

Clear Creek County Subdivision Regulations: Article 9

ARTICLE 9 REPLATS

901 Purpose

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

901.01 Applicability

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

902 Prerequisite

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

903 Criteria

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

904 Submittal Process

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

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

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

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

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

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

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

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

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905.08.5 Other elements that may be required are: existing and proposed roads; existing structures; utilities; earthwork; site modifications including location of wells and onsite wastewater treatment systems; existing and proposed contours; and easements (*revised 12/18/18*).

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

906 Additional Submittal Requirements

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

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

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

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

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

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

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extending service to that area.

906.04.2 If the proposal is served or proposed to be served by an individual well(s), a copy of the Well Permit issued by the Division of Water Resources or other evidence that a legal water supply is available to serve the property(s).

906.04.3 If required by the Planning Department, an analysis prepared by a water attorney, water consultant, or water engineer that provides evidence of the physical and legal water supply available.

906.05 Onsite Wastewater Treatment System Report - evidence of the physical and legal capability to provide sanitation as follows: (*revised 12/18/18*)

906.05.1 If the proposal is located within an existing sewer or special district, a letter stating the property(s) is currently served by the district or a letter of commitment stating the capacity to serve the property(s) and feasibility of extending service to that area.

906.05.2 If the proposal is served by existing onsite wastewater treatment system(s), copies of any OWTS Permits and a letter from a Colorado licensed Professional Engineer stating the system(s) are not failing shall be provided (*revised 12/18/18*).

906.05.3 If the proposal is to be served by an individual sewage disposal system(s), evidence that the following requirements are met. Such evidence shall be prepared and stamped by a Colorado licensed Professional Engineer.

906.05.3.1 Each sewage treatment system and leach field shall be in accordance with the County Onsite Wastewater Treatment System regulations (*revised 12/18/18*).

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

907 Final Documents

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

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

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

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

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

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908 REVISIONS AND MODIFICATIONS

Action on changes to any approved recorded plat of land or exemption process shall be taken by the review authority responsible for action on the original review through the process identified in these regulations. However, if the Planning Director determines changes to be minor in nature, they may be approved by the Planning Director. Changes shall be considered minor if they meet the following criteria:

908.01 Does not increase the amount of square footage, site disturbance, or unit count by more than 10% of the total approved in the original recorded plat of land or exemption processes.

908.02 Complies with the provisions of Article 14: Design Criteria.

908.03 Does not change the location of uses, or the layout of streets, trails, or pathways except for minor adjustments within areas approved for development or within approved rights-of-way.

908.04 Does not qualify under another process identified in these Subdivision Regulations

908.04 Is not a detriment to public health, safety, and welfare.

(revised 12/18/18).