangement of streets in relation to other existing or planned streets; for adequate and convenient open spaces for traffic circulation, utilities, emergency access, recreation and light and air; for the avoidance of population congestion; and for the establishment of standards for the design and construction of improvements herein required.

2-2 Minimum Requirements

2-2-1 Applicability

In their interpretation and application, the provisions of this chapter shall be regarded as minimum requirements for the protection of the public health, safety, comfort, morals, convenience, prosperity and welfare

2-2-2 Obligations to Mineral Estate Owners and Lessees of Mineral Owners
Applies to Major and Minor plats, but not amended plats.

- (1) The provisions of C.R.S. 24-65.5-101 et. seq. and C.R.S. 31-23-215 require that notice of any application for development be given to mineral estate owners prior to public hearings by the Town on those applications and require that the names of all mineral owners and lessees of mineral owners be shown on recorded plats approved by the Town.
- (2) It is the burden of any Applicant to assure compliance with the provisions of the referenced statutes and all Applicants shall provide the Town with a list of mineral estate owners and lessees of mineral estate owners on any property subject to a development or subdivision application at the time of submission of an application.
- (3) The Applicant shall supply the Town with a statement that they have undertaken a good faith examination of the records of the La Plata County

Clerk and Recorder to determine the names and addresses of all mineral estate owners and lessee of mineral estate owners. The applicant shall not be liable for any errors or omission on Clerk and recorder records.

- (4) This statute requires the Applicant to send a notice by registered mail to mineral lessees and owners of the affected plat, at least thirty days ahead of a hearing date. The hearing date can be coordinated with the last review of the plat by the Board of Trustees, as long as notices have been mailed in the appropriate time frame. No plat shall be acted on by the Board of Trustees without affording a hearing thereon.

2-3 Territorial Scope

- 2-3-1 The territory within which these regulations are applicable shall include all land located within the legal boundaries of the Town of Ignacio.

2-4 Purpose - Major Subdivisions

- 2-4-1 The purposes of the major subdivision procedure are:

- (1) To divide a parcel of land into six (6) or more parcels, sites or lots for the purpose, whether immediate or future, of transfer of ownership or building development.
- (2) To change an existing subdivision when the change involves rights-of-way or major easements.

2-5 Subdivision Procedure

- 2-5-1 The subdivider is responsible for having a representative at all meetings where the subdivision request is reviewed. Failure to have a representative present will be cause to have the item withdrawn from the agenda of that meeting.
- 2-5-2 The subdivider shall submit a vicinity sketch map to the Town Manager. Such map shall be at a scale of one (1) inch represents six hundred (600) feet and shall show an area extending at least one-half (1/2) mile in each direction beyond the boundaries of the proposed subdivision. Such map shall show existing streets and highways, natural drainage courses and similar major natural or man-made features of the area. In addition, such map shall indicate the major uses of property in the area covered by the map, including residential, commercial, industrial and public uses.
- 2-5-3 Preliminary Plat
 - (1) Procedure. The subdivider shall submit to the Town Manager a minimum of ten (10) copies of the preliminary plat, along with the review fee as adopted by the

Town Board a minimum of thirty (30) days prior to a regularly scheduled meeting of the Town Board.

(a) Upon receipt of the preliminary plat, the Manager shall distribute copies of the preliminary plat to the following agencies and offices for review and comments. Such offices and agencies shall advise the Manager of any objections to such plat within twenty (20) days after receipt of the same, and failure to object within twenty (20) days shall constitute approval by such office or agency. Such offices or agencies include:

1. Century Tel
2. Ignacio School District
3. Town Engineer
4. Los Pinos Fire Department
5. Town of Ignacio Gas & Water Departments
6. La Plata Electric Co.
7. Ignacio Sanitation District
8. Rural Route Video
9. Southern Ute Indian Tribe Utilities
10. Town Manager/Planning Commission
(See NOTE To Staff at end of chapter)
11. Per CRS 31-23-225 Major Activity Notice. When a subdivision or commercial or industrial activity is proposed which will cover five or more acres of land, the governing body of the municipality in which the activity is proposed shall send notice to the state geologist and the board of county commissioners of the county in which the improvement is located of the proposal prior to approval of any zoning change, subdivision or building permit application associated with such a proposed activity.

- (b) The subdivider shall meet with the Manager to review the recommendations of the referral agencies.
 - (c) The subdivider shall meet with the Planning Commission at its regularly scheduled meeting to review the plat and make recommendations to the Town Board.
(See NOTE To Staff at end of chapter)
 - (d) The preliminary plat and recommendations shall be reviewed by the Town Board at its next regularly scheduled meeting.
 - (e) The Town Board shall approve, disapprove, or table the preliminary plat. If tabled, the plat is given to the Town Manager for further study. If the preliminary plat is approved, it shall be valid for a period of one (1) year from the date of approval.
- (2) Plats and Data. All preliminary plats shall be made at a minimum scale of one(1) inch represents one hundred (100) feet, shall be on a reproducible medium of one (1) or more sheets with outer dimensions of twenty-four by thirty-six (24 x 36) inches and shall contain the following information:
- (a) The date of preparation, the scale, and a symbol designating true North.
 - (b) The proposed name of the subdivision.
 - (c) The description of the property being subdivided, specifically the metes and bounds, apart from any other legal reference.
 - (d) The names and boundaries of adjacent subdivisions, streets and property owners.
 - (e) The names, addresses and phone numbers of the subdivider and the firm or person responsible for preparing the plat.
 - (f) Within and adjacent to the proposed subdivision, the following *existing* conditions shall be shown:
 - 1. The location and dimensions of streets and alleys;
 - 2. The location and dimensions of easements and right-of-ways or a statement of its existence if it cannot be accurately shown graphically;

3. All above ground utilities. The Town Manager, at his discretion, may require underground utilities be shown, as well;
 4. Drainages and watercourses both natural and artificial.
 5. All existing improvements such as buildings, parking areas, oil and gas facilities, etc.
 6. Topographic contours with a minimum contour interval of ten (10) feet.
 7. All conflicting boundary evidence.
- (g) Within and adjacent to the proposed subdivision, the following *proposed* conditions shall be shown:
1. The location and dimensions of streets and alleys.
 2. The location and dimensions of easements and rights of way.
 3. All utilities.
- (h) The lot numbers and dimensions.
- (I) The total acreage dedicated as streets, public areas, open space and other uses.
- (j) Designation of any area subject to flooding and adequate easements for flood control.
- (k) A location map of the vicinity at a scale of one (1) inch represents one thousand (1000) feet.
- (3) Supportive information. The following supportive information shall be submitted with the preliminary plat.
- (a) Copies of any proposed deed restrictions.
 - (b) Geotechnical/Soil Report.
 - (c) Description and location of any hazardous areas in the subdivision and proposed remedial features.
 - (d) A statement that the Applicant has complied with C.R.S. 24-65.5-101 et. seq. and C.R.S. 31-23-215 regarding notification to mineral

owners and lessees of mineral owners. (Requirements 2-2-2)

2-5-4 Major Subdivision Final Plat

- (1) Procedure. The subdivider shall submit to the Manager a minimum of ten (10) copies of the final plat, along with the fee adopted by the Town Board per sheet, a minimum of thirty (30) days prior to a regularly scheduled meeting of the Town Board.
 - (a) Upon receipt of the final plat, the Manager shall distribute copies of the final plat to the appropriate agencies and offices.
 - (b) The Manager shall prepare a memorandum of agreement for public improvements that shall be signed by the developer. *(See NOTE To Staff at end of chapter)*
 - (c) The final plat, recommendation of the Manager, memorandum of agreement and verification of notification to mineral owners and lessees of mineral owners shall be reviewed at the next regularly scheduled meeting of the Board of Trustees, which shall either approve or disapprove the final plat or refer the same back to the Manager for further study.
 - (d) If further study is required, the final plat and recommendations shall again be reviewed by the Town Board at its next regularly scheduled meeting. The Town Board shall either approve, conditionally approve or disapprove the final plat within (thirty-five) 35 days of its initial review.
 - (e) The subdivider shall submit to the Manager two (2) Mylars of the final plat and (four) 4 copies of the final plat. One (1) Mylar and one (1) copy shall include signatures on the following certification blocks:
 1. Dedication
 2. Notarial certificate
 3. Surveyor's certificate
 4. Town officials: Mayor and Clerk
 5. County Clerk Recordation block (where applicable)
 6. Cross Reference to Town of Ignacio Recorded Ordinances/ Resolutions/ Agreements block
 7. Vacation statement (if easements are to be vacated)

8. Consent of Mortgagee (where applicable)
 - (f) The Town Manager shall cause the approved final plat to be recorded in the office of the La Plata County Clerk and Recorder.
 - (g) The subdivider may apply for building permits after copies of the recorded plat have been approved and recorded.
- (2) Plats and Data. All final plats shall be made at a scale of either one (1) inch represents fifty (50) feet shall be on a reproducible medium of one (1) or more sheets with outer dimensions of twenty-four by thirty-six (24 x 36) inches and shall conform to the preliminary plat as approved, except that the final plat may constitute only a portion of the territory covered by the preliminary plat.
 - (a) The final plat shall contain the following information:
 1. The date of preparation, the scale, and a symbol designating true North.
 2. The name of the subdivision.
 3. The legal description.
 4. The names and boundaries of adjacent subdivisions, streets and property owners.
 5. The names, addresses and phone numbers of the subdivider and the firm or person responsible for preparing the plat.
 6. A complete description of primary control points to which all dimensions, angles, bearings and similar data on the plat shall be referred.
 7. All bearings, distances, chords, radii, central angles and arc lengths for all lots, blocks, perimeters, easements and rights-of-way.
 8. The location and physical description of all monuments.
 9. Identification of each lot or site by a number and designation of the area of each lot in square feet.
 10. The plat shall comply with CRS 38-51-105 and 106
 11. Prior to recording the Final Plat, all monuments

defining the new lots within the subdivision shall be set. It shall be the responsibility of the developer to protect such monuments and if destroyed have them replaced by a Colorado licensed surveyor prior to selling the lot.

- (3) Supportive Information. The following supportive information shall be submitted with the final plat:
- (a) Legal opinion as to proof of land ownership.
 - (b) The transfer of all required water rights.
 - (c) A traffic control plan showing all controls as per recommendation of the Town Engineer.
 - (d) Four (4) copies of the complete street plans and profiles, prepared and certified by a registered engineer. Such plans and profiles shall be prepared at a scale no smaller than one (1) inch represents fifty (50) feet.
 - (e) Four (4) copies of the final approved drainage plan.
 - (f) A copy of the geotechnical/soil report with recommendations and the corresponding location map.
 - (g) Four (4) copies of the complete profiles of storm drainage facilities, sanitary sewers and water mains, with grades and sizes included.
 - (h) A copy of the final approved utility plan.
 - (i) A signed statement verifying the good faith examination of the La Plata County Clerk and Recorder records of the names and addresses of all mineral estate owners and lessees of mineral owners on any property subject to a development or subdivision and the notification to those owners and lessees of the intended Subdivision hearing date.

2-6 Purpose -- Minor Subdivisions

- 2-6-1 The purpose of the minor subdivision procedure is to divide a parcel of land into two (2) to five (5) parcels, sites or lots for the purpose, whether immediate or future, of transfer of ownership.

2-7 Minor Subdivision Procedure

2-7-1 Preliminary Plat

(1) Procedure. The subdivider shall submit to the Town Manager a minimum of ten (10) copies of the preliminary plat, along with the review fee as adopted by the Town Board a minimum of thirty (30) days prior to a regularly scheduled meeting of the Town Board.

(a) Upon receipt of the preliminary plat, the Manager shall distribute copies of the preliminary plat to the following agencies and offices for review and comments. Such offices and agencies shall advise the Manager of any objections to such plat within twenty (20) days after receipt of the same, and failure to object within twenty (20) days shall constitute approval by such office or agency. Such offices or agencies include:

1. Century Tel
2. Ignacio School District
3. Town Engineer
4. Los Pinos Fire Department
5. Town of Ignacio Gas & Water Departments
6. La Plata Electric Co.
7. Ignacio Sanitation District
8. Rural Route Video
9. Southern Ute Indian Tribe Utilities
10. Town Manager/Planning Commission
(See NOTE To Staff at end of chapter)
11. Per CRS 31-23-225 Major Activity Notice. When a subdivision or commercial or industrial activity is proposed which will cover five or more acres of land, the governing body of the municipality in which the activity is proposed shall send notice to the state geologist and the board of county commissioners of the county in which the improvement is located of the proposal prior to approval

of any zoning change, subdivision or building permit application associated with such a proposed activity.

- (b) The subdivider shall meet with the Manager to review the recommendations of the referral agencies.
 - (c) The subdivider shall meet with the Planning Commission at its regularly scheduled meeting to review the plat and make recommendations to the Town Board. *(See NOTE To Staff at end of chapter)*
 - (d) The preliminary plat and recommendations shall be reviewed by the Town Board at its next regularly scheduled meeting.
 - (e) The Town Board shall approve, disapprove, or table the preliminary plat. If tabled, the plat is given to the Town Manager for further study. If the preliminary plat is approved, it shall be valid for a period of one (1) year from the date of approval.
- (2) Plats and Data. All preliminary plats shall be made at a minimum scale of one(1) inch represents one hundred (100) feet, shall be on a reproducible medium of one (1) or more sheets with outer dimensions of twenty-four by thirty-six (24 x 36) inches and shall contain the following information:
- (a) The date of preparation, the scale, and a symbol designating true North.
 - (b) The proposed name of the subdivision.
 - (c) The description of the property being subdivided, specifically the metes and bounds, apart from any other legal reference.
 - (d) The names and boundaries of adjacent subdivisions, streets and property owners.
 - (e) The names, addresses and phone numbers of the subdivider and the firm or person responsible for preparing the plat.
 - (f) Within and adjacent to the proposed subdivision, the following *existing* conditions shall be shown:
 - 1. The location and dimensions of streets and alleys;
 - 2. The location and dimensions of easements and right-of-ways or a statement of its existence if it cannot be accurately shown graphically;

3. All above ground utilities. The Town Manager, at his discretion, may require underground utilities be shown, as well;
 4. Drainages and watercourses both natural and artificial.
 5. All existing improvements such as buildings, parking areas, oil and gas facilities, etc.
 6. Topographic contours with a minimum contour interval of ten (10) feet.
 7. All conflicting boundary evidence.
- (g) Within and adjacent to the proposed subdivision, the following *proposed* conditions shall be shown:
1. The location and dimensions of streets and alleys.
 2. The location and dimensions of easements and rights of way.
 3. All aboveground utilities.
- (h) The lot numbers and dimensions.
- (i) The total acreage dedicated as streets, public areas, open space and other uses.
- (j) Designation of any area subject to flooding and adequate easements for flood control.
- (k) A location map of the vicinity at a scale of one (1) inch represents one thousand (1000) feet.
- (3) Supportive information. The following supportive information shall be submitted with the preliminary plat.
- (a) Copies of any proposed deed restrictions.
 - (b) Geotechnical/Soil Report.
 - (c) Description and location of any hazardous areas in the subdivision and proposed remedial features.
 - (d) A statement that the Applicant has complied with C.R.S. 24-65.5-

101 et. seq. and C.R.S. 31-23-215 regarding notification to mineral owners and lessees of mineral owners. (Requirements 2-2-2)

2-7-2 Major Subdivision Final Plat

- (1) Procedure. The subdivider shall submit to the Manager a minimum of ten (10) copies of the final plat, along with the fee adopted by the Town Board per sheet, a minimum of thirty (30) days prior to a regularly scheduled meeting of the Town Board.
 - (a) Upon receipt of the final plat, the Manager shall distribute copies of the final plat to the appropriate agencies and offices.
 - (b) The Manager shall prepare a memorandum of agreement for public improvements that shall be signed by the developer. *(See NOTE To Staff at end of chapter)*
 - (c) The final plat, recommendation of the Manager, memorandum of agreement and verification of notification to mineral owners and lessees of mineral owners shall be reviewed at the next regularly scheduled meeting of the Board of Trustees, which shall either approve or disapprove the final plat or refer the same back to the Manager for further study. *(See NOTE To Staff at end of chapter)*
 - (d) If further study is required, the final plat and recommendations shall again be reviewed by the Town Board at its next regularly scheduled meeting. The Town Board shall either approve, conditionally approve or disapprove the final plat within (thirty-five) 35 days of its initial review.
 - (e) The subdivider shall submit to the Manager two (2) Mylars of the final plat and (four) 4 copies of the final plat. One (1) Mylar and one (1) copy shall include signatures on the following certification blocks:
 1. Dedication
 2. Notarial certificate
 3. Surveyor's certificate
 4. Town officials: Mayor and Clerk
 5. County Clerk Recordation block (where applicable)
 6. Cross Reference to Town of Ignacio Recorded Ordinances/ Resolutions/ Agreements block

7. Vacation statement (if easements are to be vacated)
 8. Consent of Mortgagee (where applicable)
 - (f) The Town Manager shall cause the approved final plat to be recorded in the office of the La Plata County Clerk and Recorder.
 - (g) The subdivider may apply for building permits after copies of the recorded plat have been approved and recorded.
- (2) Plats and Data. All final plats shall be made at a scale of either one (1) inch represents fifty (50) feet shall be on a reproducible medium of one (1) or more sheets with outer dimensions of twenty-four by thirty-six (24 x 36) inches and shall conform to the preliminary plat as approved, except that the final plat may constitute only a portion of the territory covered by the preliminary plat.
- (a) The final plat shall contain the following information:
 1. The date of preparation, the scale, and a symbol designating true North.
 2. The name of the subdivision.
 3. The legal description.
 4. The names and boundaries of adjacent subdivisions, streets and property owners.
 5. The names, addresses and phone numbers of the subdivider and the firm or person responsible for preparing the plat.
 6. A complete description of primary control points to which all dimensions, angles, bearings and similar data on the plat shall be referred.
 7. All bearings, distances, chords, radii, central angles and arc lengths for all lots, blocks, perimeters, easements and rights-of-way.
 8. The location and physical description of all monuments.
 9. Identification of each lot or site by a number and designation of the area of each lot in square feet.
 10. The plat shall comply with CRS 38-51-105 and 106

11. Prior to recording the Final Plat, all monuments defining the new lots within the subdivision shall be set. It shall be the responsibility of the developer to protect such monuments and if destroyed have them replaced by a Colorado licensed surveyor prior to selling the lot.
- (3) Supportive Information. The following supportive information shall be submitted with the final plat:
 - (a) Legal opinion as to proof of land ownership.
 - (b) The transfer of all required water rights.
 - (c) A traffic control plan showing all controls as per recommendation of the Town Engineer.
 - (d) Four (4) copies of the complete street plans and profiles, prepared and certified by a registered engineer. Such plans and profiles shall be prepared at a scale no smaller than one (1) inch represents fifty (50) feet.
 - (e) Four (4) copies of the final approved drainage plan.
 - (f) A copy of the geotechnical/soil report with recommendations and the corresponding location map.
 - (g) Four (4) copies of the complete profiles of storm drainage facilities, sanitary sewers and water mains, with grades and sizes included.
 - (h) A copy of the final approved utility plan.
 - (i) A signed statement verifying the good faith examination of the La Plata County Clerk and Recorder records of the names and addresses of all mineral estate owners and lessees of mineral owners on any property subject to a development or subdivision and the notification to those owners and lessees of the intended Subdivision hearing date.

2-7-1 Minor Subdivision Preliminary Plat

- (1) Procedure. The subdivider shall consult with the Manager in regards to the requirements of this Article and any special consideration pertaining to the site.

- (a) The subdivider shall submit a review fee as adopted by the Town Board and a minimum of nine (9) copies of the preliminary plat to the Manager.
 - (b) Upon receipt of the preliminary plat, the Manager shall distribute copies of the preliminary plat to the appropriate agencies and offices as listed. Such offices and agencies shall advise the Manager of any objections to such plat within fifteen (15) days after receipt of the same, and failure to object within fifteen (15) days shall constitute approval by such office or agency.
- (2) Plats and data. The preliminary plat shall be made at a scale of either one (1) inch represents one hundred (100) feet or one (1) inch represents fifty (50) feet, shall be on a reproducible medium of one (1) or more sheets with outer dimensions of twenty-four by thirty-six (24 x 36) inches and shall contain the following information:
- (a) The date of preparation, the scale, and a symbol designating true North.
 - (b) The proposed name of the subdivision.
 - (c) The legal description.
 - (d) The names and boundaries of adjacent subdivisions, streets and property owners.
 - (e) The names, addresses and phone numbers of the subdivider and firm or person responsible for preparing the plat.
 - (f) The location and dimensions of all existing waterways, rights-of-way, easements, streets and contours within an adjacent to the subdivision and the names of all such streets. The location of all existing gas, water, sewer pits and meters.
 - (g) The location and dimensions of all proposed waterways, rights-of-way, easements, streets and contours within and adjacent to the subdivision and names of all such streets. The location of proposed gas, water, sewer pits and meters.
 - (h) The lot numbers and approximate dimensions of the total lots.
 - (i) The total acreage devoted to streets, public areas and other uses.

2-7-4 Minor Subdivision Final Plat

- (1) Procedure. The subdivider shall submit to the Manager a minimum of nine (9) copies of the final plat, along with the fee adopted by the Town Board per sheet, a

minimum of ten (10) days prior to a regularly scheduled meeting of the Town Board.

- (a) The final plat shall be reviewed by the Manager.
 - (b) The Manager shall prepare a memorandum of agreement for public improvements that shall be signed by the developer. *(See NOTE To Staff at end of chapter)*
 - (c) The final plat, recommendation of the Manager, memorandum of agreement and verification of notification to mineral owners and lessees of mineral owners shall be reviewed at the next regularly scheduled meeting of the Board of Trustees, which shall either approve or disapprove the final plat or refer the same back to the Manager for further study. *(See NOTE To Staff at end of chapter)*
 - (d) If further study is required, the final plat and recommendations shall again be reviewed by the Town Board at its next regularly scheduled meeting. The Town Board shall either approve, conditionally approve, or disapprove the final plat within 35 days of its initial review.
 - (e) The subdivider shall submit to the Town Board three (3) Mylars and a minimum of four (4) copies of the final plat. One (1) Mylar and one (1) copy shall include signatures on the following blocks:
 - 1. Dedication.
 - 2. Notarial certificate.
 - 3. Surveyor's certificate.
 - 4. Town Officials: Mayor and Clerk
 - (f) The Town Manager shall cause the approved final plat to be recorded in the office of the La Plata County Clerk and Recorder.
 - (g) The subdivider may apply for building permits after copies of the recorded plat have been received by the Town Manager.
- (2) Plats and data. All final plats shall be made at a scale of either one (1) inch represents fifty (50) feet shall be on a reproducible medium of one (1) or more sheets with outer dimensions of twenty-four by thirty-six (24 x 36) inches and shall conform to the preliminary plat as approved.

- (a) The final plat shall contain the following information, in addition to the information on the preliminary plat:
 - 1. All bearings, distances, chords, radii, central angles and tangent lengths for all lots, blocks, perimeters, easements and rights-of-way.
 - 2. A complete description of primary control points to which all dimensions, angles, bearings and similar data on the plat shall be referred.
 - 3. The location and physical description of all monuments.
 - 4. Identification of each lot or site by a number and a designation of the area of each lot in square feet.
 - 5. Appropriate certification blocks, as approved by the Board of Trustees, shall appear on the final plat.
- (3) Supportive information. The following supportive information shall be submitted with the final plat:
 - (a) Legal opinion as to proof of land ownership.
 - (b) The transfer of all required water rights.
 - (c) A traffic control plan showing all controls as per recommendation of the Town Engineer.
 - (d) Four (4) copies of the complete street plans and profiles, prepared and certified by a registered engineer. Such plans and profiles shall be prepared at a scale no smaller than one (1) inch represents fifty (50) feet. (as requested by town administration)
 - (e) Four (4) copies of the final approved drainage plan (as requested by town administration).
 - (f) A copy of the geotechnical/soil report with recommendations and the corresponding location map (as requested by Town administration).
 - (g) A copy of the final approved utility plan.
 - (h) A signed statement verifying the good faith examination of the La

Plata County Clerk and Recorder records of the names and addresses of all mineral estate owners and lessees of mineral owners on any property subject to a development or subdivision and the notification to those owners and lessees of the intended subdivision hearing date.

2-8 Purpose -- Amended Plats*

2-8-1 The purpose of the amended plat procedure is to change lot lines in an existing subdivision or plat where no additional lots are being created, no new easements or rights-of-way are necessary and all requirements of the Subdivision Ordinance are maintained.

2-8 Procedure -- Plats and Data

2-9-1 Procedure

- (1) The applicant shall consult with the Manager in regards to the requirements of this Article and any special conditions pertaining to the site.
- (2) The applicant shall submit to the Manager the review fee as adopted by the Town Board and a minimum of three (3) copies of the amended plat.
- (3) The applicant shall meet with the Manager to review any recommended changes or corrections.
- (4) The applicant shall make all necessary changes and corrections and shall have all changes and corrections checked by the Manager.
- (5) The applicant shall submit to the Town Board two (2) Mylars and three (3) copies of the final amended plat. Mylars shall be signed by the Mayor and Town Manager.
- (6) The Town Manager shall record the amended plat in the office of the La Plata County Clerk and Recorder.

2-9-2 Plats and Data

- (1) All final amended plats shall be made at a scale of either one (1) inch represents fifty (50) feet shall be on a reproducible medium of one (1) or more sheets with outer dimensions of twenty-four by thirty-six (24 x 36) inches and shall conform to the preliminary plat as approved, except that the final plat may constitute only a portion of the territory covered by the preliminary plat.

* **Administrative Note:** This covers boundary adjustments, not new lots or subdivisions.

(a) The amended plat shall contain the following information:

1. The date of preparation, the scale, and a symbol designating true North.
2. The name of the subdivision.
3. The legal description.
4. The names and boundaries of adjacent subdivisions, streets and property owners.
5. The names, addresses and phone numbers of the subdivider and the firm or person responsible for preparing the plat.
6. A complete description of primary control points to which all dimensions, angles, bearings and similar data on the plat shall be referred.
7. All bearings, distances, chords, radii, central angles and arc lengths for all lots, blocks, perimeters, easements and rights-of-way.
8. The location and physical description of all monuments.
9. Identification of each lot or site by a number and designation of the area of each lot in square feet.
10. The plat shall comply with CRS 38-51-105 and 106.
11. Prior to recording the Amended Plat, all monuments defining the new lots within the subdivision shall be set. It shall be the responsibility of the developer to protect such monuments and if destroyed have them replaced by a Colorado licensed surveyor prior to selling the lot.

2-9-3 Covenant (Ordinance 183, December 12, 2000)

As an alternative to the Amended Plat procedure provided for herein, more than one (1) tract or lot may be used for a land use or for the location of a structure and/or to satisfy required setbacks or other regulations, provided that the lots to be used are in common ownership, and provided the owner records at the office of the La Plata County Clerk and Recorder a document which commits the lots or tracts to be used as a single parcel in order to create the desired or required parcel size for the intended use or structure or to meet setbacks from the exterior lot lines. The required commitment shall continue during

the period of the proposed land use. The commitment may be terminated if the land use ceases and if the Owner obtains approval from the Town to record a document with the La Plata County Clerk and Recorder, which states that the land use has ceased and the prior covenant is terminated. The Owner shall be required to certify that there are no existing utilities, rights of way, or easements that will be impaired by the proposed use, and no document recorded or created pursuant to the provisions of this section shall have any impact on or otherwise affect any existing easement or right of way. (See form to submit to County to be recorded and then to Town of Ignacio.

2-10 General Design Considerations

- 2-10-1 A proposed subdivision shall not, by reason of its location or design, cast an undue burden on public utility systems and community facilities on or adjacent to the tract. Where extension and enlargement of public utility systems and community facilities is necessary, the subdivider shall make provision to offset higher net public cost or earlier incursion of public cost necessitated by the subdivision. Due consideration shall be given to the difference between prior public revenue and anticipated public revenue to be derived from the fully developed subdivision in determining added net public cost.
- 2-10-2 No land shall be subdivided in areas where soil, subsoil, or flooding conditions are potential dangers to health or safety.
- 2-10-3 Subdivision design shall give consideration to the preservation of groves of trees, streams, unusually attractive topography and other desirable natural landscape features. Provision shall be made for the perpetual maintenance of such features through private covenants or other means acceptable to the Town Board. In addition, land for trails that take advantage of the natural environment and provide walking opportunities through the subdivision shall be provided with agreement with the Town.
- 2-10-4 A proposed subdivision shall be designed in such a manner as to be coordinated with adjoining subdivisions with respect to the alignment of street rights-of-way, utility and drainage easements, and open spaces.

2-11 Streets

2-11-1 Arrangement of streets

- (1) The arrangement, extent, width, type and location of all streets shall be considered in their relation to existing or planned streets, to topographic conditions, to public convenience and safety and in their appropriate relation to the proposed use of land to be served.
- (2) Local streets shall be arranged so that their use by through traffic will be discouraged.

- (3) Streets shall be extended to the boundaries of the property, except where such extension is prevented by topography or other physical conditions or where the connection of streets with existing or probable future streets is deemed unnecessary for the advantageous development of adjacent properties.
- (4) Where future extension of a street is anticipated, a temporary turnaround having a minimum outside diameter of ninety (90) feet shall be provided.

2-11-2 Closed-end streets

- (1) The maximum allowable length of closed-end streets in single-family residential and multi-family residential developments shall be five hundred (500) feet.
- (2) Closed-end streets shall be provided with circular turnarounds having a minimum outside right-of-way diameter of one hundred six (106) feet and a minimum pavement of ninety (90) feet.

2-11-3 Intersections

- (1) Streets shall intersect as nearly as possible at right angles. Intersecting street center lines shall be within twenty (20) degrees of the perpendicular for a distance extending at least one hundred (100) feet in each direction from a street intersection.
- (2) Right-angle street intersections shall be rounded with a minimum radius of twenty (20) feet at all intersections of streets.
- (3) If an intersection occurs at an angle other than a right angle, it shall be rounded with a curve of a radius acceptable to the Town Board.

2-11-4 Right-of-way, pavement and sidewalk widths

Minimum Widths by Street Type

<u>Type</u>	<u>Right-of-Way</u>	<u>Travel Width *</u> <u>(F/F)</u>
Collector	60'	40'
Local **	50'	34'
Alley	25'	18'

* Measured from flow line of gutter to flow line of gutter.

** Local streets without alleys shall utilize collector street criteria.

2-11-5 Vertical alignment

- (1) No vertical grade shall be less than two-tenths percent (0.2%) in order to facilitate adequate drainage.
- (2) Maximum percent of street grade, except as provided in subsection F below:
 - (a) Local streets, eight percent (8%).
 - (b) Collector streets, seven percent (7%).
 - (c) Arterial streets, five percent (5%).
 - (d) Where a horizontal curve occurs on a grade of over five percent (5%), the maximum allowable percent of grade on the curve shall be reduced by five-tenths percent (0.5%) for each fifty (50) feet that the curve radius is less than four hundred (400) feet.

2-11-6 Visibility requirements

- (1) Minimum forward sight distance to be maintained throughout the vertical and horizontal alignment, measured from a point four (4) feet above the center line to a point eighteen (18) inches above the center line:
 - (a) Minor streets, one hundred fifty (150) feet.
 - (b) Collector streets, two hundred (200) feet.
 - (c) Arterial streets, three hundred (300) feet.
- (2) Intersections shall be designed with adequate corner sight distance. Corner sight distance is defined as measured from a point on the centerline of the right hand travel lane of the minor street at least fifteen (15) feet from the edge of a major street pavement, and measured from a height of eye of three and three-fourths ($3\frac{3}{4}$) feet on the minor street to a height of object of four and one-half ($4\frac{1}{2}$) feet on the centerline of the travel lanes of a major street.
 - (a) The corner sight distance for local and collector streets shall be a minimum of two hundred (200) feet.
 - (b) Corner sight distance for arterial streets shall be three hundred fifty (350) feet.

- (3) No substantial impediment to visibility between the heights of three (3) and eight (8) feet shall 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 transverse line connecting these points.

2-11-7 Street names. Names of new streets shall not duplicate names of existing streets provided that new streets which are extensions of or which are in alignment with existing streets shall bear the names of such streets.

2-11-8 Off-street parking. Off-street parking shall be constructed for all structures and facilities with a minimum of one off-street and one-on-street parking equal to two spaces per residential unit. All parking shall be paved with an asphalt or concrete surface. Pavement may be required by the Town Board for individual drives and parking areas or for other types of structures or facilities when deemed consistent with the purposes of this provision and necessary for erosion control, drainage, or other topographical considerations.

2-12 Utilities Easements

2-12-1 Subdivisions shall be platted with utility easements. If no alley is provided, easements of a minimum width of sixteen (16) feet five (5) feet of which shall be on each side of common rear lot lines where said lines abut. On perimeter rear lots, easement width shall be a minimum of ten (10) feet. Side lot easement where necessary for streetlight runs shall be a minimum of five (5) feet in width. Said easements shall be graded to within six (6) inches of final grade before utility facilities are installed.

2-12-2 Where a subdivision is traversed by a watercourse, drainage way easement conforming substantially with the lines of such watercourse and of such width as necessary and adequate to carry off the predictable volume of storm water drainage from a five-year-frequency storm.

2-12-3 In general, utility systems shall be arranged and located in such manner as to avoid cross-connections, minimize trenching and adequately separate incompatible systems.

2-13 Lots

2-13-1 Lot size, width, depth, shape, and orientation and minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated and shall facilitate the placement of buildings with sufficient access, outdoor space, privacy and view.

2-13-2 Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for off-street parking and loading areas required by the type of use and development contemplated.

2-13-3 Corner lots for residential use shall have extra width to accommodate the required building setback line on both street frontages.

2-13-4 Each lot shall be provided with satisfactory access to an existing public street.

2-14 General Regulations - Required Improvements

2-14-1 The subdivider or developer shall enter into an agreement with the Town of Ignacio to guarantee construction of all required improvements, including streets, curbs and gutters, driveways, sidewalks, storm drainage system, sanitary sewerage, and potable water system.

2-14-2 Under such agreement, the subdivider shall post a performance bond, certified check, cash escrow, or bank letter-of-credit, drawn in favor of the Town of Ignacio, in an amount equal to one hundred and ten (110%) percent of the estimated cost of construction of improvements. Cost estimates for construction of improvements shall be made by the developer's engineer and approved by the Town Engineer.

2-14-3 A performance bond, certified check, or cash escrow posted by the subdivider shall be released after all work performed has been inspected and approved by the Town Engineer. The subdivider shall submit a Warranty Bond for a minimum of one year prior to release of the performance bond, certified check, or cash escrow.

2-14-4 The improvements required by the following sections shall be provided in each subdivision or development as appropriate to the particular type of development proposed and the extent determined by the Town Board. Required improvements shall be designed in accordance with approved plans and profiles and the construction requirements and specifications of the Town Engineer.

2-15 Street Improvements

2-15-1 Grading. Street rights-of-way shall be graded as necessary to provide adequate surface drainage and convenient access to lots or sites.

2-15-2 Pavement base. The pavement base shall be properly drained and constructed of suitable materials so as to support the contemplated traffic load.

2-15-3 Pavement. Pavement shall be constructed of asphalt or concrete of sufficient thickness to support the contemplated traffic load. Streets shall be paved to the widths required by this ordinance.

2-15-4 Curbs and gutters. Where appropriate to the type of development proposed, streets shall be provided with concrete curbs and gutters for the pavement edging. Such curbs and gutters shall be designed as an integral part of the pavement.

2-15-5 Driveways and access ways. Where appropriate to the type of development proposed, driveways or access ways shall be provided for vehicular access to each structure, or parking or loading area. Driveways and access ways provided shall be of adequate width and constructed with suitable subgrade, base, drainage and surfacing to be durable under the use contemplated.

2-15-6 Sidewalks and walkways. Sidewalks and walkways shall be provided where necessary or appropriate for the safety and convenience of pedestrians. Width of sidewalks shall be as specified in the Development Standards for Public Improvements. Sidewalks and walkways shall be durably constructed with all-weather surfacing and maintained for the use contemplated.

2-15-7 Street name signs. Easily legible street name signs shall be approved by the Town Manager and installed at street intersections or as necessary for convenient identification of streets.

2-16 Utilities Improvements

2-16-1 Storm drainage system

- (1) The storm drainage system shall consist of surface drainage structures and, where appropriate to the type of development proposed, catch basins and other underground drainage structures. The storm drainage system shall be of sufficient size and design to ten (10) year storm water runoff within the subdivision or development and storm water drainage that enters the development from adjacent areas.
- (2) Where deemed necessary by the Town Engineer catch basins shall be provided at all low points, at street intersections, and at intermediate locations as necessary to prevent overloading of the street gutters. Catch basins provided shall be connected to collection mains of adequate size with outfalls approved by the Town Engineer.
- (3) Storm drainage shall not be permitted to empty into any sanitary sewerage system.

2-16-2 Sanitary sewerage system

The sanitary sewerage system shall be connected to an existing public sanitary sewer system and shall consist of a closed system of sanitary sewer mains and lateral branch connections to each structure or lot upon which a structure is to be built. The sanitary sewerage system shall be of sufficient size and design to collect all sewerage from all proposed or probable structures within the subdivision or development and comply with all standards of the Ignacio Sanitation District.

2-16-3 Potable water system

The potable water system provided shall connect to an existing public water system and shall consist of water mains directly connected to using structures by means of lateral branches. The water system shall be of sufficient size and design to supply potable water to each structure or lot upon which a structure is to be built and to provide adequate fire flows as required by the Los Pinos Fire District.

2-16-4 Fire hydrants

Fire hydrants shall be installed at street intersections and at other points as necessary to assure that no building is located more than five hundred (500) feet from the nearest fire hydrant.

2-16-5 Underground electric power and telephone distribution system

Telephone lines and electric lines and other like utility services shall be placed underground unless not feasible. The subdivider shall be responsible for complying with the requirements of this subsection and shall make the necessary arrangements, including any construction or installation of such facilities, and shall be subject to all applicable laws and regulations for the construction of the same. Transformers, switching boxes, terminal boxes, meter cabinets, pedestals, ducts and other facilities necessarily appurtenant to such underground utilities may be placed aboveground; electric transmission and distribution feeder lines and communication long-distance trunk and feeder lines and necessary appurtenances thereto may be placed aboveground. Such facilities shall be placed within easements or public rights-of-way provided for particular facilities. The provisions of this subsection shall not apply to existing facilities or subdivisions platted prior to the adoption of this ordinance.

2-17 Reference Monuments.

2-17-1 Permanent reference monuments of stone or concrete, at least thirty-six (36) inches in length and six (6) inches square or round with suitable center point, shall be located and placed within the subdivision or development as required by the Town Engineer. Iron pin monuments at least twenty-four (24) inches long and flush with the surface shall be placed at all points in boundary lines where there is a change in direction, at all block and lot corners, and at other points as required by the Town Engineer.

2-18 Maintenance of Required Improvements.

2-18-1 Adequate provision for the satisfactory maintenance of streets and utilities improvements, including easements, shall be made by dedication of such improvements to the Town of Ignacio. Prior to acceptance by the town, the improvements to be dedicated shall be inspected and approved by the Town Engineer.

2-19 Certain Fees Established; Dedications

2-19-1 Fees

(1) Storm drains

- (a) The Town Board shall from time to time by resolution set storm drainage fees for the storm drainage system of the Town of Ignacio to be paid by such persons, associations, or corporations seeking or required to utilize the storm sewer system of the Town of Ignacio.
- (b) The storm drainage fee shall be adopted by the Town Board per lot, until changed.
- (c) A "lot" is defined as any parcel of land of six thousand (6,000) square feet or more. An additional fee of one and one-half cents (\$0.015) per square foot shall be charged for each square foot of each lot over six thousand (6,000) square feet.

2-20 Procedure

2-20-1 Application for variances or modifications of these regulations shall be submitted to the Board of Adjustment. Such application shall include a statement setting forth the nature and extent of the requested variance or modification, together with evidence supporting need for such variance. At the time of the filing of the application the applicant shall pay a fee as adopted by the Town of Ignacio.

2-21 Guiding Considerations

2-21-1 Hardship

Where the Board of Adjustment finds that extraordinary hardships may result from strict compliance with these regulations, it may vary the regulations so that substantial justice may be done and the public interest secured, provided that such variance is based on a finding that unusual topography or other exceptional conditions caused by the subdivider made such variance necessary and that the granting thereof will not have the effect of nullifying the intent and purpose of these regulations.

2-21-2 Planned unit development

The requirements and standards of these regulations may be modified by the Town Board in the case of the plan and program for a planned unit development which, in the judgment of the Town Board provides adequate public spaces and improvements for the circulation, recreation, light, air and service needs of the tract when fully developed and

populated and which also provides such covenants or other legal provisions as will assure conformity to and achievement of the plan.

2-22 Conditions

2-22-1 In granting variances and modifications, Board of Adjustment may require such conditions as will, in its judgment, secure substantially the objectives of the requirements and standards so varied or modified.

Chapter II
Subdivision
Section 2
Words and Terms Defined.

As used in this chapter, the following terms shall have the meaning indicated:

Amended Plat/ Boundary Adjustment: The changing of lot lines or non-regulatory text in an existing subdivision or plat where no new lots are being created, no utilities are being extended, no new easements or rights-of-way are necessary and all other requirements of the subdivision are maintained.

Annexation Plat - a survey of land to be added to the Town boundaries.

Block - A parcel of land bounded on all sides by a street or streets and/or subdivision boundary.

Comprehensive Development Plan - A plan for guiding and controlling the physical development of land use and circulation facilities in the Town of Ignacio, and any amendment or extension of such a plan.

Dedication - A grant by the owner of a right to use land to the public in general, involving a transfer of property rights and an acceptable public agency.

Easement - A dedication of land for a specified use, such as providing access for maintenance of utilities.

Lot - A parcel a land intended for transfer of ownership or building development, having its full frontage on a public street.

Plat - A map, drawing or chart upon which the subdivider presents proposals for the physical development of a subdivision, and which he submits for approval and intends to record in final form.

Reservation - A legal obligation to keep property free from development for a stated period of time, not involving any transfer of property rights.

Right-Of-Way - The width between property lines of a street.

Street - A way for vehicular traffic, further classified and defined as follows:

- (1) Arterial Streets – Those which permit the relatively rapid and unimpeded movement of large volumes of traffic from one part of the community to another.
- (2) Collector Streets – Those that collect traffic from minor streets and carry it to arterial streets or to local traffic generators, such as neighborhood shopping centers and schools. "Collector streets" include the principal entrance streets to a residential development, those linking such adjacent developments and those streets providing circulation within such developments.
- (3) Local Streets – Those used primarily for direct access to properties abutting the right-of-way. "Local streets" carry traffic having an origin or destination within the development and do not carry through traffic.
- (4) Alley – Those paved or unpaved vehicular access ways behind lots created for personal vehicular traffic and utility access to the rear of lots. A low speed travel-way with no parking.

Subdivider - Any person, individual, firm, partnership, association, corporation, estate, trust, or any other group or combination acting as a unit, dividing or proposing to divide land so as to constitute a subdivision as herein defined, including any agent of the "subdivider."

Subdivision

- (1) Major Subdivision - The division of a parcel of land into six (6) or more parcels, sites or lots for the purpose, whether immediate or future, of transfer of ownership or building development.
- (2) Minor Subdivision - The division of a parcel of land into two (2) to five (5) parcels, sites or lots for the purpose, whether immediate or future, of transfer of ownership or building development.

Administrative Notes:

1. Whenever a memorandum of understanding is referred to, see CRS 31-23-214 for possible regulations and provisions to be included.
2. Whenever the Planning Commission is referred to, reference Municipal Code 3-2-3 for responsibility of and 3-3-3 for action of applications