

Clear Creek County Subdivision Regulations: Article 12

ARTICLE 12 DEDICATION STANDARDS

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

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

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

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

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

1204.04 Cash-in-lieu of Park Land Dedication

1204.04.1 Cash-in-lieu of land dedication shall be used in cases in which the value of park land dedication is deemed, by the Board, to be more appropriate in satisfying the needs of the proposed development than land within the proposed development. Such cases include, but are not limited to: small developments not able to meet the minimum size requirement; developments which already have adjacent facilities that could be expanded to satisfy the need created by the proposed development; and developments which are within five (5) miles of an existing park and recreation district.

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

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

1.	Total dedication in acres requires as calculated by formula	-	Land acreage accepted	=	Total acreage for dedication as cash-in-lieu
2.	Total acreage for dedication as cash-in-lieu	x	\$ value/acre as determined by market value	=	Dedication \$ amount required

1204.04.4 The cash-in-lieu fee shall be equivalent to the full market value of the acreage required for park land dedication. Value shall be based on anticipated market value after completion of platting. The applicant shall submit a proposal for the cash-in-lieu fee and supply the information necessary for the Board to evaluate the adequacy of the proposal. This information shall include at least one (1) appraisal of the property by a licensed appraiser.

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

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

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1204.04.7 Any conveyance of dedicated park land shall be by warranty deed, and the title shall be free and clear of all liens and encumbrances, including real property taxes prorated to the time of conveyance.

1204.05 Exemption

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

1205 Schools

Land dedicated to the County shall be suitable for development and the intended use to meet the need generated by the proposed development. All of the dedicated school land shall be suitable for construction of school facilities and associated outdoor areas. The dedicated school land shall be a single parcel, centrally located within the service radius, with public access to adjacent street frontage, and free from hazards that would threaten the safety of those using the land.

1205.01 Land Dedication

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

1205.01.2 The following is the minimum acreage requirement per school:

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

1205.02 Cash-in-lieu of Land Dedication

1205.02.1 Cash-in-lieu of land dedication shall be required when deemed, by the Board, to be more appropriate in satisfying the needs of the proposed development and concerned agencies. Such cases include, but are not limited to, small developments not able to meet the minimum size requirement and developments which are served by adjacent facilities that could be expanded to satisfy the need created by the proposed development.

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

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

1205.02.1.3 The cash-in-lieu fee shall be equivalent to the full market value of the acreage required for school land dedication. Value shall be based on anticipated market value after completion of platting. The applicant shall submit a proposal for the cash-in-lieu and supply the information necessary for the Board to evaluate the adequacy of the proposal. This information shall include at least one (1) appraisal of the property by a licensed appraiser. The full market value shall be determined after completion of the platting process and shall be of the entire property as it

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is valued after platting.

1205.03 Combination of Dedication and Cash-in-lieu

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

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

1205.04 Conveyance of Land or Payment of Fees

1205.04.1 The conveyance of land or payment of fees obtained through the County's dedication requirement shall be required within thirty (30) calendar days of the recordation of the final plat for the subdivision. The conveyance of dedicated school land to the County shall be by warranty deed and the title shall be free and clear of all liens and encumbrances, including real property taxes prorated to the time of conveyance. The applicant shall provide a title insurance policy in the County's name and a certified survey at the time of conveyance.

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