

SUBDIVISION REGULATIONS
OF
FREMONT COUNTY, COLORADO

ADOPTED MARCH 14, 2000 WITH AN EFFECTIVE DATE OF MARCH 14, 2000
BY RESOLUTION #15, SERIES OF 2000

1 st Amendment –	Resolution No. 21, Series of 2005	May 24, 2005
2 nd Amendment –	Resolution No. 28, Series of 2006	April 11, 2006
3 rd Amendment –	Resolution No. 53, Series of 2009	November 24, 2009
4 th Amendment –	Resolution No. 36, Series of 2012	September 25, 2012
5 th Amendment –	Resolution No. 39, Series of 2012	November 26, 2012
6 th Amendment –	Resolution No. 15, Series of 2013	March 12, 2013
7 th Amendment –	Resolution No. 26, Series of 2013	June 25, 2013
8 th Amendment –	Resolution No. 49, Series of 2013	January 2, 2014
9 th Amendment -	Resolution No. 7, Series of 2014	January 28, 2014
10 th Amendment -	Resolution No. 14, Series of 2014	April 8, 2014

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VII. ENACTMENT CLAUSE, EFFECTIVE DATE

I. GENERAL PROVISIONS

- A. TITLE:** A resolution establishing rules, regulations and standards governing the subdivision of land within the unincorporated areas of Fremont County, setting forth the procedure to be followed by the Board of County Commissioners and the Planning Commission in applying and administering these rules, regulations and standards, and setting forth the penalties for the violation thereof as established by law.
- B. SHORT TITLE:** This regulation shall be cited as the "Fremont County Subdivision Regulations" or "Subdivision Regulations".
- C. AUTHORITY & JURISDICTION:** The Board of County Commissioners of Fremont County is empowered, by law, to adopt and enforce subdivision regulations for the unincorporated land within its boundaries. SEE: Colorado Revised Statutes, Section 30-28-133 (1), as amended.
- D. STATEMENT OF PURPOSES:** These Subdivision Regulations are designed and enacted for the purpose of promoting the health, safety and general welfare of the public and to establish standards of subdivision design which will encourage the development of sound, economical, stable neighborhoods and create a healthy environment for present and future inhabitants of Fremont County by:
1. Minimizing and controlling any detrimental impact brought about by the integration of proposed subdivisions with existing land uses;
 2. Promoting orderly, efficient and integrated development of Fremont County;
 3. Ensuring conformance of land subdivision plans with the public improvement plans of the County and its various municipalities;
 4. Ensuring coordination of inter-municipal public improvement plans of the County and its various municipalities;
 5. Encouraging well-planned subdivisions by establishing adequate standards for design and improvements;
 6. Improving land survey monuments and records by establishing standards for surveys and plats;
 7. Safeguarding the interests of the public, the homeowner and subdivider;
 8. Securing equitable handling of all subdivision plans by providing uniform procedures and standards;

9. Preventing loss and injury from fire in wooded or hazardous terrain;
10. Preserving natural vegetation and cover and promoting the natural beauty of Fremont County;
11. Preventing and controlling erosion, sedimentation and other pollution of surface and subsurface water;
12. Preventing flood damage to persons and properties and minimizing expenditures for flood relief and flood control projects;
13. Restricting building on flood lands, shorelines, areas covered by poor soils, or in areas poorly suited for building or construction;
14. Preventing loss and injury from land slides, mud flows and other geologic hazards;
15. Providing adequate space for the future development of schools and parks to serve the population;
16. Assuring the planning for and provision of an adequate and safe source of water and means of sewage disposal;
17. Regulating the subdivision or use of land on the basis of the impact thereof on the community or surrounding areas;
18. Otherwise planning for and regulating the use of land so as to provide planned and orderly use of land and protection of the environment.

E. ENFORCEMENT & PENALTIES:

1. Any subdivider, or agent of a subdivider, who transfers or sells any subdivided land before a final plat for such land has been approved by the Fremont County Board of County Commissioners and recorded or filed in the office of the Clerk and Recorder for Fremont County is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one-thousand dollars (\$1,000) nor less than five-hundred dollars (\$500) for each parcel of or interest in subdivided land which is sold. All fines collected under this paragraph shall be credited to the general fund of Fremont County. The Board may withhold issuance of a building permit on any land subdivided after June 1, 1972 which was not subdivided in accordance with the Fremont County Subdivision Regulations.
2. The Board of County Commissioners for Fremont County, in addition to the penalty set forth in paragraph 1 above, has the authority to bring an action for injunctive relief to prevent a subdivider from selling subdivided land before a final plat for such subdivided

land has been approved by the Board of County Commissioners and recorded or filed in the office of the Clerk and Recorder for Fremont County. The provisions of this paragraph shall also apply to the agents of a subdivider. SEE: C.R.S., Section 30-28-110 (4) (b).

F. RELATIONSHIP OF SUBDIVISION REGULATIONS & OTHER LAND-USE REGULATIONS:

1. Subdivision of land, within the unincorporated areas of Fremont County, and as defined by these Subdivision Regulations, shall be governed by the provisions of these Subdivision Regulations.
2. Land being subdivided shall conform with the master plan, zoning resolution for Fremont County and other resolutions and regulations in effect in Fremont County. In the absence of such plans and/or resolution, these regulations are not to be construed as a substitute for such plans and/or resolutions.
3. When the standards or provisions of these Subdivision Regulations conflict with standards or provisions of other rules, regulations, resolutions or laws governing the same subject matter, then the standard or provision applying the strictest conditions for lawful compliance shall apply.
4. No building permit shall be issued, for a building or structure within a subdivision until the pending subdivision has been approved and recorded in accordance with these Subdivision Regulations.
5. A lot which was created by a Fremont County approved subdivision plat shall not be allowed to be converted back to a metes and bounds legal description.
6. Except as provided in paragraph 4 of this sub-section F, nothing in these Subdivision Regulations shall be construed to prevent a subdivider or his agent from applying for a variance or other relief from existing rules, regulations, resolutions or laws, if such application is a necessary condition for approval of the subdivision by the Planning Commission or Board of County Commissioners.
7. As a condition for approval of any application for subdivision or exemption under these regulations the Board of County Commissioners may require the applicant to initiate an application to rezone the property. Such application shall be heard on its own merits and in conformance with the provisions of the Fremont County Zoning Resolution, and the denial thereof by the Board of County Commissioners shall not thereafter affect the right of the applicant to subdivide in accordance with these regulations and any other applicable regulations.
8. Any subdivision adjacent to any Agricultural Forestry, Agricultural Farming &

Ranching or Agricultural Living Zone District shall be required to provide fencing which will restrict domestic livestock from entering the subdivision. A fencing plan shall be submitted at the time of application and the fencing requirement shall meet the standards established by the Colorado fence law or by the Bureau of Land Management. The Board may impose additional standards for fencing if the physical conditions of the property present unique circumstances that indicate that the minimum standards may not be adequate to restrict domestic livestock from entering the subdivision.

9. The Department will send a representative to the site to determine if the property is in compliance with applicable regulations. If it is determined that the property is not in compliance with applicable regulations, the pending application will not be recorded until the property is brought into compliance.

G. ACCEPTANCE OF DEDICATIONS TO THE PUBLIC:

1. Approval of a subdivision, exemption, replat or vacation request shall not be deemed an acceptance for maintenance of the proposed dedication by the Board of County Commissioners. Such acceptance, if any, shall be given by the specific documented action of the Board of County Commissioners.
2. If a subdivision is to result in the creation of private streets, as approved by the Board, instead of dedication of the streets to the public, the Department is hereby authorized to make necessary alterations to the Dedication statement of the required "Subdivision Plat language".
3. If a public utility requests additional width for easements, other than the minimum requirements, for a subdivision, exemption, replat or vacation request, the Department is authorized to make necessary alterations to the Easement Statement, of the required Subdivision Plat language, if the developer is in agreement. If the Developer does not agree with the additional easement width, the item will be scheduled on the next appropriate Board meeting for their final decision.

H. SEVERABILITY CLAUSE: If an article, section, sub-section, sentence, clause or phrase of these Subdivision Regulations is for any reason held to be invalid or unconstitutional, the same shall not affect the validity of these regulations as a whole or any part or provision thereof, other than the part so adjudged to be invalid or unconstitutional.

I. RULES OF CONSTRUCTION:

1. The particular controls the general.
2. The word "shall" is always mandatory and not discretionary. The word "may" is permissive.

3. Words in the present tense include the future unless the context clearly indicates the contrary.
4. Words used in the singular number include the plural, and words used in the plural number include the singular unless the context clearly indicates the contrary.
5. Any definition used in the applicable statutes, regulations or rules of the State of Colorado or the United States may be used in these Subdivision Regulations; and if the aforesaid definitions conflict with the definitions herein by virtue of subsequent amendment, then the aforesaid definitions shall control.

J. APPLICATION MEETINGS:

1. The Department will meet with the applicant to discuss the proposed application at a pre-submittal meeting if requested by the applicant. The applicant will be required to provide some information (*i.e. zoning verification, current and proposed use, proposed water and sanitation source, proof of access, etc.*) prior to the meeting in order for the Department to prepare for the meeting and determine what staff members should attend the meeting. The applicant will be provided with handouts and information pertinent to the application.
 - a. If the water source for the use is proposed to be from a municipal or independent water district then the applicant shall provide evidence that said district has been contacted and that water services can be provided for the use(s) proposed along with the district's conditions for service.
 - b. If the sanitation source for the use is proposed to be from a municipal or independent sanitation district then the applicant shall provide evidence that said district has been contacted and that sanitation services can be provided for the use(s) proposed along with the district's conditions for service.
 - c. If access to the subject property is proposed to be directly to a roadway controlled by or through an intersection within the jurisdiction of the Colorado Department of Transportation (CDOT) the applicant shall provide evidence that CDOT has been contacted and that access can be provided for the use(s) proposed along with the CDOT conditions of approval.
 - d. As per Section XVII of this Regulation, the applicant shall have the right to request an exemption if it can be demonstrated that because of peculiar physical conditions pertaining to his land, the literal enforcement of one or more of these regulations is impractical or will exact undue hardship. The Board may permit an exemption as may be reasonable and within the general purpose and intent of the rules, regulations, and standards established by these regulations.

2. The Department will meet with the applicant after the applicant has received the Department's Submittal Deficiency and Comment letter for the application, if requested by the applicant. The applicant will be required to provide a brief list of questions regarding the application to enable the Department to determine what staff members should attend the meeting.
3. The Department will meet with the applicant after the Department has provided the applicant with the Department review, if requested by the applicant. The applicant will be required to provide a brief list of questions regarding the application to enable the Department to determine what staff members should attend the meeting.
4. The Department will meet with the applicant after the Planning Commission meeting to discuss recommendations of the Commission, if requested by the applicant. The applicant will be required to provide a brief list of questions to enable the Department to determine what staff members should attend the meeting.
5. The Department will meet with the applicant after the Board of County Commissioners meeting, to discuss requirements of the Board, if requested by the applicant. The applicant will be required to provide a brief list of questions to enable the Department to determine what staff members should attend the meeting.

K. AMENDMENT TO CONTINGENCIES OF APPROVAL: If an application has been approved by the Board with contingencies but it is found prior to recording that one or more of the contingencies of approval cannot or should not be met or that the contingencies should be altered, the applicant may apply for an amendment to the contingencies of approval.

1. The applicant shall provide documented justification as to why the specific contingency(s) should be removed or altered along with the required fee to the Department.
2. If the contingency proposed to be removed or altered was recommended by the Commission and then approved by the Board, the proposal to remove or alter the contingency shall be reviewed by the Commission, at a regular meeting, prior to being heard by the Board.
3. If the original application was of a category that required notice, a proposal to amend a contingency shall require the same level of notice at the applicant's expense.
4. The Department will schedule the request on the agenda of the next regular meeting of either the Commission or Board as may be appropriate allowing time for the required notice, if applicable.
5. There will be a fee charged for this process as set by resolution of the Board.

L. VALIDITY OF APPLICATIONS: All information provided in an application and supporting documents shall be valid and true to the best of the applicant's knowledge and belief. If any portion of the application, at any stage of review, is found to be misrepresented, misleading, inaccurate, invalid or false then the application shall be rendered null and void.

1. Further in such circumstances any approvals granted shall be rescinded and any approved plats shall be invalid.
2. There will not be a refund of application fees or additional review fees for any application determined to be null and void, rescinded approvals or invalidated plats.
3. A complete new application and fees will be required for any application determined to be null and void.

II. DEFINITIONS

- A. ACCESS:** The ability, both physical and legal, to enter a site from a public roadway and exit a site onto a public roadway by motorized vehicle.
- B. ALIQUOT DESCRIPTION:** A method of describing property that uses equal proportions of a unit description. Most common in areas where townships (groupings of 36 sections) and sections (1 square mile) are used to locate property. In most circumstances aliquot descriptions are considered a type of metes & bounds description of land. The exact size, dimensions and locations of aliquot described property cannot be determined without a field survey of the property.
- C. APPLICANT:** The applicant is the person, persons or entity who is responsible for organization and submittal of an application. The applicant may be the owner of property of which the application consists or a documented representative of the owner authorized to speak and make commitment for the owner with regard to all aspects of the application process.
- D. BLOCK:** An area of land within a subdivision, normally consisting of one or more lots, which area is bounded entirely by exterior property boundaries, streets, highways, or public ways, except alleys.
- E. BOARD:** The Fremont County Board of County Commissioners.
- F. BUILDING ENVELOPE:** Area of a property designated by plat or deed restriction that indicate where building and or structure improvements can be located.
- G. CEMETERY:** Land used for the interment of the dead, including funeral home, columbariums, crematoriums, mausoleums, and mortuaries, when operated in conjunction with and located on the same premises as the cemetery. Usually divided into plots, lots and or spaces for ownership purposes.
- H. COMMISSION:** The Fremont County Planning Commission.
- I. CONDOMINIUM:** A structure of two or more units, the interior spaces of which are individually owned; the balance of the property (both land and building) is owned in common by the owners of the individual units.
- J. COUNTY ENGINEER:** The County Engineer for Fremont County, Colorado, provided that the Board of County Commissioners have appointed a person to such a position. In the event that no such person shall have been appointed, the term "County Engineer" shall refer to that person retained by the County, at the expense of the applicant and or subdivider, for review of submissions under these Subdivision Regulations requiring engineering expertise.

- K. DEDICATION:** The turning over by an owner or developer of private land or a right-of-use of the private land for public use, for such use by the governmental agency having jurisdiction over the public function for which it will be used.
- L. DEPARTMENT:** The Fremont County Department of Planning & Zoning.
- M. DESIGN STANDARDS OR DESIGN REQUIREMENTS:** All requirements and regulations relating to design and layout of subdivisions as set forth in these Subdivision Regulations.
- N. DISPOSITION:** A contract of sale resulting in the transfer of equitable title to an interest in subdivided land; an option to purchase an interest in subdivided land; a lease or an assignment of interest in subdivided land; or any other conveyance of an interest in subdivided land which is not made pursuant to one of the foregoing.
- O. DOUBLE FRONTAGE LOTS:** Lots which front on one public street and back on another.
- P. EASEMENT:** An interest in land owned by another person, consisting in the right to use or control the land, or an area above or below it, for a specific limited purpose, such as utilities, drainage, or access.
- Q. EXEMPTION:** A process that does not require the property owner to apply for preliminary and final plat applications in order to subdivide land or change the boundaries of the land. Such processes are Minor Subdivision, Lot Line Adjustment, Boundary Line Adjustment, Vacation of Interior Lot Line, Correction Plats, etcetera.
- R. FINAL PLAT:** A map and supporting materials of certain described land prepared in accordance with these Subdivision Regulations as an instrument for recording of real estate interests with the County Clerk & Recorder for Fremont County.
- S. FLOOD PLAIN or FLOOD-PRONE AREA:** Any land area susceptible to being inundated as the result of a flood, including the area of land over which floodwater would flow from the spillway of a reservoir.
- T. GEOLOGIC HAZARDS:** A geologic phenomenon which is so adverse to past, current, or foreseeable land-use or construction as to constitute a significant hazard to public health and safety or to property. The term includes but is not limited to avalanches, landslides, rock falls, mudflows and unstable or potentially unstable slopes, seismic effects radioactivity and ground subsidence.
- U. HEALTH DEPARTMENT:** The Fremont County Department of Environmental Health, or, in appropriate circumstances, the Colorado Department of Public Health and Environment.

- V. LOT:** A portion of a subdivision or other parcel of platted land, intended as a unit for the transfer of ownership, for development or for other purposes.
- W. LOT, PARCEL OR TRACT SIZE:** The total acreage of the property not including any portion of the property used for a public road.
- X. METES & BOUNDS DESCRIPTION:** A written description of property that starts at a beginning point and most commonly uses bearings and distances to describe the perimeter of the property culminating at the point of beginning. In most circumstances aliquot descriptions are considered the same as a metes & bounds description.
- Y. MUNICIPALITY:** An incorporated city or town.
- Z. OFF-STREET PARKING SPACE:** The space required to park one passenger vehicle off-street (*refer to Off-street Parking Requirements, Fremont County Zoning Resolution*).
- AA.OUTLOT:** An area of land on a plat which is to be used for a specific purpose other than a residential or commercial building site, the purpose of which is restricted to and stated on the plat.
- BB.PARCEL:** A lot or contiguous group of lots in single ownership or under single control, usually considered a unit for the purposes of development.
- CC.PERMANENT MONUMENT:** Any structures of masonry and/or metal permanently placed in or on the ground, expressly for surveying reference.
- DD.PHASING:** A method of development where the total development will be completed in cohesive stages that will allow full function of the completed stage while allowing for future organized development of the remaining stages of the development.
- EE.PLANNED UNIT DEVELOPMENT:** (P.U.D.) A form of development usually characterized by a unified site design for a number of housing units, clustered buildings, and providing common open space, density increases and a mix of building types and land uses.
- FF.PLAT RESTRICTION:** A restriction or statement placed on a final plat that is unique to the land depicted by the final plat; usually items that make the property owner aware of the unique situation or a restriction placed on the development of the property through the platting process to guard the health, safety and welfare of the property residents and surrounding neighborhoods.
- GG.PLATTED LAND:** Land that has gone through a subdivision or exemption process that resulted with final plat being recorded for perpetuity in the land records of the jurisdiction where the property is located; usually resulting in the property being referenced by the

subdivision name, blocks, lots, outlots, rights-of-way and easements depicted by the final plat.

HH.PRELIMINARY PLAN: The map of a proposed subdivision and specified supporting materials of a proposed subdivision, drawn and submitted in accordance with the requirements of these Subdivision Regulations, to permit the evaluation of the proposed subdivision prior to detailed engineering and design for drainage and construction plans.

II. PRIVATE ROAD OR STREET: A right-of-way that is owned, constructed and maintained by an individual owner, a homeowners association or the like, that provides access from a public roadway to a property.

JJ. RIGHT-OF-WAY: A person's legal right, established by usage, contract or deed, to pass through property owned by another.

KK.ROADWAY: That portion of a highway, street, road or alley right-of-way designed for vehicular traffic.

LL. SITE SPECIFIC DEVELOPMENT PLAN: A recorded final plat and supporting documents, which includes but is not limited to financial guarantees, (Escrow Agreement) and Subdivision Improvement Agreement. In the case of phasing, the site specific development plan shall be considered to be a copy of the preliminary plan and all supporting documents, which were approved by the Fremont County Board of County Commissioners.

MM. SKETCH PLAN: A map and supporting information of a proposed subdivision, drawn and submitted in accordance with these Subdivision Regulations to evaluate feasibility and design characteristics at an early stage in the planning of a subdivision.

NN. STREET: A public right-of-way which provides vehicular and pedestrian access to adjacent properties. For the purpose of these Subdivision Regulations, streets shall be classified as defined below:

1. **Highway:** A major regional highway including an expressway, freeway, or intersection highway designed to carry vehicular traffic over long distances, with limited access, generally at one (1) mile intervals.
2. **Arterial:** Arterial are streets that carry relatively high-speed, through traffic designed to accommodate traffic moving considerable distances within an area; and traffic moving into and out of an area. These types of streets are designed to move traffic rather than to accommodate specific land use.
3. **Collectors:** Collector streets gather traffic from local or residential streets and carry it to the arterial street system. Collector streets, serving neighborhood activities such as schools and parks, should be designed to serve minor traffic generating activities without

carrying through traffic. Adequate space for two lanes of moving traffic should be available at all times.

4. **Local Street:** Local or residential streets are those streets with the primary function of providing access to abutting properties. Through traffic movements are usually discouraged on local streets.
5. **Alley:** A minor way which is used primarily for utility and vehicular service access to the rear or side of properties otherwise abutting on a street that provides a permanently reserved but secondary means of public access not intended for general traffic circulation.
6. **Cul-de-Sac:** A short, dead-end local street terminating in a vehicular turn-around area.
7. **Service Road:** A street or road paralleling and abutting a highway which provides access to a highway for adjacent property that lacks direct access to a highway.
8. **Stub Street:** A street or road extending from within a subdivision and terminating at the subdivision boundary with no permanent vehicular turn around. Stub streets are provided to permit adjacent undeveloped parcels of land to be developed later with an adjacent connecting street system and are not intended to be used as access for lots within the subdivision, unless a turnaround is provided.

OO. STREET RIGHT-OF-WAY: That portion of land dedicated to public use for street and utility purposes and accepted by the County.

PP. SUBDIVIDER: Any person, firm, partnership, joint venture, association or corporation or combination of the same who shall participate as owner, promoter, developer or sales agent in the planning, platting development, promotion, sale or lease of a subdivision.

QQ. SUBDIVISION OR SUBDIVIDED LAND:

1. "Subdivision" or "Subdivided Land" means any parcel or land in the County which is to be used for condominiums, apartments, or any other multiple-dwelling units, unless such land when previously subdivided was accompanied by a filing which complied with the provisions of these Subdivision Regulations with substantially the same density, or which is divided into two or more parcels, separate interests, or interests in common, unless exempted under paragraph 2, 3, or 4 of this sub-section. As used in this sub-section, "interests" includes any and all interests in the surface of land, but excludes any and all subsurface interests.
2. The terms "Subdivision" and "Subdivided Land", as defined in paragraph 1 of this sub-section shall not apply to any division of land which creates parcels of land each of which comprises thirty-five (35) or more acres of land and none of which is intended for

use by multiple owners.

3. Unless the method of disposition is adopted for the purpose of evading these Subdivision Regulations, the terms "Subdivision" and "Subdivided Land," as defined in paragraph 1 of this sub-section shall not apply to any division of land:
 - a. Which creates parcels of land, such as that the land area of each of the parcels, when divided by the number of interests in any such parcel, results in thirty-five (35) or more acres per interest.
 - b. Which could be created by any court in this state pursuant to the law of eminent domain, or by operation of law, or by order of any court in this state if the Board in which the property is situated is given timely notice of any such pending action by the court and given the opportunity to join as a party interest in such proceeding for the purpose of raising the issue of evasion of these Subdivision Regulations prior to the entry of the court order and if the Board does not file an appropriate pleading within twenty (20) days after receipt of such notice by the court, then such action may proceed before the court.
 - c. Which is created by a lien, mortgage, deed of trust, or any other security instrument.
 - d. 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 an investment entity.
 - e. Which creates cemetery lots.
 - f. Which creates an interest in oil, gas, minerals, or water which is severed from the surface ownership of real property.
 - g. Which is created by the acquisition of an interest in land in the name of a husband and wife or other persons in joint tenancy or as tenants in common, and any such interests shall be deemed for purposes of this subsection as only one interest.
 - h. Which is created by the combination of contiguous parcels of land into one larger parcel. If the resulting parcel is less than thirty-five (35) acres in land area, only one interest in said land shall be allowed. If the resulting parcel is greater than thirty-five (35) acres in land area, such land area, divided by the number of interests in the resulting parcel, must result in thirty-five (35) or more acres per interest. Easements and rights-of-way shall not be considered interests for purposes of this subparagraph.
 - i. Which is created by a contract concerning the sale of land which is contingent upon the purchaser's obtaining approval to subdivide, pursuant to this article and any applicable county regulations, the land which he is to acquire pursuant to the contract.

- j. Which is created by a roadway controlled and maintained by a State or local government entity, a railroad right-of-way in current use or the Arkansas River. No parcel shall be created, which is divided by a roadway, which is controlled and maintained by a State or local government entity, a railroad right-of-way in current use or the Arkansas River unless each parcel conforms to the existing zoning district.
 - k. Which creates a multi business, a multi industrial use, or a mini storage facility, on a single property and housed within a single structure that has received approval of a Commercial Development Plan as per the Fremont County Zoning Resolution as amended. The separate allowed uses within the structure may be rented or leased as individual units; however, no portion of the structure may be sold, without compliance with applicable Subdivision Regulations.
 - l. Which is a single property containing separate structures that function as a single use on the property.
 - m. Which is created as an Assisted Living Residence, Bed & Breakfast, Boarding & Rooming House, Campground, Child Care Center, Correctional Facility, Dormitory, Emergency Shelter, Farm & Ranch Hand Quarters, Flea Market, Group Home, Hospital, Hotel, Manufactured Home Park, Motel, Nursing Home, Parking Lot or Garage, Recreation Camp, Travel Trailer Park or the like that have a single ownership interest where individual use by multiple users maybe short or long term, but not permanent.
4. The Board may, pursuant to rules and regulations of resolution, exempt from this definition of the terms "Subdivision" and "Subdivided Land" any division of land if the Board determines that such division is not within the purposes of these Subdivision Regulations.

RR. SUBDIVISION IMPROVEMENTS: All facilities placed, constructed or erected by a subdivider within a subdivision to permit and facilitate the use of lots for residential, business or industrial purposes.

SS. SUBDIVISION IMPROVEMENTS AGREEMENT: An escrow fund, in the amount acceptable by the Board, for the actual cost of construction of such public improvements as are required by County Subdivision regulations within the subdivision. If escrow fund is renewed for a period to exceed one (1) year, the Board shall require a new engineer's estimate or contractor's estimate to determine amount to be held in escrow. Waiver or modification of the improvement security arrangement may be granted by the Board in it's sole discretion upon showing of good cause by the applicant.

TT. TOWNHOUSE: A single structure that contains single-family dwellings in a row of at least two (2) such dwelling units in which each unit has its own front and rear access to the

outside. No unit may be located over another unit and each unit is separated from any other unit by one or more common fire resistant walls and is individually owned; with the balance of the property (*land and building*) being owned in common by the owners of the individual units within the single structure.

UU. TRACT: A lot or parcel or a contiguous group of lots in a single ownership or in single control which is intended as a unit for the transfer of ownership or for the purposes of development.

VV. VARIANCE: Official authorization to depart from a subdivision requirement.

WW.VESTED PROPERTY RIGHT: A right to undertake and complete the development and use of the property under the terms and conditions of approval of a site specific development plan.

XX. WILDFIRE: An uncontrolled fire burning in vegetation, structures or other improvements.

YY. WILDFIRE HAZARD: A wildfire phenomenon which is so adverse to past, current or foreseeable construction of land-use as to constitute a significant hazard to public health and safety or to property.

III. SKETCH PLAN APPLICATION

A. SUBMISSION:

1. A Sketch Plan application shall be submitted if the proposed subdivision is:
 - a. to be developed in phases, or;
 - b. to contain multiple filings, or;
 - c. to contain multiple land uses.
2. A Sketch Plan application may be submitted if the applicant wants to evaluate feasibility and design characteristics at an early stage of a proposed subdivision.
3. The applicant shall submit the Sketch Plan application and required accompanying materials, including an application fee, to the Department.
 - a. The applicant shall submit a Sketch Plan application on a form obtained from the Department.
 - b. The application shall be delivered, in person, to a Department representative.
 - 1) The Department representative will accept the application submittal only if all minimum submittal requirements have been met and presented at the time of submission.
4. The initial Sketch Plan application shall be submitted to the Department a minimum of twenty-four (24) working days prior to the date of the regularly scheduled Commission meeting at which it is to be considered.

B. REVIEW OF SKETCH PLAN APPLICATION:

1. The Department will conduct a preliminary review of the application to determine the adequacy of the application for Commission review.
2. The applicant will be notified of the results of the Department review via a Department Deficiency and Comment Letter.
 - a. If there are deficiencies in the application that would make the application unacceptable for review by the Commission, the Department will provide the applicant with a time frame in which to address the deficiencies in order for the Department to place the application on the desired agenda of the Commission.

- b. The applicant will be notified of how many revised copies of the application and accompanying materials shall be provided to the Department for distribution in the deficiency and comment letter.
3. If there are no deficiencies or deficiencies are addressed within the time frame, the Department will provide the applicant and Commission with a review of the application taking into consideration regulatory requirements and place the application on the appropriate agenda of the Commission.
4. If the deficiencies are not addressed or if acceptable reasoning is not provided as to why the application should be placed on the Commission agenda without addressing the deficiencies within the established time frame, the Department will not place the application on the Commission agenda for review.
 - a. As per Board Resolution No. 68, Series of 2006: A full application fee will be charged to the applicant, if all deficiencies as per the initial application review letter are not adequately addressed.
 - 1) Each subsequent deficiency review letter will result in another full application fee.
 - a) All such fees shall be paid along with the deficiency submittal, prior to any further review of the application.
5. The Commission shall consider the application and Department comments at a public meeting.
 - a. The applicant shall attend the Commission meeting at which the application is scheduled to be reviewed.
 - 1) Failure of the applicant to attend the meeting will result in tabling of the application review by the Commission.
 - 2) Failure of the applicant to attend the meeting to which review of the application was tabled will be considered a withdrawal of the application by the applicant. Fees will not be refunded.
 - b. The applicant may offer comments, evidence and testimony concerning the application.
 - c. The Commission may hear comments and receive evidence or testimony from interested persons, but shall not hold formal public hearings, unless expressly authorized by law, or upon request of the Board.

6. The Commission may recommend approval or denial of the application to the Board. The Commission may include comments and or suggestions with its recommendation.
7. The Commission may continue review of the application to the next regular meeting of the Commission to receive more comments, to enable further study of information and input received at the meeting, or to request that the applicant provide additional information regarding the application. No such continuance shall exceed thirty (30) days or by the next regularly scheduled Commission meeting.
 - a. The applicant, prior to a motion by the Commission, may request an extended time before continued review by the Commission, if the applicant wants to provide additional information in support of the application. Such continuance request shall not exceed ninety (90) days and must coincide with a regular Commission meeting date.
8. If the applicant presents a significantly different proposal at the Commission meeting than was submitted in the application to the Department, the Commission shall continue the application to the next regular meeting of the Commission and request a Department review of the proposal.
 - a. The Department may require an additional review fee if deemed appropriate.
9. The Department shall mail to the applicant, the Commission's recommendations, comments and suggestions within five (5) working days after the meeting at which the Commission's review of the application was finalized. Said mailing shall contain the date and time of the regular Board meeting at which the Board will review the application.
10. Following the review and recommendation of the Commission, the Department shall place the application on the agenda of the Board, within twenty (20) days after completion of action by the Planning Commission, for Board review.
 - a. The applicant may ask for additional time before the Board meeting, if such time is needed to accommodate the recommendations, comments or suggestions of the Commission.
 - 1) A request for additional time shall be made, in writing, to the Department which is authorized to grant the request on behalf of the Board.
 - 2) Any such extension request shall not exceed ninety (90) days from the date the Commission review was completed.
 - 3) The extension of time for Board review must coincide with a regular Board meeting date.

- 4) The applicant shall provide to the Department copies of information and or documentation to be submitted for Board review to accommodate the recommendations, comments or suggestions regarding the application by the Commission a minimum of ten (10) working days prior to the scheduled Board meeting at which the application is to be reviewed.
 - 5) In such circumstances the Board, at its discretion, may require further review of the application by the Commission.
 - 6) No significant changes in an application shall be proposed after review by the Board unless such changes are made to accommodate recommendations, comments or suggestions of the Commission.
 - a) If significant changes are needed due to change of area conditions or circumstances beyond control of the applicant, then further review by the Commission shall be required prior to review of the application by the Board.
11. The Board shall take into consideration the application, Commission recommendations, comments, and suggestions, minutes from the Commission meeting and Department review at the scheduled Board meeting.
- a. The applicant shall attend the Board meeting at which the application is scheduled to be reviewed.
 - 1) Failure of the applicant to attend the Board meeting will result in tabling of the application review.
 - 2) Failure of the applicant to attend the Board meeting to which review of the application was tabled will result in a withdrawal of the application and fees will not be refunded.
 - b. The applicant may offer comments, evidence and testimony concerning the application.
 - c. The Board may hear comments and receive evidence or testimony from interested persons.
12. The Board may continue review of the application to the next regular meeting of the Board to receive more comments, enable further study of information and input received at the meeting or to request that the applicant provide additional information regarding the application. No such continuance shall exceed thirty (30) days.
- a. The applicant, prior to a motion by the Board, may request an extended time before

continued review by the Board, if the applicant wants to provide additional information in support of the application. Such continuance request shall not exceed ninety (90) days and must coincide with a regular Board meeting date.

13. The Board shall approve or deny the application within thirty (30) days after the conclusion of the Board meeting or the date to which it was continued.

14. The Department shall mail to the applicant, the Board's decision within five (5) working days after the meeting at which the Board's review of the application was finalized.

C. EFFECTS OF APPROVAL: Final approval of a Sketch Plan by the Board will allow the applicant to make application for a Preliminary Plan. Such application shall be made within twelve (12) months of the initial Sketch Plan approval or prior to expiration of any granted extensions.

1. Extensions – The Board may extend the time period for submittal of the Preliminary Plan application upon documented showing of good cause.

a. No extensions may be granted unless a written request, detailing the reasons and justification for extension, and required fee is submitted to the Department a minimum of ten (10) working days prior to the expiration of the initial twelve (12) month period or previous extension granted.

b. The Department shall schedule the request for extension for the next regular Board meeting at which time the Board will consider the request.

c. Without explicit justification warranting a longer time frame, extensions shall not be granted for more than twelve (12) months from the date of Board approval or previous extension.

1) If extension(s) are requested further review by the Commission may be required.

D. DENIAL OF A SKETCH PLAN APPLICATION: A denial of a Sketch Plan application by the Board will result in closure of the application file by the Department and application fees shall not be refunded. Without evidence of a significant change of area conditions or a significant change in the proposed application, an application for Sketch Plan cannot be resubmitted for the same property within two (2) years of the date of denial by the Board.

IV. SKETCH PLAN REQUIREMENTS

A. REQUIRED COPIES:

The applicant shall submit at least four (4) copies of the Sketch Plan drawing on a minimum sheet size of eleven (11) inches by seventeen (17) inches or to a maximum size of twenty-four (24) inches by thirty-six (36) inches. A minimum of four (4) copies of all other documents to meet submittal requirements shall be provided with the initial application. The applicant will be notified as to how many additional revised copies of the entire application will be required within the Department "Submittal Deficiency and Comment letter".

B. SKETCH PLAN DRAWING REQUIREMENTS:

1. The scale of the drawing shall be consistent and of adequate size to enable all information to be easily interpreted and read.
2. In the case of multiple sheets, a key map showing the relationship of the individual sheets shall be provided on each sheet.
3. No subdivision, street or road in the County shall bear the same name or substantially similar name as another subdivision, street or road, unless adjoining and using consecutive filing numbers. The Department shall have the authority to require applicant to change the proposed name if such name is substantially similar to the name of an existing subdivision, street or road in the County.
4. The total acreage, to the nearest one-half ($\frac{1}{2}$) acre, contained within the subject property.
5. The approximate acreage and/or square footage for each proposed lot, as may be appropriate.
6. Name and address of the person, firm or organization preparing the Sketch Plan.
7. The date of preparation of the drawing and revision dates to the submitted drawing.
8. North arrow.
9. Written and graphic scale.
10. Vicinity map locating the proposed subdivision in relation to the surrounding area, streets, major natural features, etcetera.
11. A lot and street layout indicating general dimensions with a note specifying the type of roadway surfacing proposed.

12. The total number of lots proposed.
13. The approximate acreage and lineal footage proposed to be devoted to roadways.
14. The approximate acreage proposed to be devoted to parks and / or open space.
15. The number of proposed phases and or filings, the approximate acreage of each phase and or filing, and schedule of proposed phasing (*if applicable*).
16. The type of multiple land uses proposed and the approximate acreage of each proposed land use (*if applicable*).
17. The drawing shall contain a percentage table showing the percentage of land proposed to be devoted to each use, including roadways.

C. REQUIRED REPORTS, STUDIES AND NOTIFICATIONS:

1. Type of water system proposed.
2. Type of sewage disposal system proposed.
3. Drainage features, streams, lakes, topography and vegetation affecting the proposed subdivision or a statement that none exist.
4. Geologic hazards of the area which may affect the land use and evaluating the impact of such on the proposed subdivision or a statement as to why no geologic hazard(s) exist.
5. Evaluate the potential radiation hazard to the proposed future land use, or a statement as to why no radiation hazard(s) exist.
6. Identify potential wildfire hazard as related to the proposed future land use, or provide a statement as to why no wildfire hazard exist.
7. Identify potential wildlife impacts as to the proposed future land use.
8. Soil types and their boundaries, as shown on soil survey maps prepared by the United States Department of Agriculture, National Resources Conservation Service, and also a table of interpretations for the soil types shown on the soil survey map or other more specific soils studies and interpretations for the subject property.
9. A copy of the Federal Emergency Management Agency's Flood Insurance Rate Map for the area shall be provided and shall show the site location along with the FEMA interpretation of the flood hazard that may affect the subject property.

10. The proposed subdivision boundary shall be located on a copy of a United States Geological Survey Map or other information source acceptable to the Department, at a size large enough to determine topography of the site, if topography is not included on the sketch plan drawing.
11. Identify previous surface and underground mining activities for the subject property.
12. Identify the potential for mining activities on the subject property.
13. Documentation to verify ownership of mineral interest for the subject property as shown by the real estate records of the county, which include the records of the county assessor, and “requests for notification” filed by a mineral estate owner in the records of the county clerk and recorder.
14. If the mineral interest for the subject property has been severed from the surface ownership, then not less than thirty (30) days before the date of the scheduled Commission meeting, the applicant shall send notice, by certified mail, return receipt requested or by a nationally recognized overnight courier to the mineral interest owner(s), as shown in the county records identified in subparagraph 13 above.

D. RELATIONSHIP TO DESIGN STANDARDS: The Design Standards set forth at Appendix 1 of these Subdivision Regulations shall govern review of Sketch Plan applications submitted under these Subdivision Regulations.

V. PRELIMINARY PLAN APPLICATION

A. SUBMISSION: A Preliminary Plan application shall be submitted if:

1. Four (4) or more lots are created from any parent parcel, tract or lot which has not been previously divided by exemption, minor or major subdivision;

OR

2. The total number of lots created by a previous division of the parent tract or parcel by exemption, minor or major subdivision, plus the total number of proposed lots results in the creation of four (4) or more lots.
3. The applicant shall submit Preliminary Plan application, materials and required supporting documents, including an application fee, to the Department, prior to the submission of a Final Plat application.
 - a. The applicant shall submit the Preliminary Plan application on a form provided by the Department.
 - b. The application submittal shall be delivered in person, to a Department representative. The Department representative will accept the application submittal only if all minimum submittal requirements have been met and presented at the time of submission.
4. The Preliminary Plan application and accompanying materials and required supporting documents shall be submitted to the Department no less than seventy-five (75) days prior to the date of the regularly scheduled Commission meeting at which they are to be considered.

B. DISTRIBUTION OF THE PRELIMINARY PLAN: No later than eight (8) working days after receipt of complete Preliminary Plan application, required materials and supporting documents, the Department shall distribute copies, of the same for review, comment, suggestions and recommendations to the following:

1. Appropriate school district(s).
2. Each county or municipality within a two (2) mile radius of any portion of the proposed subdivision.
3. Any affected utility, local improvement and service district, or ditch company.
4. The Colorado State Forest Service, when applicable.

5. Other Planning Commissions with jurisdiction over the area.
6. The Soil Conservation District Board within the county for explicit review and recommendations regarding soil suitability, floodwater problems, and watershed protection. Such referral shall be made even though all or part of a proposed subdivision is not located within the boundaries of a conservation district.
7. The Colorado Department of Health, when applicable, for review of the on-lot sewage disposal reports for review of the adequacy of existing or proposed sewage treatment works to handle the estimated effluent, and for a report on the water quality of the proposed water supply to serve the subdivision. The Colorado Department of Health to which the plan is referred may require the applicant to submit additional engineering or geological reports or data and to conduct a study of the economic feasibility of a sewage treatment works prior to making its recommendations. No Preliminary Plan shall receive the approval of the Board unless the Colorado Department of Health, to which the plan is referred, has made a favorable recommendation regarding the proposed method of sewage disposal.
8. The State Engineer for an opinion regarding material injury likely to occur to decreed water rights by virtue of diversion of water necessary or to be used to supply the proposed subdivision and regarding adequacy of proposed water supply to meet requirements of the proposed subdivision. If the State Engineer finds such injury or finds inadequacy, he shall express such finding in an opinion in writing to the Board, stating the reason for the finding, including, but not limited to, the amount of additional or exchange water that may be required to prevent such injury. In the event the subdivision is approved notwithstanding the State Engineer's opinion, the applicant shall furnish to all potential purchasers, a copy of the State Engineer's opinion; except that the applicant need not supply the potential purchaser with a copy of such a synopsis if, in the opinion of the Board, the applicant has corrected the injury or inadequacy set forth in the State Engineer's finding.
 - a. A municipality or quasi-municipality, upon receiving the Preliminary Plan designating said municipality or quasi-municipality as the source of water for a proposed subdivision, shall file, with the Board and the State Engineer, a statement documenting the amount of water which can be supplied by said municipality or quasi-municipality to the proposed subdivision without causing injury to existing water rights. The State Engineer shall file with the Board written comments on the report. If, in the judgment of the State Engineer the report is insufficient to issue an opinion, the State Engineer shall notify the Board, indicating the deficiencies.
9. The Colorado Geological Survey for an evaluation of those geological factors which would have a significant impact on the proposed use of the land.

10. The Fire Protection District with jurisdiction over the area.
11. The Colorado Department of Transportation.
12. The recreation district with jurisdiction over the area. Notification of the district will be required within a three (3) mile radius of any municipal boundary, that contains a recreation district and within a one (1) mile radius of the recreation district boundaries, if there is no municipality within the area.
13. Any department, agency or entity as deemed necessary, by the Department.

C. REVIEW OF THE PRELIMINARY PLAN APPLICATION:

1. The Department will conduct a preliminary review of the application to determine the adequacy of the application for Commission review.
2. The applicant will be notified of the results of the Department review via a Department Deficiency and Comment Letter.
 - a. If there are deficiencies in the application that would make the application unacceptable for review by the Commission, the Department will provide the applicant with a time frame in which to address the deficiencies in order for the Department to place the application on the agenda of the Commission.
 - b. The applicant will be notified of how many revised copies of the application and accompanying materials shall be provided to the Department for distribution in the deficiency and comment letter.
3. If there are no deficiencies or deficiencies are addressed within the time frame, the Department will provide the applicant and Commission with a review of the application, taking into consideration regulatory requirements, and place the application on the agenda of the Commission.
4. If the deficiencies are not addressed or if acceptable reasoning is not provided as to why the application should be placed on the Commission agenda without addressing the deficiencies within the established time frame, the Department will not place the application on the Commission agenda for review.
 - a. As per Board Resolution No. 68, Series of 2006: A full application fee will be charged to the applicant, if all deficiencies as per the initial application review letter are not adequately addressed.

- b. Each subsequent deficiency review letter will result in another full application fee.
 - c. All such fees shall be paid along with the deficiency submittal, prior to any further review of the application.
5. The agencies notified pursuant to Section V., B. shall make recommendations within twenty-one (21) days after the mailing of such plans by the County unless a necessary extension of not more than thirty (30) days has been consented to by the applicant and the Board. The failure of any agency to respond within twenty one (21) days or within the period of an extension may, for the purpose of the meeting on the Preliminary Plan, be deemed an approval of such plan; except that, where such plan involves twenty (20) or more dwelling units, a school district shall be required to submit within said time limit specific recommendations with respect to the adequacy of school sites and the adequacy of school structures.
6. In the event of an adverse recommendation from one (1) or more of the entities, the Department shall provide a copy to the applicant of such adverse recommendation prior to the meeting of the Commission at which the Preliminary Plan will be considered. In the event that the Department omits or is unable to provide the applicant with such notice prior to the meeting of the Commission, the Commission shall proceed with a review of the Preliminary Plan and will not disapprove the subdivision on account of said adverse recommendation unless it finds that correction of the condition leading to the adverse recommendation is impossible.
7. The Commission shall consider the application and Department comments at a public meeting.
- a. The applicant shall attend the Commission meeting at which the application is scheduled to be reviewed.
 - (1) Failure of the applicant to attend the meeting will result in tabling of the application review by the Commission.
 - (2) Failure of the applicant to attend the meeting to which review of the application was tabled will be considered a withdrawal of the application by the applicant. Fees will not be refunded.
 - b. The applicant may offer comments, evidence and testimony concerning the application.
 - c. The Commission may hear comments and receive evidence or testimony from interested persons, but shall not hold formal public hearings, unless expressly authorized by law, or upon request of the Board.

8. The Commission may recommend approval, approval with contingencies or denial of the application to the Board. The Commission may include comments and / or suggestions with its recommendation.
9. The Commission may continue review of the application to the next regular meeting of the Commission to receive more comments, to enable further study of information and input received at the meeting, or to request that the applicant provide additional information regarding the application. Any continuance shall be no later than the next regularly scheduled Commission meeting.
 - a. The applicant, prior to a motion by the Commission, may request an extension of time before continued review by the Commission, if the applicant wants to provide additional information in support of the application. Such extension request shall not exceed ninety (90) days and must coincide with a regular Commission meeting date.
10. If the applicant presents a significantly different proposal at the Commission meeting than was submitted in the application to the Department, the Commission shall continue the application to the next regular meeting of the Commission and request a Department review of the proposal. The Department may require an additional review fee if deemed appropriate.
11. The Department shall mail to the applicant, the Commission's recommendations, comments and suggestions within five (5) working days after the meeting at which the Commission's review of the application was finalized. Said mailing shall contain the date and time of the regular Board meeting at which the Board will review the application.
12. The Department shall place the application on the agenda of the Board, within thirty-five (35) days after completion of action by the Planning Commission.
 - a. The applicant may ask for an extension of time before the Board considers the application, if such time is needed to accommodate the recommendations, comments or suggestions of the Commission.
 - (1) A request for additional time shall be made, in writing, to the Department which is authorized to grant the request on behalf of the Board.
 - (2) Any such extension request shall not exceed ninety (90) days from the date the Commission review was completed.
 - (3) The extension of time for Board review must coincide with a regular Board meeting date.

- (4) No later than ten (10) working days prior to the Board meeting at which the application is to be reviewed, the applicant shall provide to the Department copies of information and or documentation to be submitted for Board review.
 - (5) The Board, at its discretion, may require further review of the application by the Commission.
 - (6) No significant changes to an application shall be proposed after review by the Commission unless such changes are made to accommodate recommendations, comments or suggestions of the Commission.
 - (a) If significant changes are needed due to change of area conditions or circumstances beyond control of the applicant, then further review by the Commission shall be required prior to review of the application by the Board.
13. The Board shall take into consideration the application, Commission recommendations, comments, and suggestions, minutes from the Commission meeting and Department review at the Board meeting.
 - a. The applicant shall attend the Board meeting at which the application is scheduled to be reviewed.
 - (1) Failure of the applicant to attend the Board meeting will result in tabling of the application.
 - (2) Failure of the applicant to attend the Board meeting to which review of the application was tabled will be considered a withdrawal of the application and fees will not be refunded.
 - b. The applicant may offer comments, evidence and testimony concerning the application.
 - c. The Board may hear comments and receive evidence or testimony from interested persons.
14. The Board may continue review of the application to the next regular meeting of the Board to receive more comments, enable further study of information and input received at the meeting or to request that the applicant provide additional information regarding the application. No such continuance shall exceed thirty (30) days.
 - a. The applicant, prior to a motion by the Board, may request an extended time before continued consideration by the Board, if the applicant wants to provide additional

information in support of the application. Such continuance request shall not exceed ninety (90) days and the application must be set on a regular Board meeting date.

15. The Board shall approve, deny, or approve the application with contingencies within thirty (30) days after the conclusion of the Board meeting or after the date to which it was continued.
16. The Department shall mail to the applicant the Board's decision within five (5) working days after the meeting at which the Board's review of the application was finalized.

D. EFFECTS OF APPROVAL: Final approval of a Preliminary Plan by the Board will allow the applicant to make application for a Final Plat. Such application shall be made within eighteen (18) months of the Preliminary Plan approval or prior to expiration of any granted extensions unless a Vested Property Right Development Plan has been approved as per these regulations. (Section IX).

1. Contingencies - If Preliminary Plan Application was approved with contingencies, all contingencies shall be submitted to the Department within eighteen (18) months of the date of approval by the Board. Preliminary Plan Contingencies may be addressed in the Final Plat application. If the contingency items are not submitted by the deadline, the Preliminary Plan approval shall be deemed expired and a new application will be required (including fees) to proceed with the project.
2. Extensions - The Board may extend the time period for submittal of contingency items or extension of approval of the Preliminary Plan upon documented showing of good cause. If extension(s) are requested, further review by the Commission may be required.
 - a. No extensions may be granted unless a written request, detailing the reasons and justification for extension, and required fee is submitted to the Department no less than ten (10) working days prior to the expiration of the initial eighteen (18) month period or previous extension granted.
 - b. The Department shall schedule the request for extension for the next regular Board meeting at which time the Board will consider the request.
 - c. In absence of justification warranting a longer time frame, extensions shall not be granted for more than eighteen (18) months from the date of Board approval or previous extension.

E. DENIAL OF A PRELIMINARY PLAN APPLICATION: A denial of a Preliminary Plan application by the Board will result in closure of the application file by the Department. Without evidence of a significant change of area conditions or a significant change in the proposed application, an application for Preliminary Plan will not be accepted for the same

property within two (2) years of the date of denial by the Board.

VI. PRELIMINARY PLAN REQUIREMENTS

A. CONFORMANCE WITH THE SKETCH PLAN:

If a Sketch Plan application was required, the Preliminary Plan application shall conform in all major aspects to the Sketch Plan as previously reviewed by the Commission and approved by the Board, and shall incorporate all modifications required in the Sketch Plan approval. The Commission can review and the Board can approve a Preliminary Plan application which has been modified to reflect improvements in design or changes that have occurred in its natural surroundings and environment since the time of Sketch Plan review and approval.

B. REQUIRED COPIES:

The applicant or his representative shall submit at least six (6), twenty-four (24) inch by thirty-six (36) inch copies of the preliminary plan drawing and six (6) reduced copies, (8 1/2" x 11" or 11" x 17") of the Preliminary Plan drawing, and six (6) copies of all other required documents with the initial application. The applicant will be notified if additional copies will be required within the Department "Comment and Submittal Deficiency letter".

C. PRELIMINARY PLAN DRAWING REQUIREMENTS:

1. The scale of the drawing shall be consistent and of adequate size to enable all information to be easily interpreted and read.
2. In the case of multiple sheets, a key map showing the relationship of the individual sheets to each other shall be provided on each sheet.
3. No subdivision, street or road in the county shall bear the same name or substantially similar name as another subdivision, street or road unless adjoining and using consecutive filing numbers. The Department shall have the authority to require applicant to change the proposed name if such name is substantially similar to the name of an existing subdivision, street or road in the County.
4. The sub-title of the drawing shall read: A portion of the (*aliquot description*) Section, Township, Range, Fremont County, Colorado or A Vacation and Re-plat of (*Lot(s), Block(s) of [Name of Subdivision]*), Fremont County, Colorado, as appropriate, dependent on whether or not the property being subdivided is un-platted or platted property.
5. The total acreage contained within the subdivision being platted.
6. The acreage and/or square footage for each proposed lot.
7. Name and address of the person, firm or organization preparing the drawing.

8. The date of preparation of the drawing and revision dates to the submitted drawing.
9. A North arrow.
10. A written and graphic scale.
11. Vicinity map locating the proposed subdivision in relation to the surrounding area, streets and major natural features.
12. The proposed lot layout, including lot numbers, the total number of lots proposed, bearings and dimensions.
13. The length and bearings for the exterior boundary lines of the proposed subdivision.
14. Any proposed phasing shall be indicated by location and number of phases.
15. The location, width, and name of all streets.
16. The location, width, length and identification label for all other public ways, easements and rights-of-way that traverse or adjoin the subject property.
17. The acreage and lineal footage proposed to be devoted to roadways.
18. The location and an identification label for all section lines that traverse the subject property.
19. The location and an identification label for all Municipal and County boundaries adjacent to, or within the subject property.
20. The location and an identification label for all district boundaries, including but not limited to, sewer, water, school, recreation, conservation and fire or a note on the drawing indicating that the proposed subdivision lies entirely within a certain district.
21. The existing contours at two (2) foot intervals for predominant ground slopes within the tract between level and five (5) percent grade. In cases of predominantly level topography throughout a subdivision, one (1) foot interval contours are required.
22. The name of adjacent subdivisions.
23. The name of adjacent property owners.
24. The current and proposed zoning of the subject property.

25. The existing zoning for all adjacent properties.
26. The location and size, by dimension, and an identification label of all existing structures to remain on the property after subdivision.
27. The location of all existing sewer lines, water lines, public utilities, live streams, existing water bodies, water courses, drainage ditches, septic systems, natural features, and all structures.
28. All legally described easements in the title insurance commitment or policy shall be located or if not applicable, a written statement to that effect shall be provided.
29. Sites to be reserved or dedicated for parks, playgrounds, schools or other public uses, other than easements shall be shown as outlots and shall be labeled with a statement as to the designated use.
30. The total number of proposed off-street parking spaces, excluding those associated with single-family residential development.
31. The total number of proposed lots shall be noted, including lot numbers per phase, if applicable.
32. The overall densities shall be noted.

D. ONSITE WASTEWATER TREATMENT SYSTEM MAP & REPORT:

1. The Preliminary Plan General Design Map shall be used as the base map for the Onsite Wastewater Treatment System Map, in addition, the Onsite Wastewater Treatment System Map shall include at a minimum the following:
 - a. Location, by dimension, of all percolation test holes and all soil analysis holes.
2. A report, signed and sealed by a Colorado Professional Engineer, shall be provided that addresses the following:
 - a. Soil conditions, slope of the terrain, underground water table, subsurface rock and limitation on site location of the system.
 - b. Conditions which may cause deleterious effects to water and sewer systems in the area, such as runoff or irrigation.
 - c. The availability of a public sewage system and feasibility of inclusion into the

system.

- d. Distance to the nearest public sewer main.
- e. The proximity of water wells, lakes, streams, irrigation ditches and other water courses in the area being subdivided.
- f. Soils profile analysis and percolation tests data to comply with the following:
 - (1) The percolation tests and soil core analysis must be made randomly over twenty-five (25) percent of the proposed lots.
 - (2) Each percolation test shall consist of a minimum of three (3) holes, four (4) to twelve (12) inches in diameter, eighteen (18) to forty-eight (48) inches in depth, spaced uniformly in an area of not less than one-thousand-two-hundred (1,200) square feet. The percolation test holes shall be filled with water to a depth of fourteen (14) inches or more, a minimum of eight (8) hours, but not more than twenty-four (24) hours, prior to conducting the percolation test, and refilled with water if necessary to a depth of at least fourteen (14) inches prior to the final measurement. The time will be measured for the water to drop one (1) inch within the lower six (6) inches of the percolation test hole. The percolation rate shall be reported in minutes per inch of drop. The percolation rate shall be the average rate of the percolation tests after the rate has stabilized in all test holes.
 - (3) One (1) soil profile hole shall be drilled or dug to provide observation of the soil profile in each of the areas in which the percolation tests are performed. The soil profile hole shall be a minimum of eight (8) feet in depth unless groundwater or bedrock is encountered. The soil profile hole should be prepared in such a way as to provide identification of the soil type and condition to a depth, four (4) feet below the bottom of an anticipated soil absorption septic system.
- g. A narrative summary of the conditions of the land to be subdivided which shall include any precautions to developers and residents, construction constraints and special problems foreseen by the investigating engineer.

E. PUBLIC SANITARY SEWER SYSTEM REPORT: The report shall contain the following:

- 1. An estimate of the population and quantity of effluent to be treated.
- 2. The location of the wastewater treatment plant or the location of connection(s) with an existing system and explanation of the effects on the existing system.

3. A letter of commitment for the acceptance of maintenance of the system from a municipality, district or sanitation company.

F. WATER RESOURCES REPORT FOR INDIVIDUAL WATER SYSTEMS: The report shall provide adequate evidence that the water supply is sufficient in terms of quality, quantity, dependability and shall ensure an adequate supply of water for the type of subdivision proposed. Such evidence shall include, but shall not be limited to:

1. The expected water requirements of the subdivision now and at full development, including various water uses to be permitted.
2. The estimated consumptive use of water by the subdivision.
3. The source of water for the subdivision and the dependability of this source.
4. Evidence of ownership or right of acquisition of, or use of existing and proposed water rights.
5. Historic use and estimated yield of claimed water rights.
6. Amenability of existing rights to a change in use.
7. The dependability of claimed water rights for use as a subdivision water supply.
8. An evaluation of the potential for material injury to existing water rights as a result of the subdivision including the cumulative effect of on-lot exempt domestic wells.
9. A plan augmentation or plan of exchange whereby any material injury to existing water rights is prevented.
10. Evidence that public or private water owners can and will supply water to the proposed subdivision stating the amount of water available for use within the subdivision and the feasibility of extending service to that area.
11. Evidence concerning the potability of the proposed water supply for the subdivision.
12. A completed "WATER SUPPLY INFORMATION SUMMARY" form, as provided by the Office of the State Engineer of the State of Colorado.
13. Additional Requirements:
 - a. The probability of success of wells or on-site supply systems through the proposed subdivision.

- b. The expected long-term yield of such wells or systems.
- c. The expected depth to usable water.
- d. The expected quality of the anticipated water.
- e. Any expected significant problems of long-term supply, pollution or long-term maintenance of such wells or systems.

G. WATER RESOURCES REPORT FOR A PUBLIC WATER SUPPLY SYSTEM: The report shall provide adequate evidence that water can and will be supplied to the proposed subdivision and shall include at a minimum the following:

1. The amount of water to be made available for use within the proposed subdivision.
2. The feasibility of extending service to the proposed subdivision.
3. The source of water for the municipality or water district and the dependability of this source.
4. Present water supply requirements of the municipality or water district, including annual and seasonal demands.
5. Future water supply commitments which the municipality or water district has entered into.
6. Estimated consumptive use of water by the municipality or water district.
7. Evidence of ownership or right of acquisition of water rights.
8. The dependability of claimed water rights for use as a municipal or district water supply.
9. A completed "WATER SUPPLY INFORMATION SUMMARY" form, as provided by the Office of the State Engineer of the State of Colorado.

H. DRAINAGE PLAN AND REPORT: Required as per Section XXI A. of this regulation.

I. EROSION CONTROL MAP AND REPORT:

1. The Preliminary Plan General Design Map shall be used as the base map for the Erosion Control Map, in addition, the Erosion Control Map shall include at a minimum the following:

- a. The existing and proposed detention structures, trees and bushes used for slope protection or wind barriers, significant cuts and fills and other structures or major land disturbances.
2. The report shall be prepared by an expert familiar with local erosion and sedimentation hazards and the soils in Fremont County. The following items shall be submitted; if any of these items are addressed in other reports, refer to these reports appropriately:
 - a. Identification of all hazards, existing or created by development of the land, which require isolation or removal, such as high water tables, floodplains, geologic hazards, erosion areas and highly erosive soils, deflation basins, etc.
 - b. A Conservation Plan, based on the careful use of soil, water and plan resources, to include:
 - (1) Consideration of climate and topography in the design of lots, roads, grading, building sites, recreation areas and other land uses.
 - (2) Provisions for roughening the surface soil or applying other temporary measures to control wind erosion on denuded areas.
 - (3) Measures to control water erosion and sedimentation, such as de-silting basins and how required maintenance will be performed.

J. GEOLOGIC HAZARD MAP AND REPORT:

1. The Preliminary Plan General Design Map shall be used as the base map for the Geologic Hazard Map, which shall include at a minimum the following:
 - a. A map indicating the type of geologic hazard and its location within the proposed subdivision. A copy of the geologic hazards map is available for public review in the Department.
2. If the proposed subdivision does not contain a geologic hazard, a geologic report prepared by a professional engineer or geologist shall be provided which states that the proposed subdivision is not located within or effected by a geologic hazard area. A report, prepared by a professional engineer or geologist, shall be provided if the proposed subdivision is located within or effected by a geologic hazard area and shall include the following:
 - a. Identification of the geologic hazard.

- b. Recommendations concerning mitigation of the hazard.

K. GEOLOGY RESOURCE REPORT: Applicant shall submit a Geology Resources Report prepared by a professional geologist or Colorado registered engineer, as defined by applicable state law. This report shall contain the following information:

1. Location and size of subject area and its general setting with respect to major geographic and geologic features.
2. Source of geologic mapping upon which the report is based and date when the source map or tests were made.
3. The geologic characteristics of the area significantly affecting the proposed land use and determining the impact of such characteristics on the proposed subdivision.

L. POTENTIAL MINERAL RESOURCE AREAS MAP AND REPORT:

1. The Preliminary Plan General Design Map shall be used as the base map for the Mineral Resource Area Map, which shall indicate the type of mineral resource and its location within the proposed subdivision. A copy of the Mineral Resource Area Maps of the County are available for review in the Department.
2. If the proposed subdivision does not contain a Mineral Resource, a report shall be prepared by a Colorado Professional Engineer or geologist stating that the proposed subdivision is not located within a mineral resource area. If the proposed subdivision contains a Mineral Resource, a report prepared by a Colorado professional engineer or geologist shall be provided evidencing that the proposed subdivision meets the following criteria:
 - a. The potential health and safety hazards are reasonably mitigated, if applicable.
 - b. The development will exceed the value of the minerals under the development.
 - c. Man made changes shall not initiate or intensify hazardous conditions within a mineral resource area.

M. WILDFIRE HAZARD MAP AND REPORT:

1. The Preliminary Plan General Design Map shall be used as the base map for the Wildfire Hazard Map, which shall indicate the wildfire rating, slope and vegetation and their location within the proposed subdivision. A copy of the Wildfire Rating, Slope and Vegetation Maps of the County are available for review in the Department.

2. A report regarding the susceptibility of the proposed site to a wildfire hazard shall be submitted. The report shall include at a minimum the following:
 - a. A letter from the Colorado State Forest Service stating that the property does not lie within a wildfire hazard area.
 - b. Recommended methods of mitigating the identified wildfire hazards if property lies within a wildfire hazard area.

N. WILDLIFE HABITAT MAP AND REPORT:

1. The Preliminary Plan General Design Map shall be used as the base map for the Wildlife Habitat Map, which shall indicate the type and location of wildlife habitats within the proposed subdivision. A copy of the Wildlife Habitat Maps of the County are available for review in the Department.
2. A wildlife impact report shall be provided based on information obtained from the Colorado Division of Wildlife, if the proposed subdivision is located within a wildlife impact area as delineated on maps developed by the Colorado Division of Wildlife. If the proposed subdivision does not lie within a wildlife habitat a letter shall be provided stating such.

O. SOILS BOUNDARY MAP AND REPORT:

1. The Preliminary Plan General Design Map shall be used as the base map for the Soils Boundary Map, which shall indicate the soil types and their boundaries as shown on "Soil Survey of Fremont County Area, Colorado" as prepared by the U.S.D.A. Natural Resources Conservation Service within the proposed subdivision.
2. A report concerning soil types and tables of interpretations for the soil types as prepared by the U.S.D.A. Natural Resources Conservation Service shall be submitted.

P. DRAINAGE FEATURES, STREAMS, WATER COURSES, LAKES, TOPOGRAPHY, & VEGETATION REPORT: Applicant shall submit a report concerning lakes, streams, significant topographical features and vegetation. The report shall include the following:

1. Narrative description of lakes, streams, or other water courses, topographical features and vegetation and their constraints for development.
2. Recommended methods of mitigation if applicable.

Q. POTENTIAL RADIATION HAZARD REPORT: Applicant shall submit a report

concerning areas of potential radiation hazard to the proposed future land use and evaluations of these potential radiation hazards. If no potential radiation hazard area exists, then the report should note it.

R. FIRE PROTECTION REPORT AND MAP: Applicant shall submit a report and/or map addressing proposed method of fire protection and location of proposed fire hydrants or other means of fire protection for the proposed subdivision, if the subdivision is not located within a Fire Protection District. If the subdivision is located within a fire protection district, the fire protection form, provided by the Department and completed by the District, shall be included with the application.

S. ROADWAY IMPACT ANALYSIS: Required as per Section XXI B. of this regulation

T. CONDOMINIUM OR TOWNHOUSE DRAWING: If the development is a condominium or townhouse project, in addition to the general design, the drawing submitted with the preliminary plan application shall show the location (*footprint*) of the building with respect to property boundaries and shall show the general floor plan of the building and units. The drawing shall:

1. Be signed by the developer/owner.
2. Depict the perimeter boundaries and set forth the legal description of the parcel of land submitted to condominium ownership.
3. Show the location of all improvements situated upon the parcel.
4. Contain sufficient vertical and horizontal cross-section drawings of improvements to allow individual air space units to be separately identified in three dimensional space (*Condominiums only*).
5. Show the elevations of the floors of the units in relation to a United States Geological Survey benchmark (*Condominiums only*).
6. Identify the individual air space units by number or other appropriate designation (*Condominiums only*).
7. Identify the general common elements and limited common elements in reasonably sufficient detail and in a manner that does not conflict with the description or definition of those elements in the condominium declarations.

U. ADDITIONAL INFORMATION REQUIRED: At least one (1) original of the following information shall be submitted, along with the specified number of copies:

1. A title insurance commitment or policy with an effective date within thirty (30) days of submittal which shall set forth the names of all owners of property included in the subdivision plat, and shall include a list of all mortgages, judgments, liens, easements, contracts, agreements, and other interests of record in the County, which affect the property covered by such subdivision plat.
2. The substance of all covenants, grants of easements or restrictions to be imposed upon the use of land, buildings and structures.
3. Function, ownership and manner of maintenance of common open space reserved or dedicated for public or private use.
4. Estimated construction cost and proposed method of financing for the construction of streets and related facilities, such as, water distribution system, sewage collection system, storm drainage facilities and such other utilities as may be required of the developer by the Board.
5. Documentation evidencing proof of access to public rights-of-way shall be provided when each proposed lot does not have direct access.
6. A list of property owners within five-hundred (500) feet of the subject parcel(s) and mineral interest owner(s) of the subject property as shown by the real estate records of the county, which include the records of the County Assessor, and “requests for notification” filed by a mineral estate owner in the records of the County Clerk and Recorder, and such owners’ current mailing address.
7. Such other and additional information as required by the Department, the Commission or the Board.

V. NOTIFICATION / PUBLICATION:

1. Mailing by United States Postal Service (USPS) certified mail, return receipt (*labeled to identify the application*) requested to the Department at least fourteen (14) days prior to the Commission meeting date, to all property owners within five-hundred (500) feet of the boundaries of the subject property and any additional notifications as may be required by the Commission.
 - a. The applicant shall provide the Department with USPS mailing receipts evidencing the date the notice packets were mailed.
 - (1) The mailing shall include the following:
 - (a) A notice form with information relevant to the public meeting completed by

the Department and mailing information to be completed by the applicant.

(b) A copy or a readable reduced copy of the preliminary plan drawing.

(c) A vicinity map locating the subject property in relation to the surrounding area, streets and major features.

2. If the mineral interest for the subject property has been severed from the surface ownership, then not less than thirty (30) days before the date of the scheduled Commission meeting, the applicant shall send notice, by certified mail, return receipt requested or by a nationally recognized overnight courier to the mineral interest owner(s), as shown in the county records identified in subparagraph U.6 above.
3. A notice of the public meeting for each meeting before the Commission or Board shall be published once by the Department, at the expense of the applicant, at least fourteen (14) days prior to the Commission meeting date in a newspaper of general circulation in Fremont County. Such notice shall indicate the time, place of the meeting and shall provide the purpose of the said meeting, the address and telephone number of the Department where materials relating to the proposal and where a complete legal description of the subdivision may be reviewed prior to the meeting, the names of landowner and applicant, the total number of proposed lots, the general location description, which shall consist of Section, Township, Range, together with a road or street address or by road mileage from a known point or intersection.

W. RELATIONSHIP TO DESIGN STANDARDS: The Design Standards set forth at Appendix 1 of these Subdivision Regulations shall govern review of Preliminary Plan applications submitted under these Subdivision Regulations.

VII. FINAL PLAT APPLICATION

A. SUBMISSION: A Final Plat may be submitted for all or a portion of an area (if phasing was approved with the Preliminary Plan) within an approved Preliminary Plan.

1. The Final Plat shall conform to the approved Preliminary Plan.
2. The applicant shall submit the Final Plat application, materials and required supporting documents, including an application fee, to the Department.
 - a. The applicant shall submit the Final Plat application on a form provided by the Department.
 - b. The application shall be delivered, in person, to a Department representative. The Department representative will accept the application submittal only if all minimum submittal requirements have been met and presented at the time of submission.
3. The initial Final Plat application and accompanying materials and required supporting documents shall be submitted to the Department no less than twenty-four (24) working days prior to the date of the regularly scheduled Board meeting at which it is to be considered.

B. REVIEW OF THE FINAL PLAT APPLICATION:

1. The Department will conduct a preliminary review of the application to determine the adequacy of the application for Board consideration.
2. The applicant will be notified of the results of the Department review via a Department Deficiency and Comment Letter.
 - a. If there are deficiencies in the application that would make the application unacceptable for consideration by the Board, the Department will provide the applicant with a time frame in which to address the deficiencies in order for the Department to place the application on the agenda of the Board.
 - b. The applicant will be notified of how many revised copies of the application and accompanying materials shall be provided to the Department for distribution in the deficiency and comment letter.
3. If the deficiencies are not addressed or acceptable reasoning provided as to why the application should be placed on the Board agenda without addressing the deficiencies within the established time frame the Department will not place the application on the Board agenda.

- a. In accordance with Resolution No. 68, Series of 2006: A full application fee will be charged to the applicant, if all deficiencies in the initial application review letter are not adequately addressed.
 - b. Each subsequent deficiency review letter will result in another full application fee.
 - c. All such fees shall be paid along with the deficiency submittal, prior to any further review of the application.
4. If there are no deficiencies or deficiencies are addressed within the time frame, the Department will provide the applicant and Board with a review of the application taking into consideration regulatory requirements and place the application on the appropriate agenda of the Board.
5. The Board shall take into consideration the application, approved preliminary plan application and Department review at the Board meeting.
 - a. The applicant shall attend the Board meeting at which the application is scheduled to be reviewed.
 - 1) Failure of the applicant to attend the meeting will result in tabling of the application.
 - 2) Failure of the applicant to attend the Board meeting to which review of the application was tabled will be considered a withdrawal of the application and fees will not be refunded.
 - b. The applicant may offer comments, evidence and testimony concerning the application.
 - c. The Board may hear comments and receive evidence or testimony from interested persons.
6. The Board may continue review of the application to the next regular meeting of the Board to receive more comments, enable further study of information and input received at the meeting or to request that the applicant provide additional information regarding the application. No such continuance shall exceed thirty (30) days.
 - a. The applicant, prior to a motion by the Board, may request an extension of time before continued consideration by the Board, if the applicant wants to provide additional information in support of the application. Such continuance request shall not exceed ninety (90) days and the application must be set on a regular Board

meeting date.

7. The Board shall approve, deny, or approve the application with contingencies within thirty (30) days after the conclusion of the Board meeting or after the date to which it was continued.
8. If the applicant presents a significantly different proposal at the Board meeting than was submitted in the application to the Department, the Board shall continue the application to a meeting date determined by the Board and request a Department review of the proposal. The Department may require an additional review fee if deemed appropriate.
9. The Department shall mail to the applicant, the Board's decision within five (5) working days after the meeting at which the Board's review of the application was finalized.

C. RECORDING OF THE FINAL PLAT: The Department shall record the final plat with the Clerk & Recorder for Fremont County within five (5) working days after submission and Department approval of all contingency items.

D. EFFECTS OF APPROVAL: Final approval of the Final Plat, by the Board will allow the applicant up to twelve (12) months from the date of approval to submit any contingencies prior to recording the final plat.

1. Contingencies - If the Final Plat was approved with contingencies all contingencies shall be submitted within twelve (12) months of the date of approval by the Board. If the contingency items are not submitted by the deadline, the final plat approval shall be deemed expired and a new application will be required (including fees).
2. Extensions - The Board may extend the time period for submittal of contingency items upon documented showing of good cause. If extension(s) are requested further review by the Board may be required.
 - a. No extensions may be granted unless a written request, detailing the reasons and justification for extension, and required fee is submitted to the Department a minimum of ten (10) working days prior to the expiration of the initial twelve (12) month period or previous extension granted.
 - b. The Department shall schedule the request for extension for the next regular Board meeting at which time the Board will consider the request.
 - c. In absence of justification warranting a longer time frame, extensions shall not be granted for more than twelve (12) months from the date of Board approval or previous extension.

- d. Whenever a Final Plat is submitted for less than the entire area covered by the Preliminary Plan, approval of the Preliminary Plan for the remaining unplatted area shall be extended for an additional eighteen (18) months.

E. DENIAL OF A FINAL PLAT APPLICATION: A denial of a Final Plat application by the Board will result in closure of the application file by the Department. Without evidence of a significant change of area conditions or a significant change in the proposed application, an application for Final Plat will not be accepted for the same property within two (2) years of the date of denial by the Board.

VIII. FINAL PLAT REQUIREMENTS

A. CONFORMANCE WITH THE PRELIMINARY PLAN: The Final Plat shall conform in all major aspects to the Preliminary Plan as previously reviewed by the Commission and approved by the Board and shall incorporate all modifications required in the Preliminary Plan approval. The Board, however, may approve a Final Plat which has been modified to reflect improvements in design or changes that have occurred in its natural surroundings and environment since the time of the Preliminary Plan review and approval.

B. REQUIRED COPIES:

The applicant or his representative shall submit at least six (6), twenty-four (24) inch by thirty-six (36) inch copies of the final plat drawing and six (6) reduced copies, (8 1/2" x 11" or 11" x 17") of the final plat drawing, and at least six (6) copies of all other required documents shall be provided with the initial application. The applicant will be notified if additional copies will be required within the Department "Comment and Submittal Deficiency letter".

C. FINAL PLAT DRAWING REQUIREMENTS:

1. The Final Plat shall be drawn to a scale not less than one (1) inch to one-hundred (100) feet, unless approval of another scale is granted by the Department prior to submission of the application.
2. In the case of multiple sheets, a key map showing the relationship of the individual sheets to each other shall be provided on each sheet.
3. No subdivision, street or road in the County shall bear the same name or substantially similar name as another subdivision, street or road unless adjoining and using consecutive filing numbers or if the street or road is a continuation of an existing street or road. The Department shall have the authority to require the applicant to change the proposed name if such name is substantially similar to the name of an existing subdivision, street or road in the County.
4. The sub-title of the Final Plat shall read: A portion of the (*aliquot description*) Section, Township, Range, Fremont County, Colorado or A Vacation and Re-plat of (*Lot(s), Block(s) of [Name of Subdivision]*), Fremont County, Colorado, as appropriate, dependent on whether or not the property being subdivided is un-platted or platted property.
5. A note table with each note being individually labeled.
6. A legend table with each symbol and line pattern being identified.

7. The total acreage and the total number of lots contained within the subdivision being platted.
8. The acreage and/or square footage for each proposed lot.
9. The proposed lot and block layout, including lot and block numbers which shall be consecutively numbered.
10. Name and address of the person, firm or organization preparing the Final Plat.
11. The date of preparation of the Final Plat and revision dates to the submitted final plat.
12. A north arrow.
13. A written and graphic scale.
14. Vicinity map locating the proposed subdivision in relation to the surrounding area, streets and major natural features.
15. All appropriate survey information on the plat shall show lengths to hundredths of a foot, and angles and bearings shall be shown to seconds of a degree.
16. A survey tie from the proposed subdivision boundary to an aliquot survey monument.
17. A statement identifying the basis of bearing for the proposed subdivision survey.
18. The length and bearings for the exterior boundary lines of the proposed subdivision. For bearings and lengths for interior lot lines where the bearings and lengths are the same as the exterior lot lines, labeling is not required.
19. All bearings and dimensions for irregularly shaped lots shall be provided for each lot.
20. For proposed curved boundaries and all curves on the plat, sufficient data shall be given to enable the re-establishment of the curves on the ground. This curve data shall be shown in a table and shall include the following:
 - a. Radius of curve.
 - b. Central angle.
 - c. Tangent.
 - d. Arc length.

- e. Notation of non-tangent curves.
21. Any non-radial lot lines or boundary lines shall be labeled.
 22. All survey monuments set and found, in preparation of the final plat, shall be indicated on the final plat as to location and type of monument, in a legend table.
 23. Any “Reference Monument” and or “Witness Corner” shall be appropriately labeled on the plat.
 24. At a minimum, the name, centerline bearing, distance and curve information along with width information shall be provided for all proposed and existing roadway rights-of-way that traverse or adjoin the subject property.
 25. The acreage and lineal footage proposed to be devoted to roadways.
 26. The location, width, length and identification label for all other public ways, easements and rights-of-way that traverse or adjoin the subject property.
 27. All proposed easements shall be designated as to use, bearings and dimensions, or indicated by appropriate statements.
 28. All legally described easements in the title insurance commitment or policy shall be located or if not applicable, a written statement to that effect shall be provided.
 29. Excepted parcels marked "Not included in this subdivision" or "Not included in this plat," as appropriate.
 30. All existing easements shall be shown on the plat, labeled or noted as to its use, size and location. In addition, all survey information and any recording information shall be provided. Any existing easement or right-of-way to be vacated, which is within the County’s authority or ownership may be vacated by a note on the final plat. Any existing easement not within the County’s authority or ownership, shall be vacated or released by the appropriate authority or owner(s), and documentation shall be provided noting such.
 31. The 100 year floodplain line shall be shown as per the FEMA FIRM map.
 32. The Final Plat shall show building setback lines for all stem or flag lots or irregularly shaped lots that do not have the minimum lot width, as required by the Zone District of the property at the property frontage. Said building setback line shall be shown by a thin dashed line and shall be labeled as such. In addition, dimensions shall be

provided along the side lot lines, which are adequate to locate the building setback lines.

33. Sites to be reserved or dedicated for open space, parks, playgrounds, schools or other public uses, other than easements shall be shown as outlots and shall be labeled with a statement as to the designated use.

34. **Required Subdivision Plat Language:** In addition to the other requirements contained within this Section, any final subdivision plat submitted for approval shall contain the following:

a. **EXECUTIONS:** The final plat shall contain the following statements:

(1) **KNOW ALL MEN BY THESE PRESENTS** that (*owner name(s)*) are the owners of the following described land:

(2) **TO WIT** (*legal description*)

(3) **DEDICATION** (*to be followed by notary statement*) (*I, We*), (*printed name of owner(s)*), being the owner(s) of the above described land being platted and/or subdivided in Fremont County, Colorado, under the name of (*complete name of development in capital letters*), have laid out, platted and/or subdivided the same as shown on this plat and do hereby dedicate to the public at large 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. The sole right to assign use or vacate is vested with the Board of County Commissioners.

In witness whereof (*printed name of the owner*) has (*or have*) subscribed (*his, her or their*) name(s) this _____ day of _____, A.D. 20 ____.

By (s) _____ (*Owner(s)*)

(4) **NOTARY STATEMENT**

The foregoing instrument was acknowledged before me this ____ day of _____, A.D. 20____, by (*printed name of owner(s): if by natural persons here, insert name; if by person acting in a representative official capacity, insert capacity; if by officers of a corporation, then insert the title of said officer and the name of the corporation*).

My commission expires _____.

My address is _____

Witness my hand and official seal. _____ (*seal*)

Notary Public

D. CONDOMINIUM OR TOWNHOUSE PLATS: If the development is a condominium or townhouse, in addition to the general design, the plat submitted with the final plat application shall show the location (*footprint*) of the building(s) with respect to property boundaries and shall show the general floor plan of the buildings and units. The Plat shall:

1. Show the location of all proposed improvements to be situated upon the parcel.
2. Contain sufficient vertical and horizontal cross-section drawings of improvements to allow individual air space units to be separately identified in three dimensional space (*Condominiums only*).
3. Show the elevations of the floors of the units in relation to a United States Geological Survey benchmark (*Condominiums only*).
4. Identify the individual air space units by number or other appropriate designation (*Condominiums only*).
5. Identify the general common elements and limited common elements in reasonably sufficient detail and in a manner that does not conflict with the description or definition of those elements in the condominium or townhouse declarations.
6. Final copy of covenants, grants of easements or restrictions to be imposed upon the use of the land, buildings, and structures.
7. Final copy of function, ownership and manner of maintenance of common open space reserved or dedicated for public or private use.

E. GENERAL INFORMATION:

1. Subdivision Improvements Agreement (*See Section XI*).
2. Fees in lieu of land or land to be dedicated for schools and parks shall be provided (*See Section XIX*).
3. Copies of deed restriction, including those required by the Board, to govern the future use of each lot and any common land with regard to the future construction of water or sewer systems, re-subdivision and other potential changes which might significantly alter the subdivision as approved by the Board with regard to the criteria and standards of these regulations.
4. A highway access permit from the Colorado Department of Transportation shall be submitted when a new street intersects with a State Highway or access is to be from a State Highway.

5. Where a portion of any existing easement is contiguous to a proposed easement or right-of-way of a new subdivision, proof of the dedication of the existing easement or right-of-way acceptable to the Board must be submitted.
6. Street Plans and Profiles, certified by a Colorado Professional Engineer, shall be submitted showing alignments, existing centerline elevations, final centerline grades of all streets, roads, highways, and alleys serving the area. Refer to Appendices I and II.
7. If applicable, water and sewer pipe profiles (*top & bottom*), certified by a Colorado Professional Engineer, shall be included in the road plans and profiles, with manholes, cleanouts, hydrants, and other required information.
8. Construction Plans, if any structures (*bridges, culverts, channelization, detention ponds or structures of a similar nature*) are required within the areas to be platted, certified by a Colorado Professional Engineer, shall be submitted.
9. A title insurance commitment or policy with an effective date within thirty (30) days of the application submittal which shall set forth the names of all owners of property included in the proposed subdivision plat, and shall include a list of all mortgages, judgments, liens, easements, contracts, agreements, and other interests of record in the County, which affect the property covered by such subdivision plat. An updated title insurance commitment or policy shall be required prior to recording of the subdivision plat, if said recording date is more than sixty (60) days from the effective date of the title insurance commitment or policy. An updated title insurance commitment or policy may necessitate further requirements of the applicant prior to recording of the subdivision plat.
10. A list of property owners within five-hundred (500) feet of the subject parcel(s) and mineral interest owner(s) of the subject property as shown by the real estate records of the county, which include the records of the County Assessor, and “requests for notification” filed by a mineral estate owner in the records of the County Clerk and Recorder, and such owners’ current mailing address.
11. Such other and additional information as required by the Department or the Board.

F. NOTIFICATION / PUBLICATION:

1. Notify by United States Postal Service (USPS) certified mail, return receipt (*labeled to identify the application*) addressed to the Department at least fourteen (14) days prior to the Board meeting date, to all property owners within five-hundred (500) feet of the boundaries of the subject property, unless otherwise specified by the Planning Commission during the review of the Preliminary Plan application.

- a. The applicant shall provide the Department with USPS mailing receipts evidencing the date the notice packets were mailed.
 - 1) The mailing list shall include the following:
 - a) A notice form with information relevant to the public meeting completed by the Department and mailing information to be completed by the applicant.
 - b) A copy or a readable reduced copy of the Final Plat drawing.
 - c) A vicinity map locating the subject property in relation to the surrounding area, streets and major natural features.
 2. If the mineral interest for the subject property has been severed from the surface ownership, not less than thirty (30) days before the date of the scheduled Board meeting, the applicant shall send notice, by certified mail, return receipt requested or by a nationally recognized overnight courier to the mineral interest owner(s), as shown in the county records identified in subparagraph E. 10 above.
 3. A notice of the public meeting for the Board shall be published once by the Department, at the expense of the applicant, at least fourteen (14) days prior to the Board meeting date in a newspaper of general circulation in Fremont County. Such notice shall indicate the time, place of the meeting and shall provide the purpose of the said meeting, the address and telephone number of the Department where materials relating to the proposal and where a complete legal description of the subdivision may be reviewed prior to the meeting, the names of landowner and applicant, the total number of proposed lots, the general location description, which shall consist of Section, Township, Range, together with a road or street address or by road mileage from a known point or intersection.

G. RELATIONSHIP TO DESIGN STANDARDS: The Design Standards set forth at Appendix 1 of these Subdivision Regulations shall govern review of Final Plat applications submitted under these Subdivision Regulations.

H. ADDITIONAL REQUIREMENTS:

1. The following information shall be provided, by the applicant, after final approval by the Board and prior to recording of the final plat.
 - a. Information as required on a form provided by the Department for the issuance of all property addresses.
 - b. Closure sheets for each lot and the boundary of the proposed subdivision shall be

provided prior to the recording of the final plat.

- c. An approved driveway access permit for any streets that intersect a County right-of-way or State Highway right-of-way.
 - d. A detailed utility plan showing the proposed location of all utility and irrigation improvement locations, horizontal and vertical, as proposed by the developer for all subdivisions. The plan shall include the signatures of all utility providers, indicating their approval of such plan.
 - e. Quit Claim deed with a deed restriction addressing the maintenance of any drainage facilities, easements, rights-of-way etcetera, required, such deed to be recorded at the time of recording of the final plat, recording fees for the same will be the expense of the applicant.
 - f. Upon approval by the Board a mylar drawing and two (2) polyester copies shall be provided for recording upon submittal of all contingencies.
 - g. Executed Ratification, Consent and Release Forms will be required for any mortgages, deeds of trust, liens or the like, and shall be provided prior to recording of the final plat.
 - h. A Tax Certificate issued by the Fremont County Treasurer indicating that all ad-valorem taxes for the subject property for all years prior to the year in which the final plat is to be recorded have been paid. If taxes have not been paid, the final plat will not be recorded.
2. Upon receipt of the recording information of the final plat, two (2) full size copies of the final plat with all recording information shall be provided to the Department by the applicant.

IX. SITE SPECIFIC DEVELOPMENT PLAN (*Provisions for review and approval of a Site Specific Development Plan*)

A. SITE SPECIFIC DEVELOPMENT PLAN:

1. A vested property right in a site specific development plan may be established only upon application by owner and approval by the Board after review by the Commission of a Site Specific Development Plan. If the landowner does not request a vested property right by submission of a Site Specific Development Plan and/or if approval is not granted by the Board, a vested right shall not have been created through approval of any other applications.
2. A Site Specific Development Plan approval shall remain vested for a period of three (3) years.
3. Site Specific Development Plan shall be approved only after review by the Commission and approval of a proposal by the Board and Commission and after recording of the final plat and the supporting documents, which include financial guarantees and Subdivision Improvement Agreement.
4. The provisions of C.R.S. 24-68-101, et. seq. shall apply and govern approval of site specific development plans.

B. STANDARDS AND CONDITIONS FOR APPROVAL:

1. A Site Specific Development Plan shall be approved only if the Board finds that the Site Specific Development Plan meets the following standards and conditions:
 - a. Meets the requirements for approval pursuant to Sections III., IV., V., VI., VII. and VIII. of this regulation.
 - b. The development complies with all applicable codes, regulations and other permit requirements in effect at the time of approval.
2. The Board may continue (*no such continuance shall exceed thirty (30) days*), approve, conditionally approve or deny a request for Site Specific Development Plan. A conditional approval may impose such terms and conditions as are necessary to protect the public health, safety and welfare. Failure to abide by such terms and conditions shall result in forfeiture of vested property rights and shall void the Site Specific Development Plan.
3. The Board approval shall take the form of a resolution which shall reference the application and development agreement.

C. POST APPROVAL ACTIONS:

1. No later than fourteen (14) days after the Board approves and signs the resolution of approval, a notice shall be published in a local newspaper of general circulation. Said notice shall advise the general public that a Site Specific Development Plan has been approved and that a vested property right has been created pursuant to this article.
2. At the time the notice is published, the Planning Director shall certify the record of, and file for, Site Specific Development Plan. The original file and record shall remain in the Department files.

D. AMENDMENTS TO SITE SPECIFIC DEVELOPMENT PLAN: No modification of the Site Specific Development Plan shall be permitted except upon a finding, following review and public meetings held in accordance with Sections V. and VII. of these regulations, that the modification is consistent with the standards of Sections VI. and VIII. of these regulations.

X. UTILITIES & IMPROVEMENTS

A. GENERAL REQUIREMENTS: The following improvements shall be constructed as stipulated in the Subdivision Improvement Agreement in a manner consistent with sound construction and local practice, and as approved by the Board. Where specific requirements are spelled out in other sections of these regulations, they shall apply (*See Appendix 1 and Appendix 2*).

1. Road grading and surfacing.
2. Curbs & gutters, if required.
3. Sidewalks, if required.
4. Sanitary sewer laterals and mains where required.
5. Storm sewers or storm drainage system, if required.
6. Water distribution system.
7. Street signs and stop signs, if required, at all street intersections.
8. Fire protection facilities.
9. Repair of Construction traffic damage to County Roads as Required in Sub-part C. of this Section X..
10. Fencing which will restrict domestic livestock from entering the subdivision as per Section I.,F.,7..
11. Other improvements may be required by the Board.

B. INDEPENDENT REVIEW: At the option of the Board, an independent engineering firm or other independent professionals may be retained, at the expense of the developer, for review of improvement plans, compliance with all applicable regulations or any necessary field investigations, and the design of the particular improvements.

C. ROAD DESIGNATION AND DAMAGE:

1. Prior to commencing construction of subdivision improvements as set forth in Sub-part A., 1. through A., 8. and A., 10. (hereinafter "improvements"), the Applicant shall submit a statement or map which specifically designates the County Roads (route) that will be traveled by the contractor, subcontractor and independent contractor vehicles and heavy

equipment during construction of improvements for the purpose of transporting materials, equipment, employees and contractors to the site where improvements are being constructed.

2. Upon receipt of the designation of roads and prior to commencement of construction of improvements, the County shall conduct a pre-construction physical inspection of the route designated and prepare an inspection report that sets forth a general description of the type and condition of each road to be used, and a specific description of location, nature and extent of existing road damage for each road on the route designated by the Applicant. The Applicant may want to submit a similar report, prepared at the Applicant's expense, which shall be reviewed and commented upon by the County Official conducting the pre-construction inspection.
3. The Applicant shall notify the County when construction of subdivision improvements has been completed. The County shall conduct a physical inspection of the route designated and prepare a post-construction inspection report that sets forth any variations between the post-construction physical condition of the road and the pre-construction inspection report. The County shall make every effort to conduct the post-construction inspection within three (3) working days following completion of construction and to have the pre-construction and post-construction inspections conducted by the same person. The Applicant may submit a similar report, prepared at the Applicant's expense, which shall be reviewed and commented upon by the County Official conducting the post-construction inspection.
4. Upon completion of the post-construction report, all reports shall be reviewed by a person designated by the Board to determine the amount of damage caused during construction and the estimated cost of repairing such damage. The Applicant may provide for a similar review, conducted at the Applicant's expense. The pre-construction and post-construction reports, and the review and damage reports shall be submitted to the Board. If the inspection reports and the review indicate that no additional damage has been caused to the roads on the route during the period of construction, no further action shall be taken by the County.
5. If the inspection reports and the review indicate that damage may have been caused to the roads on the route during the period of construction, the Board shall set a date and time to consider and review the reports and determine an amount to be assessed against the Applicant for repair of damage to the route used during construction of improvements. The Applicant shall be notified of such date and time at least fourteen (14) days in advance. If the Applicant submits a written request for waiver of the fourteen (14) days notification period, the Board may conduct its review and assessment on an earlier date. The Applicant shall be entitled to appear before the Board and provide information to the Board to assist the Board in arriving at an assessment amount. No assessment shall be made against the Applicant for any damage to roads on the route that the Board

finds could not be reasonably related to the use of the roads in connection with construction of subdivision improvements. Determination of the assessment amount shall constitute final action by the Board.

6. Non-payment of the assessment shall constitute a failure to comply with the Subdivision Regulations by the Applicant.
7. The Applicant shall have thirty (30) days from the date of imposition of the assessment in which to pay the assessment. If the Applicant has posted security funds in conjunction with a subdivision improvements agreement, such funds shall not be released until the assessment has been paid in full. If the Applicant has posted security funds in excess of the amount of road assessment, the excess amount may be released to the Applicant. If the Applicant fails to pay the assessment to the County within thirty (30) days, the security funds held shall be forfeited to the County to be applied toward the assessment. If the County has not yet recorded the subdivision plat, non-payment of the assessment may result in the denial of the recording of the subdivision plat. If the Applicant fails to pay the assessment within thirty (30) days and there are inadequate security funds to pay the assessment, the County shall be entitled to obtain judgment against the Applicant for the unpaid assessment amount. The County shall be entitled to recover as part of the judgment, costs and expenses incurred in obtaining and collecting the judgment, including reasonable attorney fees.
8. The Applicant may request the Board to consider alternative arrangements for payment of the assessment including, but not limited to payment arrangements extending beyond the thirty (30) day limit and performance of repair work by the Applicant. Such arrangements shall include provisions relating to the recording of the plat, if not recorded, and release of any security funds. The Board retains complete discretion to approve or disapprove such alternative arrangements.
9. It shall be the duty of the Applicant to ensure that only the designated route is traveled by all contractor, subcontractor and independent contractor vehicles and heavy equipment used during construction of improvements for the purpose of transporting materials, equipment, employees and contractors to the site where improvements are being constructed. Failure to use the designated route during construction of improvements shall be deemed a failure to comply with the Subdivision Regulations for Fremont County and may result in denial of recording of the subdivision plat, imposition of a fee in an amount necessary to repair damaged roads used or forfeiture of all, or a portion, of the security funds posted by the Applicant pursuant to a Subdivision Improvements Agreement.
10. Before the Applicant is denied the recording of the subdivision plat, or subjected to forfeiture of all or a portion of the security funds for failure to ensure use of the designated route, the Applicant shall be entitled to a hearing before the Board. The

Applicant shall be provided notice of date and time of the hearing at least fourteen (14) days in advance. If the Applicant submits a written request for waiver of the fourteen (14) day notification period, the Board may conduct its hearing on an earlier date. At the hearing, the Board may consider evidence (including statements, testimony and documents) submitted relating to the issue of whether the Applicant or the Applicant's contractors, subcontractors, independent contractors, employees, agents or representatives, failed to use the designated route as set forth herein, and the estimated damage caused by such failure. If the Board finds that the designated route was not used as the sole means of accessing the site where the subdivision improvements were being constructed, then it shall determine the penalty to be imposed, based upon the estimated damage caused by such failure. Denial of the recording of the plat or total forfeiture of the security funds may be imposed if the evidence indicates that the estimated damage to roads not on the designated route cannot be determined with a reasonable degree of certainty. The determination of the Board at the conclusion of the hearing shall constitute final action of the Board.

XI. GUARANTEE OF PUBLIC IMPROVEMENTS

A. GUARANTEES: No final plat shall be approved or recorded until the subdivider has submitted and the Board has approved one or a combination of the following:

1. A subdivision improvements agreement (*provided by the Department*) guaranteeing construction of any required public improvements shown in the final plat documents together with an escrow fund or other security arrangement as may be approved by the Board, in the amount acceptable by the Board, for the actual cost of construction of such public improvements as are required by County Subdivision regulations within the subdivision. If escrow fund is renewed for a period to exceed one (1) year, the Board shall require a new engineer's estimate or contractor's estimate to determine amount to be held in escrow. Waiver or modification of the improvement security arrangement may be granted by the Board in its sole discretion upon showing of good cause by the applicant.
2. Other agreements or contracts setting forth the plan, method, and parties responsible for the construction of any required public improvements in accordance with design and time specifications.

B. USE OF GUARANTEES, RETURN THEREOF: As improvements are completed, the subdivider may apply to the Board for a release of part or all of the improvement security fund deposited with said Board. Upon inspection and approval, the Board may release said improvement security fund. If the Board determines that any of such improvements are not constructed in substantial compliance with required specifications, it shall furnish the subdivider a list of specific deficiencies and shall be entitled to withhold the improvement security fund sufficient to ensure such substantial compliance. If the Board determines that the subdivider does not intend to construct any or all of the improvements in accordance with all of the specifications, the Board may withdraw and employ from the deposit of improvement security funds such funds as may be necessary to arrange for construction of the improvement or improvements in accordance with the specifications.

XII. MINOR SUBDIVISION APPLICATION

A. SUBMISSION: A Minor Subdivision application shall be submitted if:

1. Three (3) or fewer lots are to be created from any parent parcel or tract, (a one-time exemption), which has not previously been granted an exemption, or platted as a minor or major subdivision. The division of a tract into three (3) or fewer lots is not a subdivision for purposes of these Subdivision Regulations (*Sketch Plan and Preliminary Plan not required*) unless the Board determines that the proposed division of land is contrary to the intent of these Subdivision Regulations. No parent parcel or tract shall be divided into more than three (3) lots through a subdivision exemption process. Creation of four or more lots from any single parcel or tract shall require submission of a Sketch Plan, Preliminary Plan and Final Plat.
2. The applicant shall submit the Minor Subdivision application, materials and required supporting documents, including an application fee, to the Department. The applicant shall use the forms provided by the Department and shall deliver the application packet to a Department representative. The application packet shall be accepted only if all minimum submittal requirements have been met.
3. The Minor Subdivision application and accompanying materials and required supporting documents shall be submitted to the Department no less than twenty-four (24) working days prior to the date of the regularly scheduled Commission meeting at which they are to be considered.

B. REVIEW OF MINOR SUBDIVISION APPLICATION:

1. The Department will conduct a preliminary review of the application to determine the adequacy of the application for Commission review.
2. The Department will notify the applicant of the results of the Department review through a Department Deficiency and Comment Letter.
 - a. If there are deficiencies in the application that would make the application unacceptable for review by the Commission, the Department will provide the applicant with a time frame in which to address the deficiencies to enable the Department to place the application on the agenda of the Commission.
 - b. The applicant will be notified in the deficiency and comment letter of the number of revised copies of the application and accompanying materials to be provided to the Department for distribution.
3. If there are no deficiencies, or deficiencies are addressed within the applicable time

frame, the Department will provide the applicant and Commission with a review of the application, and schedule the application on the agenda of the Commission.

4. If the deficiencies are not addressed or acceptable reasoning is not provided to justify scheduling on the Commission agenda without addressing the deficiencies, the Department will not place the application on the Commission agenda for review.
 - a. In accordance with Board Resolution No. 68, Series of 2006: A full application fee will be charged to the applicant, if all deficiencies in the initial application review letter are not adequately addressed.
 - b. Each subsequent deficiency review letter will result in another full application fee.
 - c. All such fees shall be paid along with the deficiency submittal, prior to any further review of the application.
5. The Commission shall consider the application and Department comments at a public meeting.
 - a. The applicant shall attend the Commission meeting at which the application is scheduled to be reviewed.
 - (1) Failure of the applicant to attend the meeting will result in tabling of the application review by the Commission.
 - (2) Failure of the applicant to attend the meeting to which review of the application was tabled will be considered a withdrawal of the application by the applicant. Fees will not be refunded.
 - b. The applicant may offer comments, evidence and testimony concerning the application.
 - c. The Commission may hear comments and receive evidence or testimony from interested persons, but shall not hold formal public hearings, unless expressly authorized by law, or upon request of the Board.
6. The Commission may recommend approval, approval with contingencies or denial of the application to the Board. The Commission may include comments and / or suggestions with its recommendation.
7. The Commission may continue review of the application to the next regular meeting of the Commission to receive more comments, to enable further study of information and input received at the meeting, or to request that the applicant provide additional

information regarding the application. Any continuance shall be no later than the next regularly scheduled Commission meeting.

- a. The applicant, prior to a motion by the Commission, may request an extension of time to allow for submission of additional information in support of the application. Such extension shall not exceed ninety (90) days and must coincide with a regular Commission meeting date.
8. If the applicant presents a significantly different proposal at the Commission meeting than was submitted in the application to the Department, the Commission shall continue the application to the next regular meeting of the Commission and request a Department review of the proposal. The Department may require an additional review fee if deemed appropriate.
 9. The Department shall mail the Commission's recommendations, comments and suggestions to the applicant within five (5) working days after the meeting at which the Commission's review of the application was finalized. Said mailing shall contain the date and time of the regular Board meeting when the Board will review the application.
 10. The Department shall place the application on the agenda of the Board, for a meeting to be held within thirty-five (35) days after completion of action by the Planning Commission.
 - a. The applicant may ask for an extension of time before the Board considers the application, to accommodate the recommendations, comments or suggestions of the Commission.
 - (1) A request for additional time shall be made, in writing, to the Department which is authorized to grant the request on behalf of the Board.
 - (2) Any such extension request shall not exceed ninety (90) days from the date the Commission review was completed.
 - (3) The extension of time for Board review must coincide with a regular Board meeting date.
 - (4) No later than ten (10) working days prior to the Board meeting at which the application is to be reviewed, the applicant shall provide to the Department copies of any additional information and or documentation for Board review.
 - (5) The Board, at its discretion, may require further review of the application by the Commission.

- (6) No significant changes to an application shall be proposed after review by the Commission unless such changes are made to accommodate recommendations, comments or suggestions of the Commission. If significant changes are needed due to change of area conditions or circumstances beyond control of the applicant, then further review by the Commission shall be required prior to review of the application by the Board.
11. At the Board meeting, the Board shall consider the application, Commission recommendations, comments, and suggestions, minutes from the Commission meeting and Department review.
 - a. The applicant shall attend the Board meeting at which the application is scheduled to be reviewed.
 - (1) Failure of the applicant to attend the Board meeting will result in tabling of the application.
 - (2) Failure of the applicant to attend the Board meeting to which review of the application was tabled will be considered a withdrawal of the application and fees will not be refunded.
 - b. The applicant may offer comments, evidence and testimony concerning the application.
 - c. The Board may hear comments and receive evidence or testimony from interested persons.
12. The Board may continue review of the application to the next regular meeting of the Board to receive more comments, enable further study of information and input received at the meeting or to request that the applicant provide additional information regarding the application. No such continuance shall exceed thirty (30) days.
 - a. The applicant, prior to a motion by the Board, may request an extension of time to allow for submission of additional information in support of the application. Such continuance shall not exceed ninety (90) days and must coincide with a regular Board meeting date.
13. The Board shall approve, deny, or approve the application with contingencies within thirty (30) days after the conclusion of the Board meeting or the date to which it was continued.
14. The Department shall mail the Board's decision to the applicant within five (5) working days after the meeting at which the Board's review of the application was finalized.

C. EFFECTS OF APPROVAL: Final approval of a Minor Subdivision by the Board will provide the applicant up to six (6) months from the date of approval to submit all contingencies prior to the recording of the Minor Subdivision Plat.

1. **Contingencies** - If the Minor Subdivision Application was approved with contingencies, all contingencies shall be submitted to the Department within six (6) months of the date of approval by the Board. If the contingency items are not submitted by the deadline, the Minor Subdivision approval shall be deemed expired and a new application will be required, including fees.
2. **Extensions** - The Board may extend the time period for submittal of contingency items upon documented showing of good cause. If extension(s) are requested, further review by the Commission may be required.
 - a. No extensions may be granted unless a written request, detailing the reasons and justification for extension, and required fee is submitted to the Department no less than ten (10) working days prior to the expiration of the initial six (6) month contingency submittal period or previous extension period.
 - (1) The Department may administratively grant a one-time, six (6) month extension, (if all other contingency items have been provided and are satisfactory) to allow the applicant to obtain an executed Ratification, Consent & Release. No fee will be required.
 - b. The Department shall schedule the request for extension for the next regular Board meeting at which time the Board will consider the request.
 - c. In absence of justification warranting a longer time frame, no extensions shall be granted for more than six (6) months at a time.

D. DENIAL OF A MINOR SUBDIVISION APPLICATION: A denial of a Minor Subdivision application by the Board will result in closure of the application file by the Department. Without evidence of a significant change of area conditions or a significant change in the proposed application, an application for Minor Subdivision will not be accepted for the same property within two (2) years of the date of denial by the Board.

XIII. MINOR SUBDIVISION REQUIREMENTS

A. REQUIRED COPIES:

The applicant or his representative shall submit at least six (6) twenty-four (24) inch by thirty-six (36) inch copies of the plat and six (6) reduced copies, (8 1/2" x 11" or 11" x 17") of the plat and at least six (6) copies of all other required documents shall be provided with the initial application. The applicant will be notified as to how many additional copies will be required within the Department "Comment and Submittal Deficiency letter".

B. MINOR SUBDIVISION PLAT DRAWING REQUIREMENTS:

1. The Plat shall be drawn to a scale not less than one (1) inch to one-hundred (100) feet, unless approval of another scale is granted by the Department, prior to submission of the application.
2. In the case of multiple sheets, a key map showing the relationship of the individual sheets to each other shall be provided on each sheet.
3. No subdivision, street or road in the County shall bear the same name or substantially similar name as another subdivision, street or road unless adjoining and using consecutive filing numbers or if the street or road is a continuation of an existing street or road or cul-de-sac street accessed from the primary roadway, (i.e. Court, Place, etc.). The Department shall have the authority to require the applicant to change the proposed name if such name is substantially similar to the name of an existing subdivision, street or road in the County.
4. The sub-title of the Plat shall read: A portion of the (*aliquot description*) Section, Township, Range, Fremont County, Colorado or A Vacation and Re-plat of (*Lot(s), Block(s) of [Name of Subdivision]*), Fremont County, Colorado, as appropriate, dependent on whether or not the property being subdivided is un-platted or platted property.
5. A note table with each note being individually labeled.
6. A legend table with each symbol and line pattern being identified.
7. The total acreage and the total number of lots contained within the subdivision being platted.
8. The acreage and/or square footage for each proposed lot.
9. The proposed lot and block layout, including lot and block numbers which shall be consecutively numbered.

10. Name and address of the person, firm or organization preparing the Plat.
11. The date of preparation of the Plat and revision dates to the submitted plat.
12. A north arrow.
13. A written and graphic scale.
14. Vicinity map locating the proposed subdivision in relation to the surrounding area, streets and major natural features.
15. All appropriate survey information on the plat shall show lengths to hundredths of a foot, and angles and bearings shall be shown to seconds of a degree.
16. A survey tie from the proposed subdivision boundary to an aliquot survey monument.
17. A statement identifying the basis of bearing for the proposed subdivision survey.
18. The length and bearings for the exterior boundary lines of the proposed subdivision.
For bearings and lengths for interior lot lines where the bearings and lengths are the same as the exterior lot lines, labeling is not required.
19. All bearings and dimensions for irregularly shaped lots shall be provided for each lot.
20. For proposed curved boundaries and all curves on the plat, sufficient data shall be given to enable the re-establishment of the curves on the ground. This curve data shall be shown in a table and shall include the following:
 - a. Radius of curve.
 - b. Central angle.
 - c. Tangent.
 - d. Arc length.
 - e. Notation of non-tangent curves.
21. Any non-radial lot lines or boundary lines shall be labeled.
22. All survey monuments set and found, in preparation of the plat, shall be indicated on the plat as to location and type of monument, in a legend table.

23. Any "Reference Monument" and or "Witness Corner" shall be appropriately labeled on the plat.
24. At a minimum, the name, centerline bearing, distance and curve information along with width information shall be provided for all proposed and existing roadway rights-of-way that traverse or adjoin the subject property.
25. The acreage and lineal footage proposed to be devoted to roadways.
26. The location, width, length and identification label for all other public ways, easements and rights-of-way that traverse or adjoin the subject property
27. All proposed easements shall be designated as to use, bearings and dimensions or indicated by appropriate statements.
28. All legally described easements in the title insurance commitment or policy shall be located or if not applicable, a written statement to that effect.
29. Excepted parcels shown on the plat shall be marked "Not included in this subdivision" or "Not included in this plat", as appropriate.
30. All existing easements shall be shown on the plat, labeled or noted as to its use, size and location. In addition, all survey information and any recording information shall be provided. Any existing easement or right-of-way to be vacated, which is within the County's authority or ownership may be vacated by a note on the plat. Any existing easement not within the County's authority or ownership, shall be vacated or released by the appropriate authority or owner(s), and documentation shall be provided noting such.
31. The 100 year floodplain line shall be shown as per the FEMA FIRM map.
32. The Plat shall show building setback lines for all stem or flag lots or irregularly shaped lots that do not have the minimum lot width, as required by the Zone District of the property at the property frontage. Said building setback line shall be shown by a thin dashed line and shall be labeled as such. In addition, dimensions shall be provided along the side lot lines, which are adequate to locate the building setback lines.
33. Sites to be reserved or dedicated for open space, parks, playgrounds, schools or other public uses, other than easements shall be shown as outlots and shall be labeled with a statement as to the designated use.

34. **Required Subdivision Plat Language:** In addition to the other requirements contained within this Section, any subdivision plat submitted for approval shall contain the following: *(It should be noted that due to circumstances of a particular property it may be necessary for the Department to make alterations to the required Plat language.)*

a. **EXECUTIONS:** The plat shall contain the following statements:

(1) **KNOW ALL MEN BY THESE PRESENTS** that *(owner name(s))* are the owners of the following described land:

(2) **TO WIT** *(legal description)*

(3) **DEDICATION** *(to be followed by notary statement)* *(I, We)*, *(printed name of owner (s))*, being the owner(s) of the above described land being platted and/or subdivided in Fremont County, Colorado, under the name of *(complete name of development in capital letters)*, have laid out, platted and/or subdivided the same as shown on this plat and do hereby dedicate to the public at large 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. The sole right to assign use or vacate is vested with the Board of County Commissioners.

In witness whereof *(printed name of the owner)* has *(or have)* subscribed *(his, her or their)* name(s) this _____ day of _____, A.D. 20____.

By _____ *(Owner(s))*

(4) **NOTARY STATEMENT**

The foregoing instrument was acknowledged before me this _____ day of _____ A.D. 20____, by *(printed name of owner(s): if by natural persons here, insert name; if by person acting in a representative official capacity, insert capacity; if by officers of a corporation, then insert the title of said officer and the name of the corporation)*.

My commission expires _____.

My address is _____.

Witness my hand and official seal. _____ *(seal)*

Notary Public

(5) **REGISTERED LAND SURVEYOR'S CERTIFICATE**

I *(registered land surveyor's name)* a registered land surveyor in the State of Colorado do hereby certify that this plat has been prepared under my direction in accordance with the Colorado Revised Statues, as amended, and that this plat

1. Show the location of all proposed improvements to be situated upon the parcel.
2. Contain sufficient vertical and horizontal cross-section drawings of improvements to allow individual air space units to be separately identified in three dimensional space. (*Condominiums only*)
3. Show the elevations of the floors of the units in relation to a United States Geological Survey benchmark. (*Condominiums only*)
4. Identify the individual air space units by number or other appropriate designation. (*Condominiums only*)
5. Identify the general common elements and limited common elements in reasonably sufficient detail and in a manner that does not conflict with the description or definition of those elements in the condominium or townhouse declarations.
6. Final copy of covenants, grants of easements or restrictions to be imposed upon the use of the land, buildings, and structures.
7. Final copy of function, ownership and manner of maintenance of common open space reserved or dedicated for public or private use.

D. GENERAL INFORMATION: The following information shall be submitted with the application, unless otherwise stated.

1. A title insurance commitment or policy with an effective date within thirty (30) days of the application submittal which shall set forth the names of all owners of property included in the proposed plat, and shall include a list of all mortgages, judgments, liens, easements, contracts, agreements, and other interests of record in the County, which affect the property covered by such plat.
 - a. An updated title insurance commitment or policy shall be required prior to recording of the subdivision plat, if said recording date is more than sixty (60) days from the effective date of the title insurance commitment or policy. An updated title insurance commitment or policy may necessitate further requirements of the applicant, prior to recording the plat.
 - b. If the land records of Fremont County show that there are other interests in the property being platted (i.e. mortgages, judgments, liens, easements, contracts, agreements, etc.) the persons or entities that control those interests must through documentation (i.e. Ratification, Consent and Release forms, signed approval on the plat, etc.) express agreement, discharge interests from any land being dedicated to public purposes and grant permission for the property to be subdivided as proposed

by the application, or release their interest in the property prior to recording the plat. This may be a contingency item if approval is granted by the Board.

2. A Tax Certificate issued by the Fremont County Treasurer indicating that all ad valorem taxes for the subject property for all years prior to the year in which the plat is to be recorded have been paid.
3. A copy of the plat shall locate, by providing dimensions from property lines, and, size by dimension, all improvements (*i.e. roads, driveways, sewer lines, water lines, septic systems, wells, structures, buildings, irrigation ditches, public utilities, water retention structures etc.*), natural physical features (*i.e. soil type boundaries, bluffs, cliffs, debris fans, water courses, live streams, dry gulches, drainages etc.*) and easements and rights-of-way described in the title commitment or policy or any of the same known to exist without being of record, which effect or traverse the property.
 - a. If no improvements are housed on the property, no easements or rights-of-way traverse or effect the property or no natural physical features are contained on the property, a statement to that effect, regarding each item, by the project surveyor shall be provided.
4. Proof of water, which may be a letter from a public water district indicating that the proposed lots can be provided water service, or a letter or a copy of a well permit from the Colorado Division of Water Resources, indicating that well permits will be issued for each lot.
5. Proof of sewer, which may be a letter from a public sanitation district, indicating that each parcel can and will be served with sewer service; or at least one (1) Onsite Wastewater Treatment System report containing the following information:
 - a. A copy of the plat which adequately depicts the required information, to the Department. The drawing may be reduced (8 ½" X 11" or 11" X 17") provided all of the required information is readable. The drawing shall contain:
 - (1) The location, by dimension, of all percolation test holes and all soil analysis holes.
 - b. A report, signed and sealed by a Colorado Professional Engineer that addresses the following:
 - (1) Soil conditions, slope of terrain, underground water table, subsurface.
 - (2) Conditions which may cause deleterious effects to water and sewer systems in the area, such as runoff or irrigation.

- (3) The availability of a public sewage system and feasibility of inclusion into the system.
- (4) Distance to the nearest public sewer line.
- (5) The proximity of water wells, lakes, streams, irrigation ditches and other water courses in the area.
- (6) Soils profile analysis and percolation tests data complying with the following:
 - (a) Each percolation test shall consist of a minimum of three (3) holes, four (4) to twelve (12) inches in diameter, eighteen (18) to forty eight (48) inches in depth, spaced uniformly in an area of not less than one thousand two hundred (1,200) square feet. The percolation test holes shall be filled with water to a depth of fourteen (14) inches or more, a minimum of eight (8) hours, but not more than twenty four (24) hours, prior to conducting the percolation test, and refilled with water if necessary to a depth of at least fourteen (14) inches prior to the final measurement. The time will be measured for the water to drop one (1) inch within the lower six (6) inches of the percolation test hole. The percolation rate shall be reported in minutes per inch of drop. The percolation rate shall be the average rate of the percolation tests after the rate has stabilized in all test holes.
 - (b) One (1) soil profile hole shall be drilled or dug to provide observation of the soil profile in each of the areas in which the percolation tests are performed. The soil profile hole shall be a minimum of eight (8) feet in depth unless groundwater or bedrock is encountered. The soil profile hole should be prepared in such a way as to provide identification of the soil type and condition to a depth, four (4) feet below the bottom of an anticipated soil absorption septic system.
 - c. A narrative summary of the conditions of the land to be subdivided which include any precautions to developers and residents, construction constraints and special problems foreseen by the investigating engineer.
6. Proof of access to a public right-of-way for each lot proposed.
7. Topographic and soils information, sufficient showing the usability of the proposed lot(s) for the purpose intended.
8. DRAINAGE PLAN AND REPORT required as per Section XXII A. of this regulation.

9. A fire protection plan addressing proposed method of fire protection, location of fire hydrants or other means of fire protection if the subdivision is not located within a Fire Protection District. If the subdivision is located within a Fire Protection District, the fire protection form, provided by the Department and completed by the District, shall be provided with the application.
10. Evidence (*certified mail return receipt*) that any ditch company which has a right of easement, serves or traverses the proposed subdivision, has been notified of this application. The form of the letter for notification will be provided by the Department. A copy of the proposed subdivision and a vicinity map shall be enclosed with the notification letter.
11. Evidence (*certified mail return receipt*) that any Recreation District, within a three (3) mile radius of any municipal boundary, containing a recreation district or within a one (1) mile radius of the recreation district boundaries, if there is no municipality within the area that has been notified of this application. The form of the letter for notification will be provided by the Department. A copy of the proposed subdivision plat and a vicinity map shall be enclosed with the notification letter.
12. A list of property owners within five-hundred (500) feet of the subject parcel(s) and mineral interest owner(s) of the subject property as shown by the real estate records of the county, which include the records of the County Assessor, and “requests for notification” filed by a mineral estate owner in the records of the County Clerk and Recorder, and such owners’ current mailing address.
13. If the mineral interest for the subject property has been severed from the surface ownership, then not less than thirty (30) days before the date of the scheduled Commission meeting, the applicant shall send notice, by certified mail, return receipt requested or by a nationally recognized overnight courier to the mineral interest owner(s), as shown in the county records.
14. Proof (*certified mail return receipt*) that all individuals and entities having any rights or record easements and all applicable utility companies were notified of this application on a form letter provided by the Department.

E. ADDITIONAL REQUIREMENTS: In addition to the foregoing minimum requirements, the applicant may be required to furnish additional information as required elsewhere in these regulations, where such is necessary for proper consideration of the application, as determined by the Commission or the Board. At a minimum the following information shall be provided, by the applicant, after final approval by the Board and prior to recording of the minor subdivision plat:

1. Information as required on a form provided by the Department for the issuance of all

property addresses.

2. Closure sheets for each lot and the boundary of the proposed subdivision shall be provided prior to the recording of the plat.
3. An approved driveway access permit for any streets that intersect a County right-of-way or State Highway.
4. A detailed utility plan showing the proposed location of all utility and irrigation improvement locations, horizontal and vertical, as proposed by the developer, for all subdivisions where a new road, street or right-of-way is proposed. The plan shall include the signatures of all utility providers, indicating their approval of such plan.
5. An executed Quit-Claim Deed with a deed restriction addressing the maintenance of any drainage facilities, easements, rights-of-way etcetera, required, such deed to be recorded at the time of recording of the plat, recording fees for the same will be the expense of the applicant.
6. Upon approval by the Board a mylar and two (2) polyester copies shall be provided for recording upon submittal of all contingencies.
7. Any additional information as required by the Department or the Board.

F. RELATION TO DESIGN STANDARDS: The Design Standards set forth at Appendix 1 of these Subdivision Regulations shall govern review of Minor Subdivision applications submitted under Section XII of the Subdivision Regulations.

G. RECORDING: The Department shall record the Plat and any other necessary documents with the Clerk & Recorder of Fremont County within five (5) working days after Department approval of all submitted Board required contingencies.

XIV. VACATION OF INTERIOR LOT LINE & UTILITY / DRAINAGE EASEMENTS:

Vacations of platted interior lot lines and/or platted utility/drainage easements may be completed through an administrative process with the Department, where the proposed vacation does not substantially modify the originally platted subdivision, except:

- * Vacations which would violate or require a waiver of any provision of the County's Subdivision and Zoning Regulations or violate any condition or requirement of the subdivision's final plat which created the lot(s).
- * Vacations in which a portion of the lot as platted has been severed from the balance of the lot (*such vacations require the vacation by plat process or lot line adjustment*).
- * In no case shall a vacation of a platted easement for utilities or drainage purposes be approved by administrative procedures if any individual or entity using the easement in question or holding rights to use refuses or fails to agree, in writing, to the proposed vacation.

If one of the above conditions exist, the application shall be referred to the Commission and Board for action in accordance with Section XII., C.

A. SUBMISSION: Applicants shall submit the application and accompanying materials to the Board by delivering the same to the Department.

B. REVIEW:

1. The review by the Department shall be completed within thirty (30) working days of receipt of a complete application. Final approval will not be granted until all deficiencies are adequately submitted. Upon submittal of all deficiencies and necessary documents and the same are approved by the Department the final plat shall be recorded within five (5) working days.
2. Application shall be considered withdrawn if not completed within six (6) months after date of Department deficiency letter or Department approval.

C. REQUIRED COPIES:

The applicant or his representative shall submit at least three (3) twenty-four (24) inch by thirty-six (36) inch copies of the final plat and three (3) reduced copies (8 1/2" x 11" or 11" x 17") of the final plat and at least three (3) copies of all other required documents shall be provided with the initial application. The applicant will be notified as to how many additional copies will be required within the Department "Comment and Submittal Deficiency letter".

D. FINAL PLAT DRAWING REQUIREMENTS:

1. The Final Plat shall be drawn to a scale not less than one (1) inch to one-hundred (100) feet, unless approval of such is granted prior to submission by the Department.
2. In the case of multiple sheets, a key map showing the relationship of the individual sheets shall be provided on each sheet.
3. Name or title of plat shall read: "Name" Interior Lot Line Vacation.
4. Subtitle shall read: "A Vacation of Interior Lot Line(s) for Lot(s) & Block(s) number of the original subdivision name", Fremont County, Colorado.
5. No subdivision in the County shall bear the same name or substantially similar name as another subdivision unless adjoining and using consecutive filing numbers. The Department shall have the authority to require the applicant to change the proposed name if such name is substantially similar to the name of an existing subdivision in the County.
6. The total acreage contained within the area being platted.
7. Name and address of the person, firm or organization preparing the Final Plat.
8. The date of preparation of the Final Plat and all revision dates to the submitted final plat.
9. A north point.
10. A written and graphic scale of the drawing.
11. A vicinity map adequately labeled to locate the subject property in relation to streets located in the general area.
12. Acreage and/or square footage for each proposed lot.
13. All appropriate survey information on the plat shall show lengths to hundredths of a foot, and angles and bearings shall be shown to seconds of a degree.
14. A survey tie from the subject property boundary to an aliquot survey monument.
15. A statement identifying the basis of bearing for the subject property survey.
16. Bearings and lengths for all lot lines and perimeter subdivision boundaries, except that bearings and lengths need not be given for interior lot lines where the bearings

and lengths are the same as the exterior lot lines.

17. All bearings and dimensions for irregularly shaped lots shall be indicated for each lot.
18. For proposed curved boundaries and all curves on the plat, sufficient data shall be given to enable the re-establishment of the curves on the ground. This curve data shall include the following:
 - a. Radius of curve.
 - b. Central angle.
 - c. Tangent.
 - d. Arc length.
 - e. Notation of non-tangent curves.
19. Any non-radial lot lines or boundary lines shall be noted.
20. All survey monuments set and found, in preparation of the final plat; shall be indicated on the final plat as to location and type of monument, by note or label.
21. Any "Reference Monument" and or "Witness Corner" shall be appropriately noted on the plat.
22. The location, width and name of all streets that is adjacent to the subject property.
23. The interior lot lines to be vacated shall be shown by tightly dashed lines and either labeled on the plat drawing or the line symbol used identified in the plat legend.
24. All proposed easements shall be designated as to use, bearings, dimensions or indicated by appropriate statements.
25. Excepted parcels marked "Not included in this plat".
26. All existing easements shall be vacated prior to submittal or shall be shown on the plat, labeled or noted as to it's use, size and location. In addition, all survey information and any recording information for all easements shall be provided.
27. All blocks and all lots within each block shall be consecutively numbered.
28. The Final Plat shall show building setback lines for all stem or flag lots or irregularly

shaped lots that do not have the minimum lot width, as required by the Zone District of the property at the property frontage. Said building setback line shall be shown by a thin dashed line and shall be labeled as such. In addition, dimensions shall be provided along the side lot lines, which are adequate to locate the building setback lines.

29. Portions of the subject property found to be located within a flood hazard area as depicted on the Federal Emergency Management Agency's National Flood Insurance Program's Flood Insurance Rate Maps, shall be indicated on the plat drawing in such a manner that the area is easily identified and shall be labeled as a No Build Area.

30. **Required Subdivision Plat Language:** In addition to the other requirements contained within this Section, any final subdivision plat submitted for approval shall contain the following:

a. **EXECUTIONS:** The final plat shall contain the following statements:

(1) **KNOW ALL MEN BY THESE PRESENTS** that (*owner name(s)*) are the owners of the following described land:

(2) **TO WIT** (*legal description*)

(3) **DEDICATION** (*to be followed by notary statement*) (*I, We*), (*printed name of owner(s)*), being the owner(s) of the above described land being platted and/or subdivided in Fremont County, Colorado, under the name of (*complete name of development in capital letters*), have laid out, platted and/or subdivided the same as shown on this plat and do hereby dedicate to the public at large 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. The sole right to assign use or vacate is vested with the Board of County Commissioners.

In witness whereof (*printed name of the owner*) has (*have*) subscribed (*his, her, their*) name(s) this ____ day of _____, A.D. 20__.

By _____ (*Owner(s)*)

(4) **NOTARY STATEMENT**

The foregoing instrument was acknowledged before me this ____ day of _____, A.D. 20__, by (*printed name of owner(s): if by natural persons here, insert name; if by person acting in a representative official capacity, insert capacity; if by officers of a corporation, then insert the title of said officer and the name of the corporation*).

My commission expires _____.
My address is _____
Witness my hand and official seal. _____ (seal)
Notary Public

(5) REGISTERED LAND SURVEYOR'S CERTIFICATE

I, (*registered land surveyor's name*) a registered land surveyor in the State of Colorado do hereby certify that this plat has been prepared under my direction in accordance with the Colorado Revised Statutes, as amended, and that this plat does accurately show the described tract of land and the subdivision thereof, to the best of my knowledge and belief. I further certify that any portion(s) of this property which do lie within the designated flood hazard area as shown on the F.E.M.A. F.I.R.M. maps are accurately shown hereon.

_____ Date: _____

(6) ACKNOWLEDGEMENT AND ACCEPTANCE OF PLAT

This is certify that the plat is approved and accepted as per review by the Planning Director, dated this _____ day of _____, 20__.

Chairman, Fremont County Board of County Commissioners

(7) EASEMENT STATEMENT

Easements for public purposes, including utilities, are as indicated on the plat, with the sole responsibility for maintenance being vested with the adjacent property owners except as otherwise noted, all interior lot lines are subject to a five (5) foot utility easement on both sides of lot lines. Exterior subdivision boundary not fronting public way is subject to a ten (10) foot utility easement.

(8) COUNTY CLERK AND RECORDERS STATEMENT

STATE OF COLORADO }
COUNTY OF FREMONT }

This plat was filed for record in the office of the County Clerk and Recorder of Fremont County, Colorado, at _____ .M., on the _____ day of _____, A.D. under reception number _____.

Fremont County Clerk & Recorder

E. SUBMITTAL REQUIREMENTS:

1. Copy of current deed of record.

2. A title insurance commitment or policy with an effective date within thirty (30) days of the application submittal which shall set forth the names of all owners of property included in the proposed vacation of interior lot line plat, and shall include a list of all mortgages, judgments, liens, easements, contracts, agreements, and other interests of record in the County, which affect the property covered by such subdivision plat. An updated title insurance commitment or policy shall be required prior to recording of the vacation of interior lot line plat, if said recording date is more than sixty (60) days from the effective date of the title insurance commitment or policy. An updated title insurance commitment or policy may necessitate further requirements of the applicant prior to recording of the vacation of interior lot line plat.
3. Executed Ratification, Consent and Release Form will be required for any mortgages, deeds of trust, liens or the like, and shall be provided prior to recording of the final plat.
4. Three (3) copies of the final plat.
5. One (1) copy of the final plat shall locate, by providing dimensions from property lines, and, size by dimension, all improvements (*i.e...roads, driveways, sewer lines, water lines, septic systems, wells, structures, buildings, irrigation ditches, public utilities, water retention structures etc.*), natural physical features (*i.e...soil type boundaries, bluffs, cliffs, debris fans, water courses, live streams, dry gulches, drainages etc...*) and easements and rights-of-way described in the title commitment or policy or any of the same known to exist without being of record, which effect or traverse the property.
 - a. If no improvements are housed on the property, no easements or rights-of-way traverse or effect the property or no natural physical features are contained on the property, a statement to that effect, regarding each item, by the project surveyor shall be provided.
6. Provide proof (*certified mail return receipt*) that all individuals and entities having any right or interest of record easements and all applicable utility companies were notified of this application on a form letter provided by the Department.

F. ADDITIONAL REQUIREMENTS:

1. The Design Standards set forth at Appendix 1 of these Subdivision Regulations shall govern review of Vacations of Interior Lot Line applications submitted under Section XIII. of the Subdivision Regulations.
2. A mylar of the final plat shall be submitted along with two (2) polyester copies. After recording, five (5) blueprints of the final plat shall be provided.

XV. LOT LINE OR BOUNDARY ADJUSTMENT: A Lot Line Adjustment is an administrative process which allows for the adjustment of lot lines and adjoining easements between two (2) or more adjacent platted lots of record. The submittal is considered a lot line adjustment if one (1) of the subject properties is a platted lot and the other is a metes and bounds described property. A boundary adjustment is an administrative process which allows for the adjustment of property lines between two (2) or more adjacent aliquot or metes and bounds described properties.

A. SUBMISSION: Applicant shall submit the application and accompanying materials to the Board by delivering the same to the Department.

B. REVIEW OF THE LOT LINE OR BOUNDARY ADJUSTMENT:

1. Application may be approved by the Planning Director if the following conditions are met:
 - a. The Lot Line or Boundary Line Adjustment shall not result in the creation of any additional lots or create any non-conforming lots.
 - b. The Lot Line or Boundary Adjustment shall not adversely affect adjoining lots.
 - c. The Lot Line or Boundary Adjustment shall meet the general intent of the Zoning & Subdivision Regulations.
2. If approval of a metes and bounds adjustment is granted, a letter of approval shall be recorded with the deeds creating the adjustment.
3. After review of all required information, if it is determined by the Department that the Commission and Boards review is not required, the Department upon satisfactory submission and review, will record the final plat in the office of the Clerk and Recorder of Fremont County. If the Commission and Boards review is required, it shall be in accordance with the procedures of Section XII., C. If Commission and Board review is not required, the review by the Department shall be completed within thirty (30) working days of receipt of a complete application. Final approval will not be granted until all deficiencies are adequately submitted. Upon submittal of all deficiencies and necessary documents and the same are approved by the Department, the final plat shall be recorded within five (5) working days.
4. Applications shall be considered withdrawn if not completed within six (6) months after date of the Department deficiency letter or Department approval.

C. REQUIRED COPIES:

The applicant or his representative shall submit at least three (3) twenty-four (24) inch by

thirty-six (36) inch copies of the final plat and three (3) reduced copies, (8 1/2" x 11" or 11" x 17") of the final plat and at least three (3) copies of all other required documents shall be provided with the initial application. The applicant will be notified as to how many additional copies will be required within the Department "Comment and Submittal Deficiency letter".

D. METES & BOUNDS REQUIREMENTS: If all properties involved in the adjustment are described by aliquot or metes and bounds descriptions the following requirements shall be provided:

1. Application on a form provided by the Department.
2. Copy of current deeds of record.
3. Copy of proposed deeds after adjustment.
4. A title insurance commitment or policy with an effective date within thirty (30) days of the application submittal which shall set forth the names of all owners of property included in the proposed boundary line adjustment, and shall include a list of all mortgages, judgments, liens, easements, contracts, agreements, and other interests of record in the County, which affect the property covered by such subdivision plat. An updated title insurance commitment or policy shall be required prior to recording of the boundary line adjustment, if said recording date is more than sixty (60) days from the effective date of the title insurance commitment or policy. An updated title insurance commitment or policy may necessitate further requirements of the applicant prior to recording of the boundary line adjustment.
5. A drawing of the properties involved in the boundary line adjustment to include all property line dimensions and bearings and which would show the intended adjustment.
6. A drawing of the properties involved in the boundary line adjustment to locate and size, by providing dimensions, all improvements (i.e., roads, driveways, sewer lines, water lines, septic systems, wells, structures, buildings, irrigation ditches, public utilities, stormwater retention structures, etc.) natural physical features (i.e., bluffs, cliffs, debris fans, water courses, live streams, dry gulches, drainages, etc.) and easements and rights-of-way, described in the title insurance commitment or policy or any of the same known to exist without being of record which traverse the property.

E. PLATTED PROPERTY DRAWING REQUIREMENTS: If any of the properties involved in the adjustment are platted the following requirements shall be provided:

1. The Final Plat shall be drawn to a scale not less than one (1) inch to one-hundred (100) feet, unless approval of such is granted prior to submission by the Department.

2. In the case of multiple sheets, a key map showing the relationship of the individual sheets shall be provided on each sheet.
3. Name or title of plat shall read: "Name" Lot Line Adjustment.
4. The subtitle shall read: "A Lot Line Adjustment of Name, Lot and Block number(s) of the original subdivision," Fremont County, Colorado and/or A portion of the (*aliquot description*) Section, Township, Range, Principal Meridian, Fremont County, Colorado and/or A Vacation and Re-plat of (*Lot(s), Block(s) of [Name of Subdivision]*), Fremont County, Colorado", as appropriate, dependent on whether or not the properties being adjusted are un-platted or platted property.
5. No subdivision in the County shall bear the same name or substantially similar name as another subdivision unless adjoining and using consecutive filing numbers. The Department shall have the authority to require the applicant to change the proposed name if such name is substantially similar to the name of an existing subdivision in the County.
6. The total acreage contained within the area being platted.
7. Name and address of the person, firm or organization preparing the Final Plat.
8. The date of preparation of the Final Plat and all revision dates to the submitted final plat.
9. A north point.
10. A written and graphic scale of the drawing.
11. A vicinity map adequately labeled to locate the subject property in relation to streets located in the general area.
12. Acreage and/or square footage for each proposed lot.
13. All appropriate survey information on the plat shall show lengths to hundredths of a foot, and angles and bearings shall be shown to seconds of a degree.
14. A survey tie from the subject property boundary to an aliquot survey monument.
15. A statement identifying the basis of bearing for the subject property survey.
16. Bearings and lengths for all lot lines and perimeter subdivision boundaries, except

that bearings and lengths need not be given for interior lot lines where the bearings and lengths are the same as the exterior lot lines.

17. All bearings and dimensions for irregularly shaped lots shall be indicated for each lot.
18. For proposed curved boundaries and all curves on the plat, sufficient data shall be given to enable the re-establishment of the curves on the ground. This curve data shall include the following:
 - a. Radius of curve.
 - b. Central angle.
 - c. Tangent.
 - d. Arc length.
 - e. Notation of non-tangent curves.
19. Any non-radial lot lines or boundary lines shall be noted.
20. All survey monuments set and found, in preparation of the final plat; shall be indicated on the final plat as to location and type of monument, by note or label.
21. Any "Reference Monument" and or "Witness Corner" shall be appropriately noted on the plat.
22. The location, width and name of all streets that are adjacent to the subject property.
23. The lot lines to be adjusted shall be shown by tightly dashed lines and either labeled on the plat drawing or the line symbol used identified in the plat legend.
24. All proposed easements shall be designated as to use, bearings and dimensions or indicated by appropriate statements.
25. Excepted parcels marked "Not included in this plat."
26. All existing easements shall be vacated prior to submittal or shall be shown on the plat, labeled or noted as to its use, size and location. In addition, all survey information and any recording information for all easements shall be provided.
27. All blocks and all lots within each block shall be consecutively numbered.

28. The Final Plat shall show building setback lines for all stem or flag lots or irregularly shaped lots that do not have the minimum lot width, as required by the Zone District of the property at the property frontage. Said building setback line shall be shown by a thin dashed line and shall be labeled as such. In addition, dimensions shall be provided along the side lot lines, which are adequate to locate the building setback lines.

29. Portions of the subject properties found to be located within a flood hazard area as depicted on the Federal Emergency Management Agency's National Flood Insurance Program's Flood Insurance Rate Maps, shall be indicated on the plat drawing in such a manner that the area is easily identified and shall be labeled as a No Build Area.

30. **Required Subdivision Plat Language:** In addition to the other requirements contained within this Section, any final subdivision plat submitted for approval shall contain the following:

a. **EXECUTIONS:** The final plat shall contain the following statements:

(1) **KNOW ALL MEN BY THESE PRESENTS** that (*owner name(s)*) are the owners of the following described land:

(2) **TO WIT** (*legal description*)

(3) **DEDICATION** (*to be followed by notary statement*) (*I, We*), (*printed name of owner(s)*), being the owner(s) of the above described land being platted and/or subdivided in Fremont County, Colorado, under the name of (*complete name of development in capital letters*), have laid out, platted and/or subdivided the same as shown on this plat and do hereby dedicate to the public at large 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. The sole right to assign use or vacate is vested with the Board of County Commissioners.

In witness whereof, (*printed name of the owner*) has (*have*) subscribed (*his, her, their*) name(s) this _____ day of _____, A.D. 20__.

By _____ (*Owner(s)*)

(4) **NOTARY STATEMENT**

The foregoing instrument was acknowledged before me this ___ day of _____, A.D. 20__, by (*printed name of owner(s): if by natural persons here, insert name; if by person acting in a representative official capacity, insert capacity; if by officers of a corporation, then insert the title of said officer and*

the name of the corporation).

My commission expires _____.

My address is _____

Witness my hand and official seal. _____ (seal)

Notary Public

(5) REGISTERED LAND SURVEYOR'S CERTIFICATE

I (*registered land surveyor's name*) a registered land surveyor in the State of Colorado do hereby certify that this plat has been prepared under my direction in accordance with the Colorado Revised Statutes, as amended, and that this plat does accurately show the described tract of land and the subdivision thereof, to the best of my knowledge and belief. I further certify that any portion(s) of this property which do lie within the designated flood hazard area as shown on the F.E.M.A. F.I.R.M. maps are accurately shown hereon.

_____ Date: _____

(6) ACKNOWLEDGEMENT AND ACCEPTANCE OF PLAT

This is to certify that the plat is approved and accepted as per review by the Planning Director, dated this ____ day of _____, 20__.

Chairman, Fremont County Board of County Commissioners

(7) EASEMENT STATEMENT

Easements for public purposes, including utilities, are as indicated on the plat, with the sole responsibility for maintenance being vested with the adjacent property owners except as otherwise noted, all interior lot lines are subject to a five (5) foot utility easement on both sides of lot lines. Exterior subdivision boundary not fronting public way is subject to a ten (10) foot utility easement.

(8) COUNTY CLERK AND RECORDERS STATEMENT

STATE OF COLORADO }
COUNTY OF FREMONT }

This plat was filed for record in the office of the County Clerk and Recorder of Fremont County, Colorado, at ____M., on the ____ day of _____, 20__, A.D. under reception no. _____.

Fremont County Clerk & Recorder

F. SUBMITTAL REQUIREMENTS:

1. Application on a form provided by the Department.
2. Copy of current deed of record.
3. A title insurance commitment or policy with an effective date within thirty (30) days of the application submittal which shall set forth the names of all owners of property included in the proposed lot line adjustment plat, and shall include a list of all mortgages, judgments, liens, easements, contracts, agreements, and other interests of record in the County, which affect the property covered by such lot line adjustment plat. An updated title insurance commitment or policy shall be required prior to recording of the lot line adjustment plat, if said recording date is more than sixty (60) days from the effective date of the title insurance commitment or policy. An updated title insurance commitment or policy may necessitate further requirements of the applicant prior to recording of the lot line adjustment plat.
4. Executed Ratification, Consent and Release Form will be required for any mortgages, deeds of trust, liens or the like, and shall be provided prior to recording of the final plat.
5. Three (3) copies of the final plat.
6. One (1) copy of the final plat shall locate, by providing dimensions from property lines, and, size by dimension, all improvements (*ie...roads, driveways, sewer lines, water lines, septic systems, wells, structures, buildings, irrigation ditches, public utilities, water retention structures etc.*), natural physical features (*ie...soil type boundaries, bluffs, cliffs, debris fans, water courses, live streams, dry gulches, drainages etc...*) and easements and rights-of-way described in the title commitment or policy or any of the same known to exist without being of record, which effect or traverse the property.
 - a. If no improvements are housed on the property, no easements or rights-of-way traverse or effect the property or no natural physical features are contained on the property, a statement to that effect, regarding each item, by the project surveyor shall be provided.
7. Proof (*certified mail return receipt*) that all individuals and entities having any rights or record easements and all applicable utility companies were notified of this application on a form letter provided by the Department.

G. RELATIONSHIP TO DESIGN STANDARDS:

The Design Standards set forth at Appendix 1 of these Subdivision Regulations shall govern review of boundary or lot line adjustment applications submitted under these Subdivision Regulations.

XVI. VACATION OF RECORDED PUBLIC RIGHT-OF-WAY APPLICATION

A. SUBMISSION: An application for a vacation of a public right-of-way (including alleys) is required to vacate any portion of any platted or designated public street, alley, lane, parkway, avenue, road, or other public way, whether or not it has been used as such. No platted or deeded roadway or part thereof or unplatted or undefined roadway which exists by right of usage shall be vacated so as to leave any land adjoining said roadway without an established public road or private-access easement connecting said land with another established public road.

1. The applicant shall submit the Vacation of Public Right-of-Way application, materials, drawings and required supporting documents, including an application fee, to the Department.
2. The applicant shall submit the Vacation of Public Right-of-Way application on a form provided by the Department.
3. The application submittal shall be delivered in person, to a Department representative. The Department representative will accept the application submittal only if all minimum submittal requirements have been met and presented at the time of submission.
4. The Vacation of Public Right-of-Way application and accompanying materials, drawings and required supporting documents shall be submitted to the Department no less than twenty-four (24) working days prior to the date of the regularly scheduled Commission meeting at which they are to be considered.

B. REVIEW OF PUBLIC RIGHT-OF-WAY VACATION APPLICATION:

1. The Department will conduct a preliminary review of the application to determine the adequacy of the application for Commission review.
2. The applicant will be notified of the results of the Department review through a Department Deficiency and Comment Letter.
 - a. If there are deficiencies in the application that would make the application unacceptable for review by the Commission, the Department will provide the applicant with a time frame in which to address the deficiencies in order for the Department to place the application on the agenda of the Commission.
 - b. The applicant will be notified in the deficiency and comment letter of the number of revised copies of the application and accompanying materials to be provided to the Department for distribution.

3. If there are no deficiencies or deficiencies are addressed within the time frame, the Department will provide the applicant and Commission with a review of the application, and schedule the application on the agenda of the Commission.
4. If the deficiencies are not addressed or if acceptable reasoning is not provided to justify scheduling on the Commission agenda without addressing the deficiencies within the established time frame, the Department will not place the application on the Commission agenda for consideration.
 - a. In accordance with Board Resolution No. 68, Series of 2006: A second full application fee will be charged to the applicant, if all deficiencies in the initial application review letter are not adequately addressed.
 - b. Each subsequent deficiency review letter will result in the charging of another full application fee.
 - c. All such fees shall be paid along with the deficiency submittal, prior to any further review of the application.
5. The Commission shall consider the application and Department comments at a public meeting.
 - a. The applicant shall attend the Commission meeting at which the application is scheduled to be considered.
 - 1) Failure of the applicant to attend the meeting will result in tabling of the application review by the Commission.
 - 2) Failure of the applicant to attend the meeting to which review of the application was tabled will be considered a withdrawal of the application by the applicant. Fees will not be refunded.
 - b. The applicant may offer comments, evidence and testimony concerning the application.
 - c. The Commission may hear comments and receive evidence or testimony from interested persons, but shall not hold formal public hearings, unless expressly authorized by law, or upon request of the Board.
6. The Commission may recommend approval, approval with contingencies or denial of the application to the Board. The Commission may include comments and / or suggestions

with its recommendation.

7. The Commission may continue consideration of the application to the next regular meeting of the Commission to receive more comments, to enable further study of information and input received at the meeting, or to request that the applicant provide additional information regarding the application. Any continuance shall be no later than the next regularly scheduled Commission meeting.
 - a. The applicant, prior to a motion by the Commission, may request an extension of time before continued consideration by the Commission, to allow for submission of additional information in support of the application. Such extension request shall not exceed ninety (90) days and must coincide with a regular Commission meeting date.
8. If the applicant presents a significantly different proposal at the Commission meeting than was submitted in the application to the Department, the Commission shall continue the application to the next regular meeting of the Commission and request a Department review of the proposal. The Department may require an additional review fee if deemed appropriate.
9. The Department shall mail the Commission's recommendations, comments and suggestions to the applicant within five (5) working days after the meeting at which the Commission's review of the application was finalized. Said mailing shall contain the date and time of the regular Board meeting at which the Board will review the application.
10. The Department shall place the application on the agenda of the Board, to be heard at a meeting to be held within thirty-five (35) days after completion of action by the Planning Commission.
 - a. The applicant may ask for an extension of time before the Board considers the application, to accommodate the recommendations, comments or suggestions of the Commission.
 - 1) A request for additional time shall be made, in writing, to the Department which is authorized to grant the request on behalf of the Board.
 - 2) Any such extension request shall not exceed ninety (90) days from the date the Commission consideration was completed.
 - 3) The extension of time for Board consideration must coincide with a regular Board meeting date.

- 4) No later than ten (10) working days prior to the Board meeting at which the application is to be considered, the applicant shall provide to the Department copies of any additional information and or documentation to be submitted for Board consideration.
 - 5) The Board, at its discretion, may require further consideration of the application by the Commission.
 - 6) No significant changes to an application shall be proposed after formal action by the Commission unless such changes are made to accommodate recommendations, comments or suggestions of the Commission.
 - a) If significant changes are needed due to change of area conditions or circumstances beyond control of the applicant, then further consideration by the Commission shall be required prior to consideration of the application by the Board.
11. At the Board meeting, the Board shall take into consideration the application, Commission recommendations, comments, and suggestions, minutes from the Commission meeting and Department review.
- a. The applicant shall attend the Board meeting at which the application is scheduled to be heard.
 - 1) Failure of the applicant to attend the Board meeting will result in tabling of the application.
 - 2) Failure of the applicant to attend the Board meeting to which hearing of the application was tabled will be considered a withdrawal of the application and fees will not be refunded.
 - b. The applicant may offer comments, evidence and testimony concerning the application.
 - c. The Board may hear comments and receive evidence or testimony from interested persons.
12. The Board may continue consideration of the application to the next regular meeting of the Board to receive more comments, enable further study of information and input received at the meeting or to request that the applicant provide additional information regarding the application. No such continuance shall exceed thirty (30) days.

- a. The applicant, prior to a motion by the Board, may request an extension of time before continued consideration by the Board, to allow for submission of additional information in support of the application. Such continuance shall not exceed ninety (90) days and must coincide with a regular Board meeting date.
13. The Board shall approve, deny, or approve the application with contingencies within thirty (30) days after the conclusion of the Board meeting or the date to which it was continued. If the application is approved such approval shall be by resolution which is to be approved by the Board.
14. The Department shall mail to the applicant the Board's decision within five (5) working days after the meeting at which formal action by the Board occurred.

C. EFFECTS OF APPROVAL:

Final approval of a Vacation of a Public Right-of-Way by the Board will provide the applicant up to six (6) months from the date of approval to submit all contingencies prior to the recording of the Vacation of the Public Right-of-Way Resolution.

1. Contingencies - If the Vacation of a Public Right-of-Way was approved with contingencies, all contingencies shall be submitted to the Department within six (6) months of the date of approval by the Board. If the contingency items are not submitted by the deadline, the Vacation of a Public Right-of-Way approval shall be deemed expired and a new application will be required, including fees.
2. Extensions - The Board may extend the time period for submittal of contingency items or extension of approval of the Vacation of a Public Right-of-Way upon documented showing of good cause. If extension(s) are requested, further consideration by the Commission may be required.
 - a. No extensions may be granted unless a written request, detailing the reasons and justification for extension, and required fee is submitted to the Department no less than ten (10) working days prior to the expiration of the initial six (6) month period or previous extension granted.
 - b. The Department shall schedule the request for extension for the next regular Board meeting at which time the Board will consider the request.
 - c. In absence of justification warranting a longer time frame, no extensions shall be granted for more than six (6) months from the date of Board approval or previous extension.

3. Once all contingencies have been met by the applicant and accepted by the Department the Board Resolution enacting the vacation and all appropriate accompanying documents and materials shall be recorded by the Department in the Fremont County Clerk and Recorders Office, in the land records of Fremont County.

D. DENIAL OF A VACATION OF RECORDED PUBLIC RIGHT-OF-WAY APPLICATION:

A denial of a Vacation of Recorded Public Right-of-Way application by the Board will result in closure of the application file by the Department. Without evidence of a significant change of area conditions or a significant change in the proposed application, an application for Vacation of Recorded Public Right-of-Way will not be accepted for the same right-of-way within two (2) years of the date of denial by the Board.

E. REQUIRED COPIES:

The applicant or his representative shall submit at least six (6) twenty-four (24) inch by thirty-six (36) inch or six (6) eighteen (18) inch by twenty-four (24) inch copies of the drawing and six (6) reduced copies, (8 1/2" x 11" or 11" x 17") of the drawing. In addition at least six (6) copies of all other required documents shall be provided with the initial application. The applicant will be notified as to how many additional copies will be required within the Department "Comment and Submittal Deficiency letter".

F. DRAWING REQUIREMENTS:

1. The drawing shall be drawn to a scale not less than one (1) inch to one-hundred (100) feet unless approval of another scale is granted by the Department prior to submission of the application.
2. In the case of multiple sheets, a key map showing the relationship of the individual sheets to each other shall be provided on each sheet.
3. Title of the drawing shall be "A vacation of (*name of right-of-way and/or description*)".
4. The drawing subtitle shall include specific references to the original plat, location of the vacation and the extent of the vacation.
5. A note table with each note being individually labeled.
6. A legend table with each symbol and line pattern being identified.
7. Complete legal description and acreage of right-of-way to be vacated.
8. Public right-of-way to be vacated shall be illustrated by cross hatching or other method

approved by the Department. In addition, the right-of-way to be vacated should be noted on the drawing.

9. The area to be vacated shall include all dimensions, etcetera.
10. Date, north point and a written graphic scale.
11. Vicinity map to locate the proposed vacation.
12. All lots adjoining the area to be vacated.
13. The drawing shall indicate by statement or note how title to the vacated right-of-way will be vested upon vacation.

G. MINIMUM SUBMITTAL REQUIREMENTS:

1. A completed application on a form provided by the Department.
2. A drawing in compliance with this section shall be provided.
3. A submittal fee as established by resolution of the Board shall be provided.
4. Copies of the application and drawing as required by this section shall be provided.
5. A list of adjoining property owners and current mailing addresses as shown by the real estate records of the County Assessor.

H. NOTICE REQUIREMENTS:

1. Mailing by United States Postal Service (USPS) certified mail, return receipt to the Department (*labeled to identify the application*) requested at least fourteen (14) days prior to the Commission meeting date, the applicant shall notify all property owners adjacent to the right-of-way, and any additional notifications as may be required by the Planning Commission, of the meeting date of the Planning Commission and Board. The Board meeting date shall be the second Board monthly meeting.
 - a. The applicant shall provide the Department with USPS receipts evidencing the date the notice packets were mailed.
 - 1) The mailing shall include the following:
 - a) A notice form provided by the Department which is to be completed by the

applicant.

- b) A copy or a readable reduced copy of the vacation of public right-of-way drawing.
 - c) A vicinity map locating the subject property in relation to the surrounding area, streets and major features.
2. Proof (*certified mail return receipt*) that all individuals and entities having any right of record easements and all applicable utility companies were notified of this application, in a form letter provided by the Department.
3. Posting of a notice sign, at least three feet by four feet (3'X4') in size with each letter at least two (2) inches in height, containing the specific matter of the meeting, the date, time, location of the meeting, the authority (Commission and Board) considering the vacation of public right-of-way and the contact information for the Department where additional information may be obtained.
- a. The sign shall be posted continuously on the subject property for at least fourteen (14) days prior to the Planning Commission meeting date of the application.
 - b. The applicant shall be responsible for maintenance of the sign to insure its continuous display.
 - c. The sign shall be placed no further than fifteen (15) feet from the public right-of-way to be vacated in a clear and unobstructed view.
 - d. Where more than one (1) property is involved an additional sign may be required.
 - e. If the right-of-way to be vacated is in current use, at a minimum, there shall be a sign posted at both ends of the right-of-way proposed to be vacated.
 - f. All posting shall be placed upon the right-of-way as determined by the Department, prior to the Planning Commission meeting and by the Commission prior to the Board meeting.

I. ADDITIONAL REQUIREMENTS:

When a right-of-way is vacated the land contained in the right-of-way will be divided in accordance with Colorado State Statutes. Title to these portions of vacated rights-of-way shall be combined with the property abutting the vacated roadway and shall not be considered separate parcels for purposes of subdivision and conveyance.

1. If a right-of-way has been vacated prior to September 9, 1994, it is required that the portion of the street that was vacated be included in the deed of record for ownership of the adjacent property.
2. If a right-of-way has been vacated after September 9, 1994, it shall comply with current regulations which require a boundary or lot line adjustment and the deed of record for the lot or parcel shall include the vacated right-of-way.

XVII. CORRECTION PLAT

A. SUBMISSION: Without a hearing or compliance with the submission, referral or review requirements of these Subdivision Regulations, the Department may approve a Correction Plat, if the sole purpose of such correction plat is to correct one or more technical errors in an approved plat and where such correction plat is consistent with an approved preliminary plan or with a plat recorded in compliance with these regulations. The Correction Plat shall be captioned as such and shall describe the error(s) to be corrected. If the technical error(s) meet the description of any errors under section 38-51-111(2), C.R.S., (including any subsequent amendments), a surveyor's affidavit of correction, as defined in section 38-51-102, C.R.S., shall be prepared in lieu of a correction plat.

1. The applicant shall submit the Correction Plat application on a form provided by the Department, including an application fee, to the Department.
 - a. The application shall be delivered, in person, to a Department representative. The Department representative will accept the application submittal only if all minimum submittal requirements have been met and presented at the time of submission.

B. REVIEW OF THE CORRECTION PLAT APPLICATION:

1. The Department will conduct a preliminary review of the application to determine the adequacy of the application within eight (8) working days from the date of complete submission of the application.
2. The applicant will be notified of the results of the Department review via a Department Deficiency and Comment Letter. If there are deficiencies in the application the Department will provide the applicant with a time frame in which to address the deficiencies.
3. If there are no deficiencies or deficiencies are addressed within the time frame, and approval is granted the Department will provide the applicant with an approval letter.
4. Upon approval the applicant will be required to provide the required Mylar drawing and two (2) polyester copies of the final correction plat.
5. Applications shall be considered withdrawn if not completed within six (6) months after the Department approval.

C. RECORDING OF THE CORRECTION PLAT: Upon approval of the Correction Plat by the Department, and upon receipt of the mylar drawing and two (2) polyester copies the correction plat shall be recorded in the office of the Fremont County Clerk & Recorder.

XVIII. CORRECTION PLAT DRAWING REQUIREMENTS:

A. REQUIRED COPIES:

The applicant or his representative shall submit at least three (3) twenty-four (24) inch by thirty-six (36) inch copies of the correction plat drawing or three (3) copies of the surveyor's affidavit.

B. CORRECTION PLAT DRAWING REQUIREMENTS:

1. The title shall read: "Correction Plat for *(title of existing plat)* to correct *(describe the error(s) to be corrected)*. *(If the description of the error(s) is too lengthy to describe in the title, a not describing the error(s) is acceptable.)*
2. All other language, notes, representations, etcetera, of the existing plat shall not be changed other than the language related to the error(s) to be corrected.

C. SURVEYOR'S AFFIDAVIT

1. The surveyor's affidavit shall describe the error(s) to be corrected in accordance with current Colorado Revised Statutes.

XIX. EXEMPTIONS & PLANNED UNIT DEVELOPMENT (PUD):

A. EXEMPTIONS: The Board shall have the power to grant exemptions from the requirements of the Subdivision Regulations provided that the following criteria or factors are found to exist:

1. Such relief may be granted only if there is no substantial detriment to the public good;
2. Such relief may be granted only if it will not substantially impair the intent and purpose of the regulation;
3. The property owner shall clearly demonstrate that peculiar, exceptional physical conditions or topography of the property, or the particular physical surroundings make the literal enforcement of one (1) or more of the regulations is impractical, create exceptional, particular and undue hardship upon the owner, as distinguished from a mere inconvenience or a desire to make more money.

B. PLANNED UNIT DEVELOPMENT (P.U.D.): The Commission and the Board may modify the design standards contained in Appendix 1 of these regulations for application to proposals for Planned Unit Development provided that the overall design is consistent with the purposes of such standards. Please refer to Section XX.

XX. FEES

- A. A schedule of fees, which shall be non-refundable, for procedures and other action under these Subdivision Regulations shall be approved by the Board and shall be kept at the Department. Copies of said schedule will be available to the public on request.

XXI. GENERAL DEDICATIONS, SCHOOLS & PARK SITES: For all subdivisions that are not approved through the exemption process, upon consideration of the Fremont County Master Plan, and the particular type of development proposed within the subdivision and in surrounding area, the Board, after review by the Commission, may require the applicant to petition for annexation into the appropriate district and the dedication of sites and land areas with a character, size, topography, access, and location suitable for public use for roadways, and other rights-of-way, flood channels, parks, including recreation areas, scenic areas, and trails, schools and other public purposes which the Board may deem necessary to serve the proposed subdivision and the future residents thereof. In lieu of a dedication of sites and land areas, the Board, after review by the Commission, may require payment of a sum of money not exceeding the full market value of such sites and land areas. Dedications may be considered above and beyond the requirement for Planned Unit Developments. In addition, the board may require the filing of a petition for inclusion within the appropriate recreation or park district.

A. DEDICATED LAND: All land to be dedicated as required by this section and these Regulations, shall be designated on the Final Plat as outlots and these outlots shall not be building lots. Such outlots shall be deeded to Fremont County at the time of recordation of the Final Plat. Title insurance acceptable to Fremont County provided by a title insurance company authorized to do business in the State of Colorado and a certificate of representations and warranties concerning title and usability of the property shall be required at the time of recording of Final Plat. Disposition of the outlots shall be shown on the Final Plat.

B. REQUIRED ROAD DEDICATIONS: Notwithstanding, any other provision of this Section or any other provision of these Regulations, the following shall be required for all final plat and exemptions as conditions of approval by the Commission and the Board:

1. All roads, streets, alleys or other public traffic ways located within the subject property, the benefit of which is to the current or future residents of the subject property, shall be dedicated as public rights-of-way unless specifically approved as private rights-of-way and so designated on the plat.

C. PARK DEDICATIONS: Notwithstanding, any other provision of this Section or any other provision of these Regulations, the following may be required for subdivisions as conditions of approval by the Commission and the Board:

1. It is the intent of Fremont County to provide park facilities for hiking, horseback riding, etc., at a standard of twenty-five (25) acres per one-thousand (1,000) occupants for residential areas and/or up to three (3) percent of the total land utilized for commercial, industrial or other non-residential area. As a condition of approval, there shall be provided park facilities that match the anticipated demand of the proposed subdivision at the above standard.

2. CRITERIA FOR PARK DEDICATIONS: In determining which land areas are

appropriate for dedication as parks, the Commission and Board shall consider the following criteria:

- a. The placement of park lands in such a manner as to assist in enhancing the environment; and in preserving community integrity in the most practical, attractive manner possible.
- b. The assurance of the continuity of open space links, trails, and other major components of the recreation system.
- c. The assurance that areas set aside for park lands have been examined for compliance with all regional plans, particularly the Fremont County policies and development statement, if any, for open spaces.
- d. The assessment of the suitability of proposed land dedications for park, recreation and open space needs.
- e. The examination of the size, shape, topography, geology, presence and condition of ground cover and timber, condition of soil, drainage, location, access and availability of water to lands proposed for park, recreation and open space uses.
- f. The assurance of the protection of natural and historical features, scenic vistas, watersheds, timber and wildlife.
- g. Park lands that are intended to be used for trail rights-of-way (*linear parks for pedestrian, equestrian or bicycle use*), shall conform to the following criteria:
 - (1) The land may be either set aside as a dedicated easement or as a deeded outlot.
 - (2) The minimum width for such trail easement or outlot shall be based on the particular reasonable needs of the trail, it's location, the surrounding terrain and the projected usage but in no instance shall be less than twelve (12) feet in width and in all cases the easement shall be of adequate width to handle the proposed uses.
 - (3) There shall be adequate provisions for public access to the trail easement within the subject property.
 - (4) The trail easement may overlap and include property previously included in other easements such as ditch, canal or utility, public open space or other easement provided no easement compromises the functional use of any other easement.
 - (5) If Fremont County, a municipality or other entity does not construct the trail within three (3) years of its dedication, then the owners of the property may peti-

tion the Board for a vacation of the trail easement for the portion of the easement which adjoins his or her property.

- h. Park land may be considered as part of the land set aside for open space or preservation as provided for in P.U.D.'s.
- i. The Board shall not require a dedication of land for park or trail in the absence of an impact statement showing justification for and necessity of a dedication of land prior to purposes submitted to the Board by the appropriate park and recreation district. The statement shall include, but not be limited to the following factors:
 - (1) Estimate of the anticipated growth in the new development area.
 - (2) Cost of the facility required to serve the new development.
 - (3) Determination of the area that will benefit from construction of the new facility. If existing developed areas will benefit significantly through improved services or direct access to improved facilities, the total benefits should be allocated between new and existing areas.
 - (4) Estimate of the portion of the costs of new facilities attributable to the need to serve new development divided by the estimated number of new residents or the amount of anticipated new development to arrive at a preliminary "per resident," "per housing unit," or "per square foot" charge.
 - (5) If any current taxes or mandatory charges levied on the new development are being used to pay for the same type of facility for which the dedication or fee is being required, adjustment of the preliminary charge to "credit" the new development with the money already being contributed to similar facilities in the county.

D. SCHOOL DEDICATIONS: Notwithstanding, any other provision of this Section or any other provision of these Regulations, as conditions of approval by the Commission and Board, the following may be required for subdivisions:

- 1. Dedication requirements shall not exceed seven-hundred-fifty (750) square feet of land per dwelling unit for single family residences and five-hundred (500) square feet of land area per dwelling unit for multi-family residences or other reasonable criteria approved by the specific school district and passed by Resolution of the Board.
- 2. When, after recommendation of the appropriate school district, dedication of all or portions of required school lands is not deemed feasible or in the public interest, the school district may recommend to the Board one of the following options:

- a. Guarantee of future land dedication when dedication of all or portions of required school lands is not deemed feasible or in the public interest in a particular phase of development. The developer must submit a letter guaranteeing future dedication of land for school sites to the appropriate school district.
- b. Cash-in-lieu of land in accordance with this Section.

E. IMPACT STATEMENT: The Board shall not require a dedication of land for school purposes in the absence of an impact statement showing justification for and necessity of a dedication of land prior to purposes submitted to the Board by the appropriate school district. The statement shall include, but not be limited to the following factors:

1. Estimate of the anticipated growth in the new development area.
2. Cost of the facility required to serve the new development.
3. Determination of the area that will benefit from construction of the new facility. If existing developed areas will benefit significantly through improved services or direct access to improved facilities, the total benefits should be allocated between new and existing areas.
4. Estimate of the portion of the costs of new facilities attributable to the need to serve new development divided by the estimated number of new residents or the amount of anticipated new development to arrive at a preliminary "per resident, " "per housing unit", or "per square foot" charge.
5. If any current taxes or mandatory charges levied on the new development are being used to pay for the same type of facility for which the dedication or fee is being required, adjustment of the preliminary charge to "credit" the new development with the money already being contributed to similar facilities in the County demonstrate a direct benefit to the residents of the proposed subdivision.

F. OTHER REQUIRED DEDICATIONS: Notwithstanding, any other provisions of this Section or any other provision of these Regulations, as conditions of approval by the Commission and the Board, the following shall be required for subdivisions and exemptions:

1. Dedication of easements for drainageways, drainage basins, floodway areas, etc. as required by the Board.
2. Dedication of utility easements so as to provide adequate areas for the provisions of those utilities.
3. Dedication or reservation of suitable lands for sites for fire stations or other public safety facilities as may be reasonably required by the Board to protect the health, safety and

welfare of the future residents of the proposal.

G. CASH-IN-LIEU: In those cases where the dedications of land are in such locations, configurations or sizes that the property required to be dedicated is unacceptable to the Board, the applicant, at the option of the Board, after advice from the potential receiving body, may be required to pay Fremont County or the appropriate governmental or quasi-governmental entity cash-in-lieu of land dedication. Such payment shall be based on the anticipated market value, based on completion of proposed platting, of the entire property as it may exist in a raw/undeveloped state. A proportionate amount of this value shall be assigned to any parcels or properties requested by Fremont County for public use. If required, property values shall be established by appraisal, provided in the first instance by the applicant, and accepted by the Board. Minimum payment for cash-in-lieu of land dedication shall be five-hundred dollars (\$500) for any required dedication. The Board shall determine whether the payments shall be placed in designated Fremont County maintained interest bearing escrow accounts, with Fremont County as escrow agent or whether the payments shall be given directly to the appropriate entity.

H. COMBINATION OF DEDICATION AND CASH-IN-LIEU: In those cases where portions of the sites and land areas to be dedicated are in such locations, configurations or sizes to render dedication of those portions of the sites and land areas unacceptable to the Board, the applicant, at the option of the Board, shall be required to dedicate to Fremont County or the appropriate governmental or quasi-governmental entity those sites and land areas which will meet the needs of the County and in accordance with Section XIX., G., cash-in-lieu of the dedication of the unacceptable portions of the sites and land areas. 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. Full market value shall be established in accordance with the provisions of Section XIX., G.

I. RELEASE OF LAND OR CASH:

1. After final approval of a subdivision plat and receipt of dedications of sites and land areas or payments in lieu thereof required pursuant to this section, the Board shall give written notification to the appropriate school districts and/or park district and appropriate local government entities. When the Board is acting as escrow agent, the appropriate governmental or quasi-governmental entity shall request and shall demonstrate to the Board a need for moneys for a use authorized by this section. When the Board votes to allocate moneys for subject project, such moneys shall immediately be transferred to the appropriate school district, park district or local government entity.
2. Changes to uses specified by a plat be accomplished through a Replat. Outlots may be attached to abutting property or may be transferred to another owner as approved by the Board through the Replat review. Such replat shall include Sketch Plan as described by these regulations.

3. Funds may be released by the Board to the appropriate school district, park district or local government entity upon request, if the Board finds that the proposed use of the fund is compatible with the intent of the cash-in-lieu payment or sale of the land.

XXII. PLANNED UNIT DEVELOPMENTS (P.U.D.)

A. PURPOSE AND INTENT: It is the Boards intent in allowing for the establishment of planned unit developments to:

1. Encourage innovations in residential, commercial, industrial, recreational and resort development by allowing for mixed land uses, variations in development densities, and variety in the type, design and layout of buildings.
2. Provide a means of designing development so it relates to, and preserves to the extent practical, the natural features of the site and avoids areas having development constraints.
3. Provide a means for clustering development and allowing for the preservation of open space, more effective land utilization, and more cost effective and efficient extensions of infrastructure.

B. USES ALLOWED: Uses allowed by right, Special Review Use or by Conditional Use Permit in the zoning district in which the proposed P.U.D. is located.

C. STANDARDS FOR APPROVAL: A P.U.D. may include variations in lot area, lot width, yard and building height requirements and off-street parking provisions if the following features exist:

1. The tract or parcel of land involved is either in one ownership or the subject of an application filed jointly by the owners of all property included.
2. The development includes common open space preserved in its natural character for public and/or private use and enjoyment. A homeowner's or other association must be established to perpetually maintain the open space for the mutual benefit of the owners or residents of the P.U.D. The ownership of the Common Open Space will be determined by the Board on a case by case basis, depending upon the perceived community benefit. The provision of recreation opportunities, landscaping, preservation and/or enhancement of natural features, view corridors and environmentally sensitive areas are some of the goals for the common open space.
3. The project is designed to provide variety and diversity, so that maximum long-range benefit may be gained and the unique features of the development or site preserved and enhanced.
4. The project is in harmony with the surrounding neighborhood.
5. The overall density of the P.U.D. does not exceed the normal requirements of the zoning district in which the P.U.D. is located.

D. PROCEDURES AND REQUIREMENTS: A proposal for a P.U.D. shall be submitted consistent with the procedures and requirements of this section.

E. SKETCH PLAN SUBMITTAL: An applicant shall make application for the approval of a P.U.D. by first submitting a sketch plan for the planned unit development to the Commission. The sketch plan shall include maps and a written statement and shall show enough of the area surrounding the proposed P.U.D. to indicate the relationship of the P.U.D. to adjacent uses, both existing and proposed. The sketch plan submission shall include the following information along with at least three (3) copies of the sketch plan which conforms to the Drawing Requirements of the Sketch Plan Requirements, Section IV., and three (3) reduced copies (8 1/2" x 11" or 11" x 17") of the sketch plan:

1. A description of the type of development and land uses surrounding the proposed site.
2. Accessibility of the site.
3. Density of the development.
4. General statement of expected financing.
5. Plan showing the general locations of roads, parking, building, and any proposed amenities.
6. Area of ground coverage for buildings, parking and street or roads.

F. SKETCH PLAN - ACTION BY COMMISSION: The Commission shall review the sketch plan, and inform the applicant of any special and/or additional information which will be required under the Preliminary Development Plan stage. The presentation of the sketch plan should be considered a pre-application conference with the Commission. Any recommendations to the applicant shall be done by formal action.

G. PRELIMINARY DEVELOPMENT PLAN - APPLICATION: The applicant, after submitting the sketch plan to the Commission and receiving the Commission's recommendations, shall submit to the Commission by delivering same to the Department, the required information for a preliminary development plan.

H. PRELIMINARY DEVELOPMENT PLAN - MAPS: The preliminary development plan shall contain the following minimum information along with at least three (3) copies of the preliminary plan which conforms to the Drawing Requirements of the Preliminary Plan Requirements, Section VI., and three (3) reduced (8 1/2" x 11" or 11" x 17") copies of the preliminary plan. At least three (3) copies of all other documents shall be provided with the initial application. The applicant will be notified as to how many additional copies will be required with the Department "Comment and Submittal Deficiency letter". The Preliminary Plan Map shall contain the following:

1. The existing topographic character of the land.
2. Existing land uses and zoning districts.
3. Proposed land uses and the approximate location of buildings and other structures and lots.
4. The density and type of dwellings to be included in the planned unit development project.
5. An approximate indication of the circulation and parking systems.
6. Probable locations for common open space, parks and playgrounds.
7. Adjacent streets and proposed points of access.
8. Location and description of any existing utilities or easements in the area encompassed by the development.
9. Proposed landscaping.

I. PRELIMINARY DEVELOPMENT PLAN - WRITTEN STATEMENT: Three (3) copies of the written statement to accompany the preliminary development plan. The applicant will be notified as to how many additional copies will be required with the Department "Comment and Submittal Deficiency letter". The Preliminary Plan shall contain the following information:

1. An explanation of the proposed character of the P.U.D. and of the manner in which it has been designed.
2. A statement of the present ownership of all the land included within the P.U.D.
3. The expected schedule of completion.
4. Utility information, especially concerning water supply and distribution, and sewage collection and treatment.
5. The effect the proposed development will have on schools, fire and police services, etc..
6. An economic feasibility report or market analysis.
7. The substance of proposed covenants, grants of easement and other restrictions to be imposed upon the use of the land, including common open areas, buildings and other structures within the development.

8. A general statement of the anticipated legal treatment of common ownership and maintenance of such areas.
9. A statement of proposed benefits to the community to be derived from the project.
10. The names and current mailing address(es) of all owners of property within five-hundred (500) feet of the subject property, such as, those property owners who are required to receive written notice of the hearing from the applicant. For condominium projects, the number of individual condominium units and the address of the condominium association shall be submitted in lieu of the names and current mailing addresses of its condominium unit owners.

J. PRELIMINARY DEVELOPMENT PLAN - REPORT BY THE COMMISSION: The Commission shall recommend that the plan be continued (*no continuance shall exceed thirty (30) days*), approved, disapproved or approved with modifications. In its report, the Commission shall give the reasons for its recommendations and shall indicate the extent to which the P.U.D. complies with each of the standards governing the approval of planned unit development.

K. PRELIMINARY DEVELOPMENT PLAN - BOARD ACTION: The Commission shall forward a recommendation on a proposed Preliminary Development Plan or a proposed Amendment to a Preliminary Development Plan to the Board. The Board shall review the proposed Plan or Amended Plan in a Public Meeting. The Board shall continue (*no continuance shall exceed thirty (30) days*), approve, disapprove or approve with modifications.

L. ZONING MAP NOTATION: If the preliminary development is approved, the Board shall authorize a notation on the appropriate zoning map to indicate that a preliminary development plan has been approved. The Board shall not authorize a notation on the zoning map until the applicant has filed with the Board a written consent to the plan.

M. PRELIMINARY SUBDIVISION AND IMPROVEMENTS PLAN: After approval of the preliminary development plan and notation on the zoning map, a P.U.D., which also constitutes a subdivision as defined by Fremont County Subdivision Regulations, shall proceed to meet all requirements of said Regulations for the preliminary subdivision plan and the improvements plan. The preliminary subdivision plan and improvements plan shall be submitted prior to receiving final P.U.D. approval.

N. FINAL DEVELOPMENT PLAN - NO BUILDING PERMIT: No building permit may be issued on land within the proposed P.U.D. until final plans for the development have been approved by the Commission and Board under the procedures provided in the following paragraphs.

O. FAILURE TO APPLY FOR FINAL DEVELOPMENT PLAN - REVOCATION: If the applicant fails to apply for final development plan approval for any reason, the preliminary development plan approval shall be deemed to be revoked.

P. FINAL DEVELOPMENT PLAN - APPLICATION: The applicant shall submit a final development plan to the Commission, by delivering same to the Department, within twelve (12) months following the approval of the preliminary development plan by the Board. Failure to submit the final development plan within this time, or to arrange an extension through the Commission shall be grounds for revocation. If the final development plan includes the filing of a plat, the requirements for a final plat, as described in the Fremont County Subdivision Regulations, must be followed.

Q. FINAL DEVELOPMENT PLAN - INFORMATION TO BE SUBMITTED: At least three (3) copies of the final plat, which conforms to the drawing requirements of the Final Plat Requirements Section VIII., and three (3) reduced copies (8 1/2" x 11" or 11" x 17") of the final plat. At least three (3) copies of all other documents shall be provided with the initial application. The applicant will be notified as to how many additional copies will be required with the Department "Comment and Submittal Deficiency letter". The Final Development Plan shall contain the following:

1. A map showing the circulation system, off-street parking areas, loading areas and major points of access.
2. A final plat which conforms to the drawing requirements of the Final Plat Requirements Section VIII., and three (3) reduced copies which include a comprehensive plan for all utility services, including storm drainage.
3. Areas, if any, which are proposed to be conveyed, dedicated or reserved for common open space, parks, parkways, playgrounds, school sites, public buildings and similar public and semi-public uses.
4. A site plan showing the location of all buildings, structures and improvements, and indicating the parking, loading and open areas around buildings and structures. The site plan shall be in sufficient detail to enable the Commission to evaluate the architectural, landscaping and design features of the planned unit development. At its discretion, the Commission may require preliminary elevation and perspective drawings of proposed structures and improvements.
5. A development schedule indicating the approximate date when construction of the total project or stages of the project can be expected to begin and to be completed. This shall include a written statement of how the project improvements shall be financed.
6. Any agreements, provisions or covenants which govern the use, maintenance and continued protection of the P.U.D. and any of its common open spaces, including an

agreement binding successors who may take over completion of a project to conditions of the final development plan as approved by the Commission.

7. Any other information which the Commission determines to be needed because of any topographic, circulation, traffic, design, location, or other aspects of the proposed P.U.D.

R. FINAL DEVELOPMENT PLAN - ACTION BY COMMISSION AND BOARD: After submittal by the applicant of the final development plan, the Commission and Board shall approve the final development plan if it is in substantial compliance with the preliminary development plan, and if it conforms to all other standards applicable to planned unit developments, whether or not considered when the preliminary development plan was approved.

S. SPECIAL PROCEDURE FOR DEVELOPMENT STAGES: If development of a proposed P.U.D. is scheduled to be staged over several years, the following procedure may be used.

1. The applicant shall obtain preliminary P.U.D., preliminary subdivision, and final P.U.D. approvals on the entire development in accordance with zoning and subdivision regulations.
2. A staged development plan may be submitted concurrently with the final P.U.D., which includes a schedule for submitting final subdivision plans on the various stages of the P.U.D. With approval from the Commission and Board, the staged development plan may be adopted, thus relieving the applicant from the normal timetable of having all final subdivision plans submitted within eighteen (18) months after preliminary subdivision approval.

T. CONFORMANCE WITH SUBDIVISION REGULATIONS: Whenever there shall be in effect Fremont County Subdivision Regulations, the area proposed as a P.U.D. shall be subject to the requirements for review and approval under such regulations. Such subdivision review procedures may be carried out concurrently with Preliminary and Final Review of the P.U.D. as outlined in this section.

U. CONSISTENCY WITH THE MASTER PLAN: No planned unit development shall be approved unless the final development plan is found to be consistent with current goals and objectives of the Master Plan for Fremont County.

V. FEES FOR P.U.D. APPLICATION: Fees to help defray the cost of processing and administering this section shall be paid by the P.U.D. applicant upon submission of plans for review. The amount of fees due shall be as indicated on the current Schedule of Planning Fees adopted by the Board.

1. If major changes to either the approved preliminary or final P.U.D. plan are proposed by

the applicant, an amended P.U.D. plan shall be submitted to the Commission and shall be subject to the public hearing requirements and review fees of this section.

XXIII. GENERAL REQUIREMENTS:

- A. DRAINAGE PLAN AND REPORT:** The owner, applicant and / or developer shall provide a drainage plan and report that shall include necessary drainage facilities to control the surface water entering into the site, within the site, and exiting the site. The drainage plan and report shall contain and address at a minimum the following:
1. The drainage plan and report shall be prepared, signed, and sealed by a professional engineer licensed to practice in the State of Colorado, unless otherwise authorized in this section.
 2. Off-site downstream storm water runoff exiting the site shall not exceed the historic runoff, prior to development. Any flows exceeding historic runoff for the ten (10) year design frequency, six (6) hour duration storm, shall be retained or detained within the site.
 - a. The Board may require such drainage facilities as necessary to retain or detain any flows of surface runoff over and above the historic flows during a storm event.
 - b. Off-site upstream and on-site storm water runoff shall be considered in the design of all storm water facilities. The storm water facilities within the site shall be designed large enough to handle potential storm water runoff from the entire upstream drainage area and on-site runoff.
 - c. Any drainage facility designed to detain storm water shall not release storm water at a rate higher than the historic flows.
 - d. Any drainage facility designed to retain storm water, such as by creating a pond without a permanently open drain, shall obtain written approval from the Colorado State Engineer's Office.
 3. Where a public storm sewer is available, the applicant shall connect to the storm sewer facilities, unless there are no outlets within five hundred (500) feet. If there are no outlets within five hundred (500) feet, other acceptable provisions shall be made for the disposal of storm water runoff over historic flows. Written approval from the owner of the storm sewer must be obtained. Such written approval must include assurance from the storm sewer owner that the system has adequate capacity to handle the proposed flow.
 4. The Board may require the owner, applicant and/or developer to carry away by pipe or open ditch, or to retain or detain, any spring or surface water that may exist previous to or as a result of the proposals in the application.

5. Any drainage that has been designated by the Federal Emergency Management Agency (F.E.M.A.) as a one-hundred (100) year floodplain shall be analyzed for impact in accordance with F.E.M.A. regulations. The one-hundred (100) year floodplain line should be noted on the final plan.
 - a. A copy of the F.E.M.A. Flood Insurance Rate Map of the general area of the subject property shall be provided with the site location indicated on it.
6. All improvements and drainage facilities shall be designed to convey runoff from the one-hundred (100) year design frequency six (6) hour duration storm, without damage to permanent facilities and structures.
7. All improvements and drainage facilities shall be designed to convey runoff from the ten (10) year design frequency six (6) hour duration storm, without damage to permanent facilities and structures, and without inundation of facilities or ponding water outside of the boundaries of designed drainage channels and drainage piping.
8. All improvements and drainage facilities shall be designed using the precipitation values provided by the U.S. Department of Commerce National Oceanographic and Atmospheric Administration (NOAA) Precipitation Frequency Atlas, or approved equivalent.
9. The volume of the detention facility shall be sized to detain the increase in flow above the historic flow in the vicinity of the discharge point, for a one (1) hour period at peak runoff for the ten (10) year design frequency, six (6) hour duration storm.
10. All drainageways, watercourses, channels, or streams that traverse the site shall be designated as a drainage easement or drainage right-of-way. The easement or right-of-way shall conform to the width of construction plus sufficient additional width to facilitate maintenance and replacement or the width of the drainageway, watercourse, channel, irrigation ditch or stream, whichever is adequate.
 - a. The maintenance of all drainage facilities, easements, rights-of-way, etcetera shall be addressed.
 - b. It shall be required that the property owner shall execute a Quit Claim Deed with a deed restriction addressing the maintenance of any required drainage facilities, easements, rights-of-way, related structures and / or facilities. Said deed shall be recorded along with appropriate documents associated with the approval of the application. Fremont County will not accept or assume maintenance of any of these items.
11. Hydraulic methods used:

- a. For areas less than twenty (20) acres, the Rationale Method shall be used;
- b. For areas greater than twenty (20) acres, the U.S.D.A. Natural Resources Conservation Service publication “Technical Release 55” (TR-55), published in June, 1986, or successor publication, shall be used unless otherwise justified by a Colorado Registered Professional Engineer.

12. The site drainage map shall contain at a minimum the following:

- a. A drainage basin map that indicates the subject property site location shall be provided.
- b. Appropriate title;
- c. The perimeter boundary of the subject property;
- d. North Arrow;
- e. Indication of scale;
- f. The location of any irrigation ditches, natural water courses or dry gulches;
- g. The location and size, by dimension, of any improvements currently on the property that are proposed to remain after development;
- h. The location and size, by dimension, of any proposed improvements on the property;
- i. The location and size, by dimension, of any existing drainage easements contained on the property;
- j. The location and size, by dimension, of any existing drainage structures located on the property;
- k. The location and size, by dimension, of any proposed drainage easements on the property;
- l. The location and size, by dimension, of any proposed drainage structures on the property;
- m. The location of any off-site upstream drainage entering the property;

- n. A clear numerical indication of the quantity of storm water flow entering the property, in cubic feet per second, at the appropriate site entry locations for the ten (10) year and one-hundred (100) year design frequency storms;
 - o. The direction of on-site drainage flows;
 - p. The cumulative on-site drainage volumes including clear numerical indications of the quantity of storm water flow at key locations on the property, in cubic feet per second, for the ten (10) year and one-hundred (100) year design frequency storms;
 - q. The location, surface area in acres or square feet, the volume in cubic feet, and the inlet, discharge, and spillway flow rate in cubic feet per second for each detention or retention facility for the ten (10) year and one-hundred (100) year design frequency storms;
 - r. The slope, size, type of pipe, details of the pipe inlet and outlet, orifice size and location, and rip-rap or headwall details for all detention facilities;
 - s. A clear numerical indication of the quantity of storm water flow leaving the property, in cubic feet per second, at the appropriate site discharge locations for the ten (10) year and one-hundred (100) year design frequency storms;
13. The project or site drainage report shall contain at a minimum the following:
- a. General Information – Provide general project description, names of adjacent subdivisions or developments, area affected by the development in acres, types of soil and ground cover correlated to National Resources Conservation Service (NRCS) types, description of major drainage ways that impact or are impacted by the development, existing utilities that may impact or may be impacted by proposed drainage facilities, general topography, erosion characteristics, F.E.M.A. floodplain, and obstructions.
 - b. Major Drainage Basins and Sub-basins – Discuss major basin and sub-basin drainage characteristics that affect the proposed development.
 - c. Upstream Drainage Conditions – Discuss upstream drainage patterns and their impact on the proposed development. Provide detailed hydrologic analysis using both the ten (10) year design frequency six (6) hour duration storm and the one-hundred (100) year design frequency six (6) hour duration storm. Conclusions must include a clear numerical indication of the quantity of storm water flow entering the property, in cubic feet per second, at the appropriate site entry locations for the ten (10) year and one-hundred (100) year design frequency storms.

- d. On-site Drainage Considerations – Discuss existing and proposed drainage patterns within the development site, and how upstream drainage entering the site will be conveyed through the site. Demonstrate through detailed hydrologic and hydraulic analysis that sufficient right-of-way or easement is provided to convey all drainage through the development. Provide detailed engineering calculations and copies of all design charts, tables and figures used in the design of streets, inlets, culverts, storm sewers, channels, detention and retention facilities, and other facilities to be constructed in the development. Discuss maintenance and maintenance responsibilities for drainage facilities, including right-of-way and easement requirements. Discuss floodplain management and channel erosion issues.
 - e. Detention and Retention Facilities – Discuss the location, surface area in acres or square feet, the volume in cubic feet, and the inlet, discharge, and spillway flow rate in cubic feet per second for each detention or retention facility for the ten (10) year and one-hundred (100) year design frequency storms. Discuss the slope, size, type of pipe, details of the pipe inlet and outlet, orifice size and location, and rip-rap or headwall requirements for all detention and retention facilities.
 - f. Downstream Drainage Considerations – Identify locations and peak flow rates of drainage leaving the site, and discuss their impact on downstream facilities and properties. Include a clear numerical indication of the quantity of storm water flow leaving the property, in cubic feet per second, at the appropriate site discharge locations for the ten (10) year and one-hundred (100) year design frequency storms.
 - g. Conclusions and Recommendations – Provide a clear synopsis of significant drainage facility requirements, including lengths and sizes of pipelines and channels, location and volume of detention and retention facilities, and flow rates of storm water entering and leaving the property. Clearly state the historical flow rate in cubic feet per second at each site discharge point. Computer generated printouts provided with the drainage report must be accompanied by clearly identified descriptions of procedures, data input values, data sources, relationship of printout sheets to drainage basins, and applicability of answers provided.
14. Waivers and Deferment of Drainage Plan and Report Requirements – Waiver from requirements of Section XXI. A. may be authorized by the Board for subdivision applications.
15. Abbreviated Drainage Plan and Report
- a. Eligibility for abbreviated drainage plan and report – Projects involving a Minor Subdivision and are located more than one mile from the boundary of any city or

town in Fremont County, are eligible for abbreviated drainage plan and report requirements under the following restrictions:

- (1) Not more than five-thousand (5,000) square feet of roofed structures are proposed; and
 - (2) Not more than five-thousand (5,000) square feet of gravel or porous pavement are proposed; and
 - (3) Not more than two-thousand five-hundred (2,500) square feet of asphalt or concrete pavement are proposed; and
 - (4) The developed portion of the project site is farther than one-thousand (1,000) feet from a water body or stream-bed that regularly flows at least six (6) months each year.
- b. In lieu of meeting the requirements for a full drainage plan and report, the applicant is authorized to substitute an abbreviated drainage plan and report with the following requirements:
- (1) The abbreviated drainage plan and report is not required to be prepared and sealed by a professional engineer.
 - (2) The report must discuss the applicant's proposed methods and facilities to meet the requirement that storm water flows from the ten (10) year design frequency six (6) hour duration storm will exit the site at no more than the historical flow rate.
 - (3) The drainage plan and report must be sufficient to allow approval by the County Engineer.
16. Any proposed drainage facilities and / or structures shall be designed by a professional engineer licensed to practice in the State of Colorado, and such design plans submitted, unless otherwise authorized in this section.
- a. The location, placement and construction shall be in accordance with and approved by the engineer who designed the drainage facilities and / or structures.
17. All drainage plans and reports shall be reviewed and approved by the Fremont County Engineer.
18. The County Engineer, the Department, the Commission or the Board may require any other information necessary to adequately assess the impacts of drainage by the

proposed development.

B. ROADWAY IMPACT ANALYSIS: A detailed roadway impact analysis (*on a form obtained from the Department*) prepared by a professional engineer licensed to work in Colorado, unless all vehicular traffic enters and exits the site onto a Federal or State Highway where the Colorado Department of Transportation has issued an access permit for the specified use, which at a minimum shall address the following:

1. Estimated average daily traffic to be generated by the proposed use(s), using the Institute of Transportation Engineers, Trip Generation Handbook, Second or Subsequent Editions, and the Trip Generation Manuals, Volume 1, 2 & 3 or Subsequent Editions;
2. Identify any hazardous conditions such as any unacceptable lines of sight from all accesses and/or driveways, entering or exiting the property, etc.;
3. Average daily traffic and maximum capacity for all roads which will be used as access from the property to the nearest arterial, collector or state highway;
4. Whether the roads, which serve the development currently, has the capacity to handle the additional estimated average daily traffic. If the roads do not have the capacity to handle the additional estimated traffic, recommendations shall be made for improvements which will increase the capacity of the roads and which will mitigate any hazardous conditions, inadequate lines of sight, and other circumstances of concern or other items noted in the analysis. In addition, the analysis shall address how the increased traffic will change the level of required maintenance and make recommendations addressing potential impacts to the maintenance requirements for the County. All improvements will be required to be completed and accepted by the County prior to recording of the appropriate final approval document

APPENDIX 1

I. DESIGN STANDARDS: Except where modified by the Commission or the Board, each subdivision and the plat thereof shall be in conformity with these Subdivision Regulations, all adopted plans and policies, the Zoning Resolution and all other resolutions and regulations in effect in Fremont County.

A. GENERAL STANDARDS:

1. The design and development of subdivisions shall preserve, insofar as is possible, the natural terrain, natural drainage, wildlife habitats, mineral resource areas, existing topsoil and trees.
2. Land subject to hazardous conditions such as land slides, mud flows, avalanche, rock falls, mine subsidence, shallow water table, floods and polluted or non-potable water and wildfire hazards shall be mitigated.

B. LOT STANDARDS:

1. No single lot shall be divided by a municipal or county boundary line.
2. A lot shall not be divided by a road, alley or other lot.
3. **Wedge shaped lots:** In case of wedge shaped lots, no lot width shall be less than the permitted width of the existing or proposed zone district. The building setback line shall be located, by dimensions, at a point where the minimum lot width complies with the required lot width and required setback as per the zone district. The setback shall be from the closest property line.
4. **Front on public street:** All residential lots in subdivisions shall front on a public street.
5. **Frontage on major highways:** Where a residential subdivision abuts a major highway, service roads shall be required.
6. **Double frontage lots:** Double frontage lots shall be accessed from only one (1) street or right-of-way.
7. **Corner lots** shall have enough width to permit appropriate building sites with an orientation from both streets, unless access is limited to only one of the streets.
8. Each lot shall have access to a public dedicated street in the continuous integrated network of county, city, state and federal roadways.

9. The side lines of all lots, as far as practicable, shall be at right angles to the street which the lot faces or approximately radial to the center of curvature, if such street is curved. Side lines of lots shall be approximately radial to the center of curvature of the cul-de-sac on which the lot faces. If non-radial it shall be indicated.
10. Wherever possible, the depth of lots should not be greater than twice its width.
11. Each lot shall have an adequate building area in relation to zoning regulations, taking into consideration, poor soils, high water tables, flooding possibilities, or other limiting hazards to building.
12. **Flag lot:**
 - a. A cul-de-sac shall be platted in lieu of two or more abutting stems.
 - b. Minimum width for a flag lot stem shall be twenty-five (25) feet.
 - c. The maximum length of the stem is as follows:
 - (1) Lot size of seven-thousand-five-hundred (7,500) square feet to one-half (½) acre, two-hundred (200) feet stem length.
 - (2) Lot size greater than one-half (½) acre to one (1) acre, three-hundred (300) feet stem length.
 - (3) Lot size greater than one (1) acre, five-hundred (500) feet stem length.
 - d. The flag stem shall not be computed as part of the minimum lot area requirements nor shall it be considered as the front setback for the particular zone district (*i.e. the lot shall meet zone requirements exclusive of the flag stem*). Where irregular or wedge shaped stems are platted, the building setback line shall be used to define the length of the stem. The building setback line shall be located, by dimensions, at a point where the minimum lot width is in compliance with the lot width and setback as required by the particular zone district. The setback shall be from the closest property line.

C. ACCESS STANDARDS:

1. **Public Right-Of-Way Dedication:** All lots created by a subdivision shall have lot frontage along a public roadway unless exempted by conditions set forth in the Design Criteria for private roads.
2. **Private Roads:** The use of private roads is limited and permitted only upon approval by

the Board. Private roads will be considered as access only when the following conditions exist:

- a. There is an existing easement from a public right-of-way.
- b. The distance from a public right-of-way creates a situation which makes the dedication of a public right-of-way impractical and non-feasible.

3. **Street Improvements:**

- a. The type of improvements required, i.e. curb, gutter, sidewalks, paved streets or graveled streets, shall be determined by the Board.
- b. Any lots, parcels, tracts, etc. which are created by subdivision in accordance with Fremont County Regulations, which are accessed from a previously platted right-of-way or a proposed platted right-of-way, shall be required to have a roadway located in such right-of-way built to current Fremont County specifications unless access is to be gained from an existing County maintained roadway. If construction is required it shall be along the entire frontage from which the property is accessed. If a proposed lot, tract or parcel is to be accessed by a stem, but the bulk of the lot is adjacent to an undeveloped right-of-way and the frontage along the undeveloped right-of-way is longer than the proposed stem is wide, then the adjacent right-of-way shall also be developed to current County roadway construction specifications.

D. STREET DESIGN STANDARDS: Unless otherwise specified by the Board, the following minimum design standards shall apply:

1. **Standards for Highways:**

- a. **Function:** Major highways permit rapid and relatively unimpeded movement of traffic through and around the communities.
- b. **Right-of-way widths:** Two-hundred (200) feet to three-hundred (300) feet, with additional right-of-way for frontage road(s) if required.
- c. **Roadway widths:** Fifty-two (52) to seventy-six (76) feet.
- d. **Roadway surface:** Paved or other approved hard surface.
- e. **Number of moving lanes:** Four (4) to eight (8) lanes.
- f. **Maximum grade:** Three (3) percent.
- g. **Travel lane width:** Twelve (12) feet minimum

h. Access conditions:

- (1) Access conditions shall be completely controlled.
- (2) Interchanges shall be made with freeways, major highways and may be made with major arterial streets.
- (3) Intersections at grade may only be permitted with minor arterial streets with a minimum separation of one-half (½) mile.

i. Traffic characteristics:

- (1) Traffic control devices and channelization shall be provided at each intersection in accordance with U.S. Department of Transportation, Traffic Control Devices Handbook.
- (2) On street parking prohibited.
- (3) Two (2) separate one-way roadways with a dividing median strip.

j. Planning characteristics:

- (1) Major highways should connect with main highways approaching and leaving the communities from all directions.
- (2) Major highways should be so aligned as to serve the major traffic generators within the communities, such as the central business district, major industrial areas, regional shopping centers, etc.
- (3) Major highways should not bisect neighborhoods or communities, but should act as boundaries between them.
- (4) Added rights-of-way are provided for landscaping, grass planting, added safety and more generous design.
- (5) A major highway is a type of freeway with some intersections at grade.
- (6) At interchange areas for:
 - (a) Diamond interchanges, rights-of-way should flare to five-hundred (500) feet in width from one-thousand (1,000) feet each side of the intersection of right(s)-of-way line at the intersection cross street.

- (b) Clover leaf interchanges: right(s)-of-way should flare to thirteen-hundred (1300) feet in width from each side of the intersection right(s)-of-way line at the intersection cross-streets.

2. **Standards for Principal Arterial:**

- a. **Function:** Major arterial streets permit rapid and relatively unimpeded traffic movement throughout the communities, carry high volumes of traffic and connect major land use elements as well as communities within one another. The major function is to serve abutting property. This function pertains to four (4) to six (6) lane facilities.
- b. **Right-of-way widths:** Eighty (80) feet (*rural*), One-hundred (100) feet (*urban*) minimum for a four (4) lane facility with left and right turn lanes.
- c. **Roadway widths:** Fifty-two (52) feet (*urban*); Forty (40) feet (*rural*).
- d. **Roadway surface:** Paved or other approved hard surface.
- e. **Number of moving lanes:** Four (4) to six (6) lanes (*urban*) and two (2) lanes (*rural*) with left and right turn lanes.
- f. **Maximum grade:** Four (4) percent (*urban*); Four (4) to five (5) percent (*rural*).
- g. **Travel lane width:** Twelve (12) feet.
- h. **Access conditions:**
 - (1) Intersections will be generally at grade.
 - (2) Intersections and curbed cuts shall be limited to as few points as possible.
 - (3) Median cuts will not normally be permitted, except as major or significant street intersections generally at intervals of approximately one-half (½) mile.
- i. **Traffic characteristics:**
 - (1) Regulation of traffic shall be accomplished by traffic control devices and channelization.
 - (2) On-street parking prohibited.

- (3) Roadways should have a median strip.
- (4) Eight (8) inch vertical curbs required with detached sidewalks.

j. **Planning characteristics:**

- (1) Major arterial streets should be spaced from approximately one (1) mile apart in the suburban areas of communities to a few blocks apart in areas of high population density and intense land usage.
- (2) Major arterial streets should not bisect neighborhoods, but should act as boundaries between them.
- (3) In general, abutting properties should not face on the roadway, unless separated from it by a frontage road.

3. **Standards for Minor Arterial:**

- a. **Function:** Minor arterial streets permit relatively high speed, through traffic; accommodate traffic moving considerable distances within an area; and accommodate traffic moving into and out of an area. These types of streets are designed to move traffic rather than to accommodate specific land use.
- b. **Right-of-way widths:** Seventy (70) feet minimum.
- c. **Roadway width:** Forty-eight (48) feet minimum.
- d. **Roadway surface:** Paved or other approved hard surface.
- e. **Number of moving lanes:** Four (4) to six (6).
- f. **Maximum grade:** Four (4) to five (5) percent.
- g. **Travel land width:** Twelve (12) feet.
- h. **Access Conditions:**
 - (1) Intersections will be generally at grade.
 - (2) Intersections and curbed cuts shall be limited to as few points as possible.
 - (3) Median cuts will not normally be permitted, except as major or significant street intersections generally at intervals of approximately three-quarters (3/4) to two

(2) miles.

i. **Traffic characteristics:**

- (1) Regulation of traffic shall be accomplished by traffic control devices and channelization.
- (2) On-street parking prohibited.
- (3) Eight (8) inch vertical curbs required with detached sidewalks.

j. **Planning characteristics:**

- (1) Minor arterial streets should be spaced from approximately one (1) mile apart in the suburban areas of communities to a few blocks apart in areas of high population density and intense land usage.
- (2) Minor arterial streets should not bisect neighborhoods, but should act as boundaries between them.
- (3) In general, abutting properties should not face on the roadway, unless separated from it by a frontage road.

4. **Standards for Collector Streets:**

a. **Functions:**

- (1) Collector streets shall collect and distribute traffic between arterial and local streets.
- (2) Collector streets serve as a main collector within communities, linking one neighborhood with another or one industrial district with another.
- (3) All traffic carried by collector streets should have an origin or destination within the community.

b. **Right-of-way widths:** Sixty (60) feet minimum.

c. **Roadway width:** Forty (40) feet minimum (*rural*). Forty-four (44) feet minimum (*urban*).

d. **Roadway surface:** Paved or other approved hard surface.

- e. **Number of moving lanes:** Two (2) to Four (4).
 - f. **Maximum grade:** Five (5) to six (6) percent.
 - g. **Travel lane width:** Twelve (12) feet.
 - h. **Access Conditions:**
 - (1) Intersections are at grade with direct access to abutting properties by way of curb cuts.
 - (2) Intersections shall be limited to wherever possible.
 - i. **Traffic characteristics:** On street parking prohibited.
 - j. **Planning characteristics:**
 - (1) Collector streets should have continuity throughout the neighborhood or industrial district, but need not extend beyond the neighborhood or industrial district.
 - (2) Intersections with arterial streets should be at least one-quarter ($\frac{1}{4}$) mile apart.
 - (3) Sidewalks should be set back from the street.
5. **Standards for local streets:**
- a. **Functions:**
 - (1) Local streets provide direct access to adjacent property.
 - (2) All traffic carried by local streets should have an origin or destination within the neighborhood.
 - b. **Right-of-way widths:** Fifty (50) to Sixty (60) feet.
 - c. **Roadway width:** Thirty-eight (38) feet minimum (*rural*). Thirty (30) feet minimum (*urban*).
 - d. **Roadway surface:** Paved or other approved hard surface.
 - e. **Number of moving lanes:** Generally, two (2).

- f. **Maximum grade:** Six (6) to eight (8) percent.
- g. **Travel lane width:** Twelve (12) feet.
- h. **Access Conditions:** Intersections at grade with direct access to abutting properties.
- i. **Traffic characteristics:** On street parking is allowed on both sides of the street unless otherwise specified.
- j. **Planning characteristics:**
 - (1) Local streets should be designated to discourage thorough traffic from moving through those areas.
 - (2) These streets should intersect arterial street as infrequently as possible and only in reasonable locations.

6. **Standard for Cul-de-Sac Streets:**

- a. **Function:** Cul-de-sac(s) are designed to provide direct access to abutting residential properties.
- b. **Right-of-way widths:** Fifty (50) feet for cul-de-sacs serving less than ten (10) lots; sixty (60) feet for cul-de-sacs serving ten (10) or more lots; the minimum turn around radius is fifty (50) feet. For industrial developments eighty (80) feet with a minimum turn around radius of seventy (70) feet.
- c. **Roadway width:** Thirty eight (38) feet. Forty five (45) feet for cul-de-sac radius.
- d. **Roadway surface:** Shall be determined by the Board.
- e. **Number of moving lanes:** Two (2) lanes.
- f. **Travel lane width:** Twelve (12) feet.
- g. **Access Conditions:** Direct access to residential properties is by way of curbed cuts or by drive-over (*ramp type*) curbs.
- h. **Traffic characteristics:**
 - (1) On street parking is allowed on both sides of the street unless otherwise specified.

(2) Intersections are at grade.

i. **Planning characteristics:**

(1) Cul-de-sac(s) should not intersect major arterial streets or minor arterial streets.

(2) Cul-de-sac(s) shall not be longer than seven-hundred and fifty (750) feet in rural areas.

7. **Standards for Frontage or Service Roads:**

a. **Function:** Frontage roads are designed to provide access to land uses adjacent to major arterial streets, major highways and freeways.

b. **Right-of-way widths:** Sixty (60) feet.

c. **Roadway width:** Thirty-eight (38) feet.

d. **Roadway surface:** Paved or other approved hard surface.

e. **Number of moving lanes:** Two (2) lanes.

f. **Travel lane width:** Twelve (12) feet.

g. **Access Conditions:** Direct access to residential properties is by way of curbed cuts or by drive-over (*ramp type*) curbs.

h. **Traffic characteristics:**

(1) On street parking is allowed on the sides of the streets adjacent to residential properties.

(2) Intersections are at grade.

i. **Planning characteristics:**

(1) Frontage road intersections should be at least two-hundred (200) feet away from the major arterial street and the feeder street intersection.

(2) No sidewalks should be installed between major arterial streets and frontage roads.

(3) Sidewalks may be installed adjacent to the curb on the residential side of the

street.

(4) The planter strip area between the frontage road and the major arterial street shall be landscaped.

8. **Standards for Alleys:** *(If permitted by the Board)*

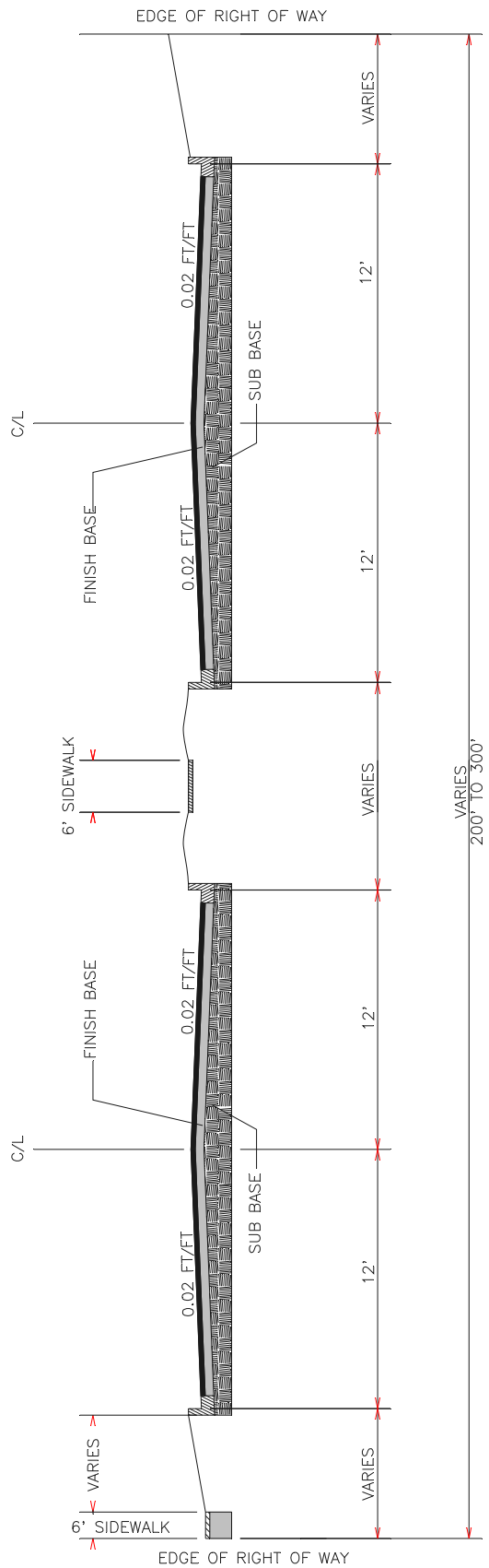
- a. **Function:** Provide access to abutting property at rear lot line.
- b. **Right-of-way widths:** Sixteen (16) feet.
- c. **Access Conditions:** Provide access to abutting property at rear lot lines.
- d. **Traffic Characteristics:** Normally, alleys should intersect at perpendicular angles with streets. No parking shall be permitted.
- e. **Planning Characteristics:** Alleys should not dead end. Normally, alleys should intersect with arterial streets.

E. STREET DESIGN CRITERIA-URBAN STREETS: See figures 1-7

	<u>HIGHWAY</u>	<u>PRINCIPAL ARTERIAL</u>	<u>MINOR ARTERIAL</u>	<u>COLLECTOR</u>	<u>LOCAL</u>
Right-of-way	200-300'	100'	70'	60'	50-60'
Intervals	Varies	Varies	¾-2 mi	¼-½ mi	At blocks (250')
Roadway widths*	52 - 76'	52'	48'	44'	38'
Number of lanes	4 - 8	4 - 6	4 - 6	2 - 4	2
Maximum Grade	3%	4%	4 - 5%	5 - 6%	6 - 8%
Travel lane width	12'	12'	12'	12'	12'
Speed (MPH)	55	45 - 55	35 - 45	30 - 35	25
Surface	Paved	Paved	Paved	Paved	Paved
Parking allowed	No	No	No	No	Yes
Drainage	Required	Required	Required	Required	Required

* Roadway widths are considered from flow line of curb to flow line of curb.

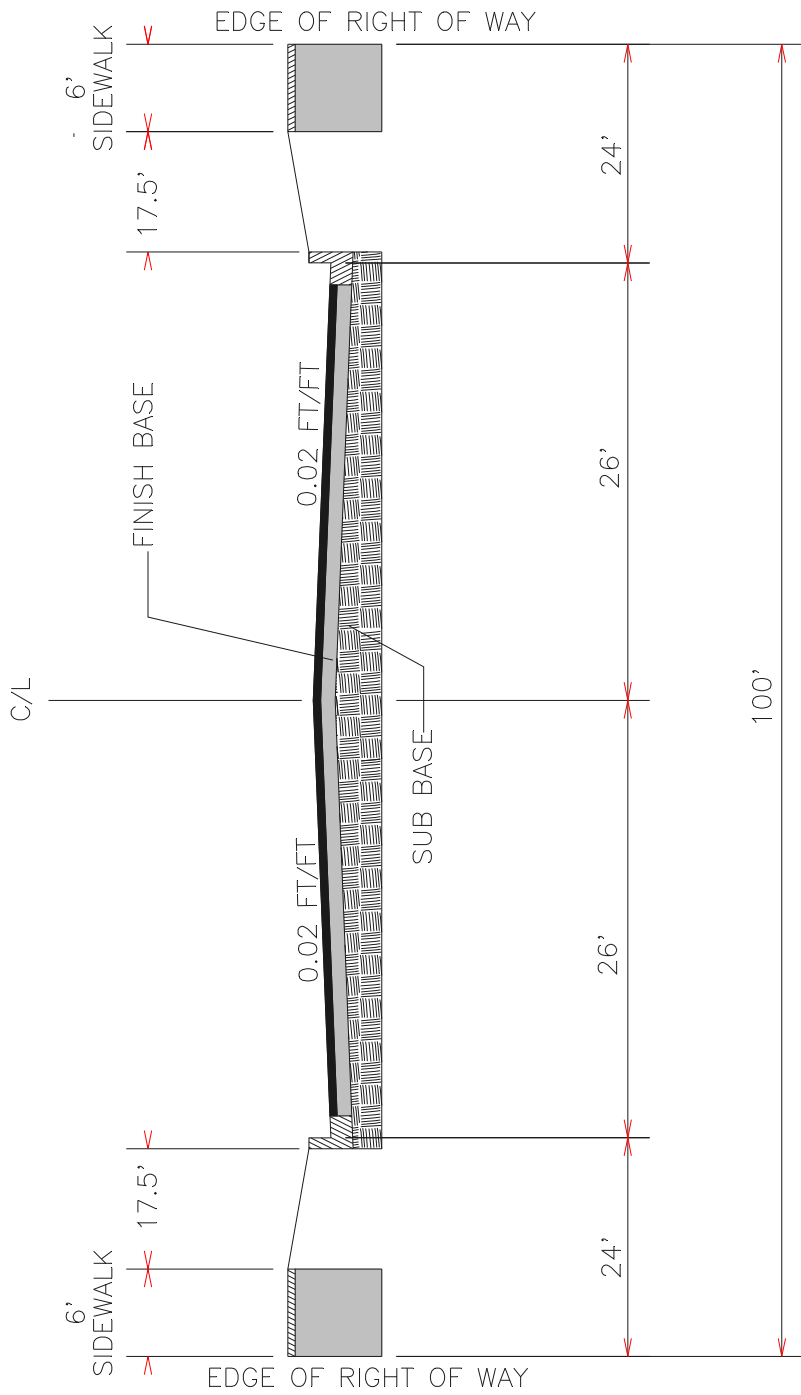
NOTE: For street designations refer to Appendix A of the Fremont County Master Plan, dated 2002



HIGHWAY (URBAN) WITH FRONTAGE ROAD

PAVED WITH VERTICAL CURB, GUTTER, SIDEWALK

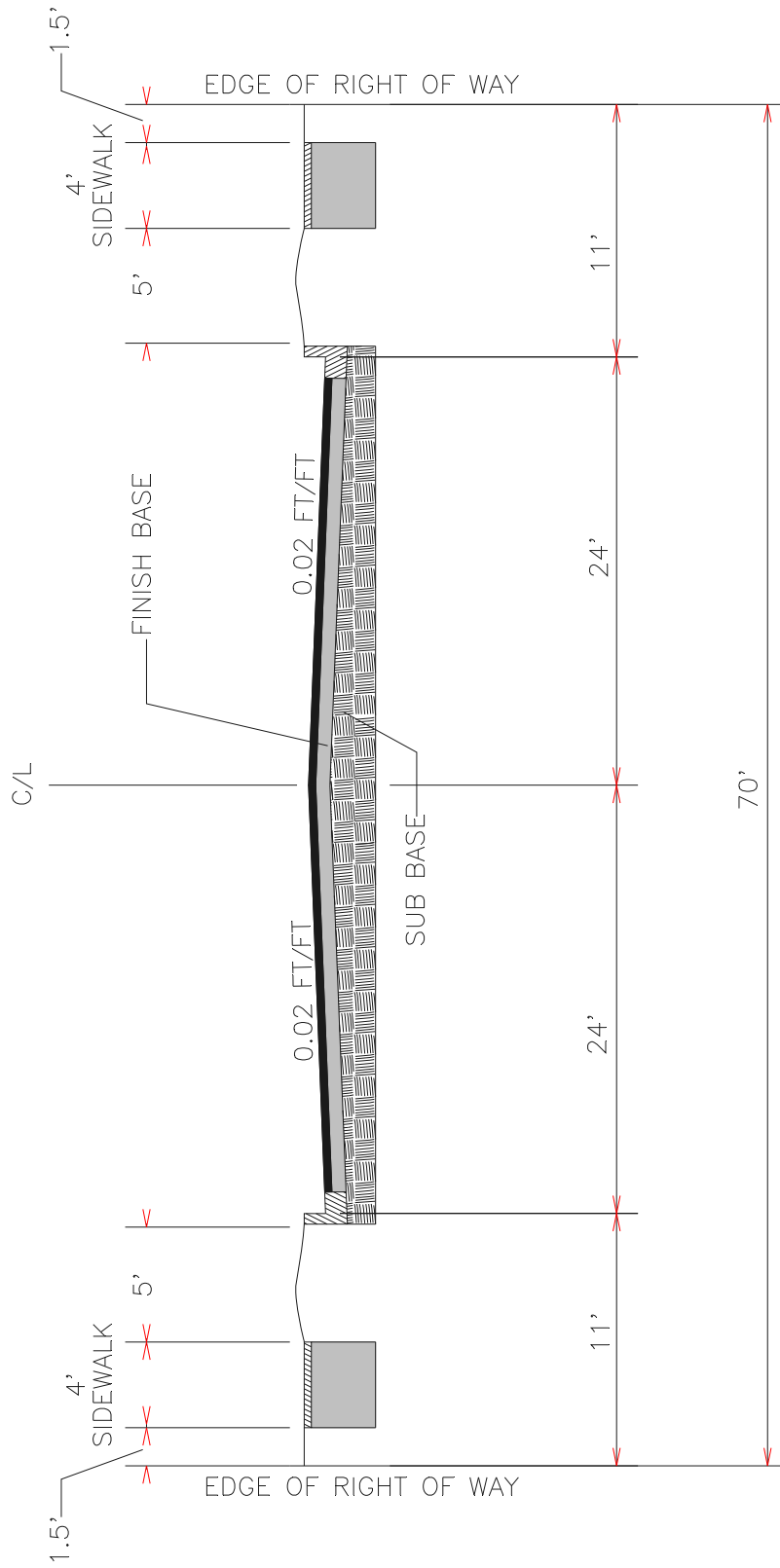
FIGURE 1



PRINCIPAL ARTERIAL (URBAN)

PAVED WITH VERTICAL CURB, GUTTER, SIDEWALK

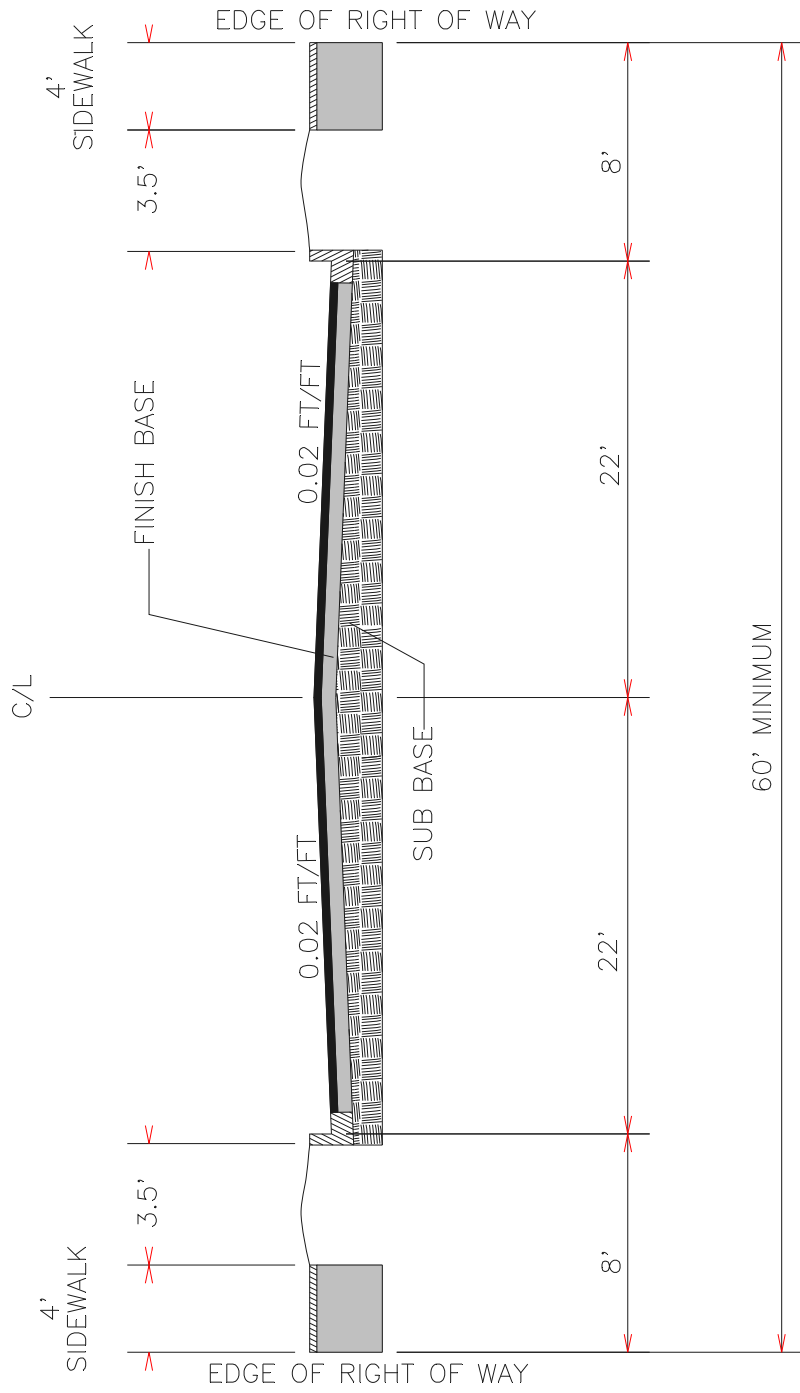
FIGURE 2



MINOR ARTERIAL (URBAN)

PAVED WITH VERTICAL CURB, GUTTER, SIDEWALK

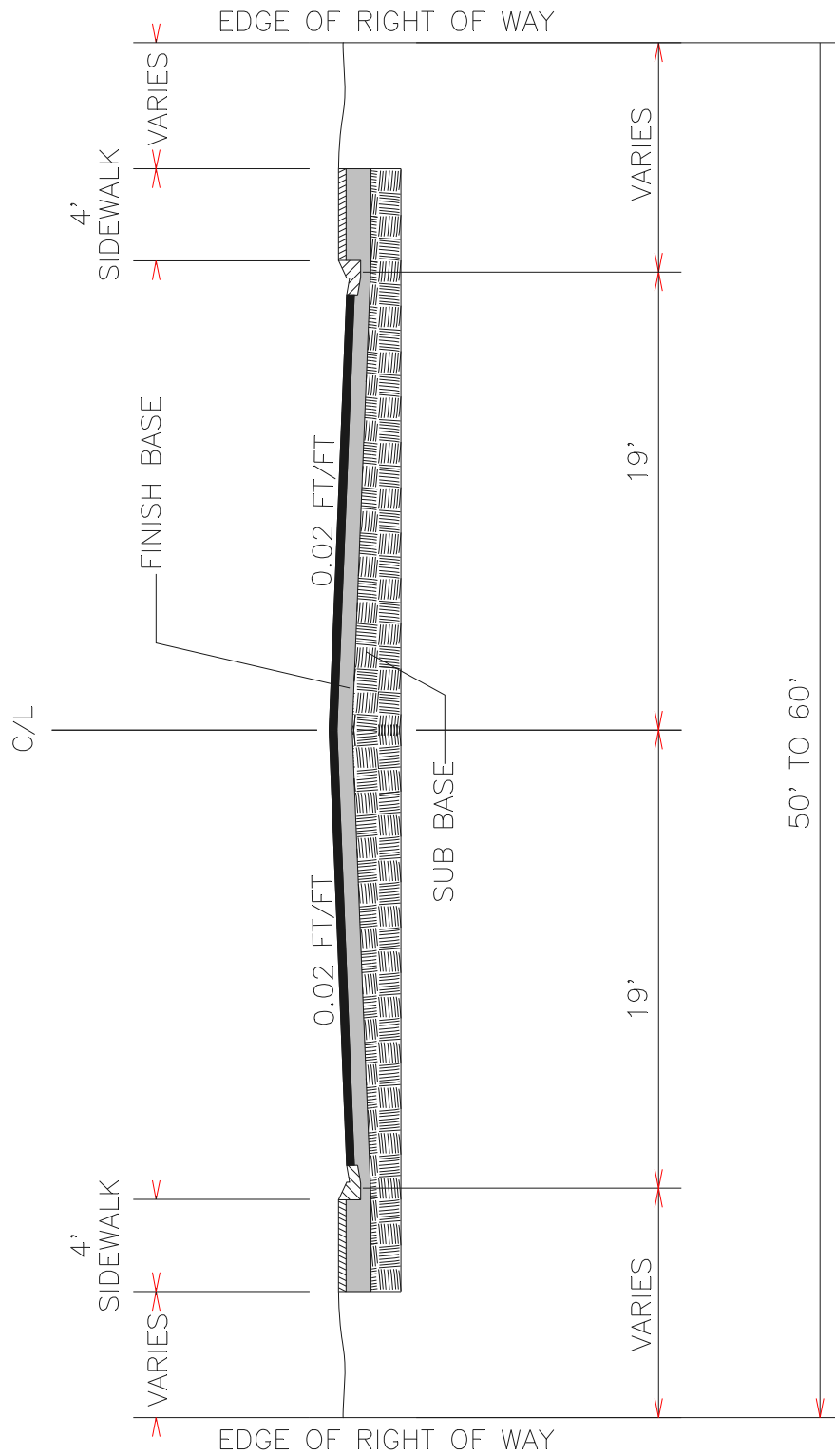
FIGURE 3



COLLECTOR STREET (URBAN)

PAVED WITH VERTICAL CURB, GUTTER, SIDEWALK

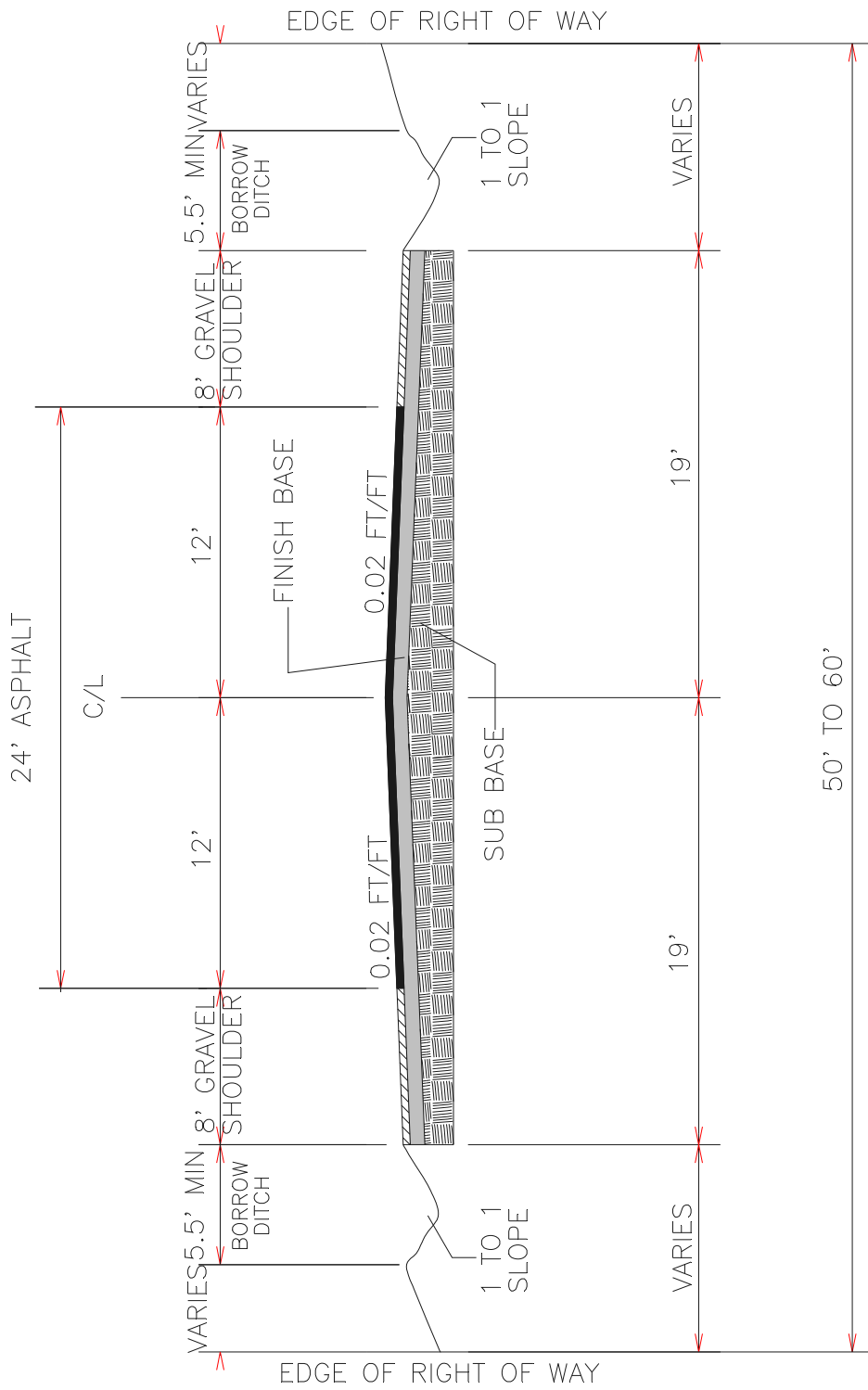
FIGURE 4



50' TO 60' MINIMUM
LOCAL STREET (URBAN)

PAVED WITH MOUNTABLE OR VERTICAL CURB, GUTTER, SIDEWALK

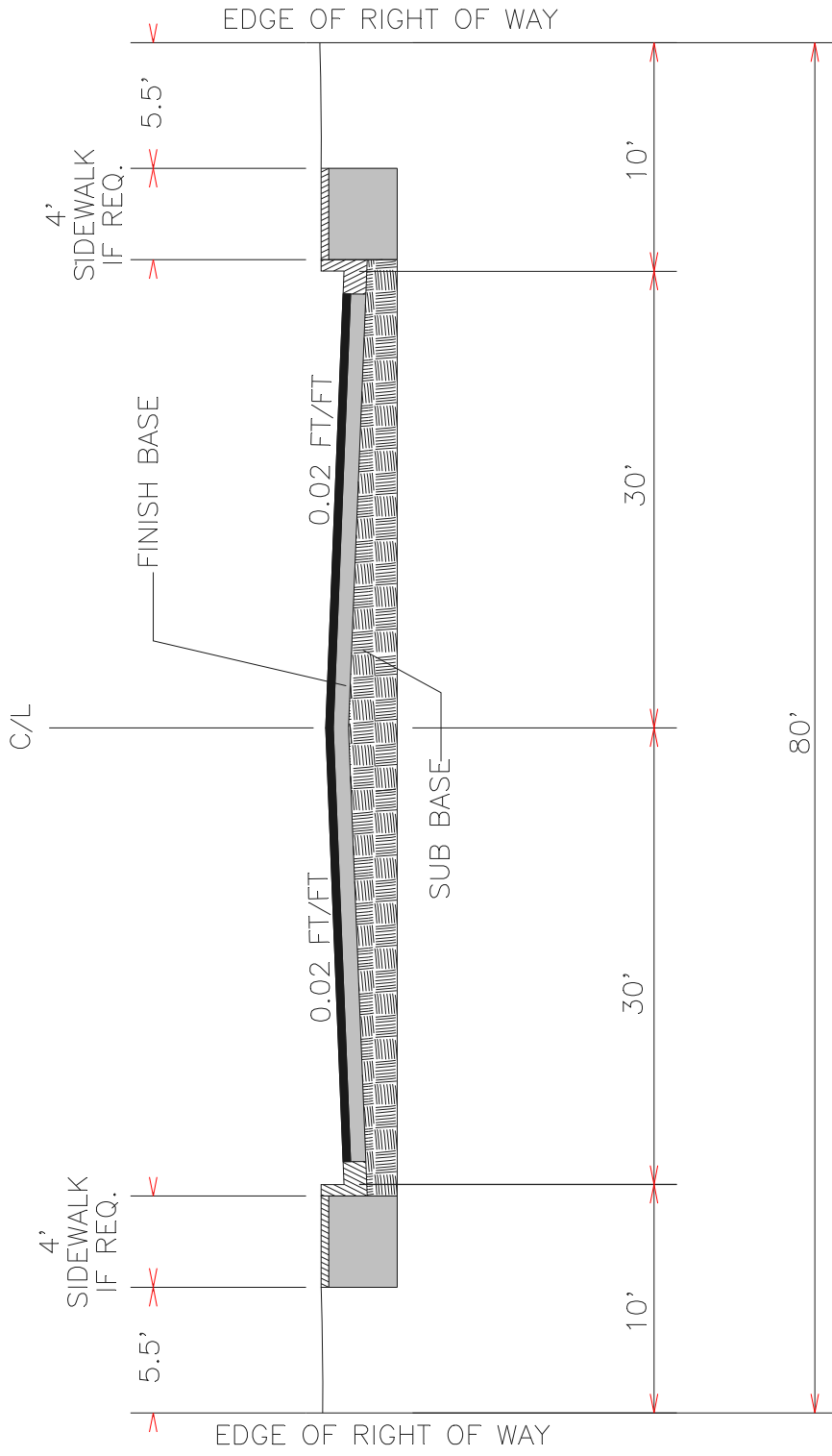
FIGURE 5



LOCAL STREET (URBAN)

PAVED WITHOUT CURB AND GUTTER

FIGURE 6



INDUSTRIAL STREETS (URBAN/RURAL)
 CANON CITY-3 MILE FRINGE AREA

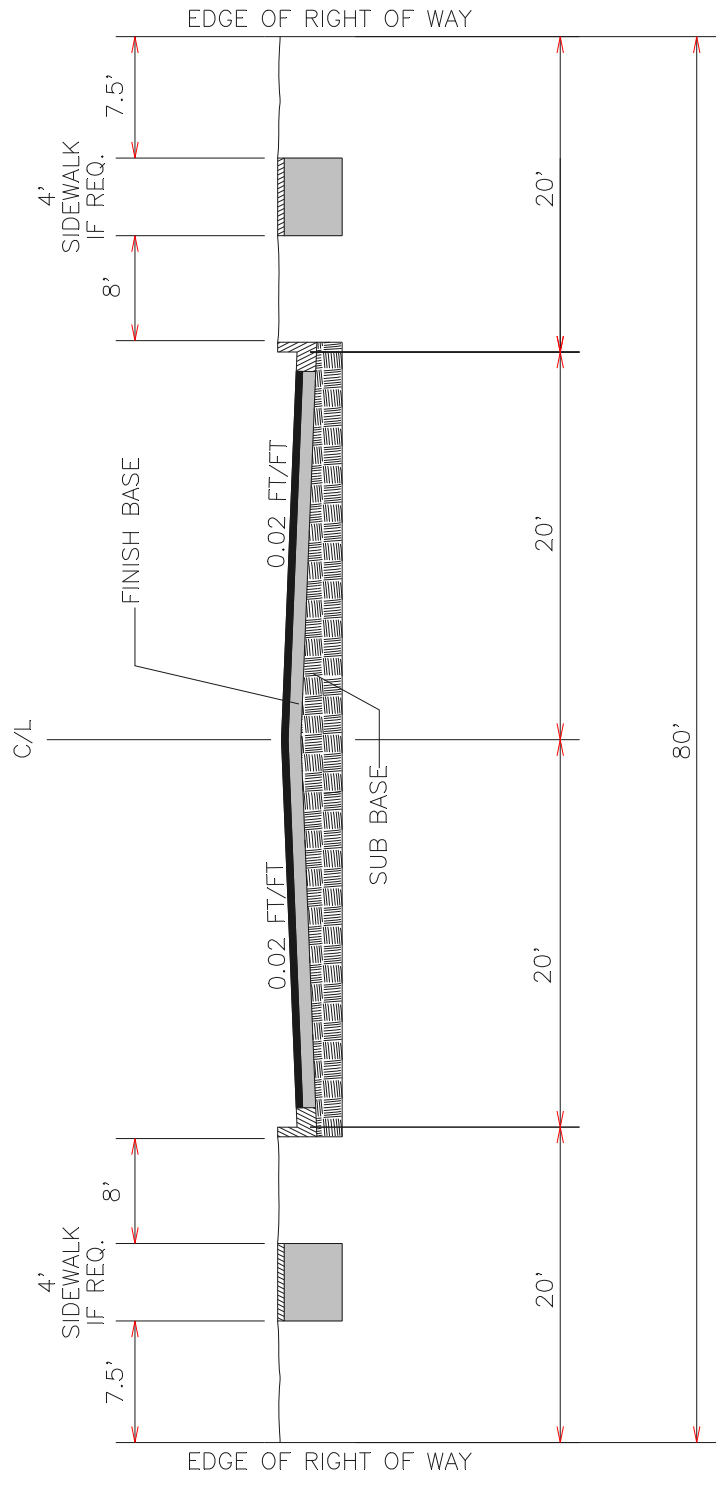
FIGURE 7

F. STREET DESIGN CRITERIA FOR RURAL STREETS * See figures 8-12

	<u>ARTERIAL</u>	<u>COLLECTOR</u>	<u>LOCAL</u>
Right-of-way	80'	60'	50'
Intervals	3 - 5 mi	2 - 3 mi	At blocks (250' min)
Roadway widths*	40'	40'	30'
Number of lanes	2	2	2
Maximum Grade	4 - 5%	5 - 6%	6 - 8%
Travel lane widths	12 ft.'	12 ft	12 ft
Speed (MPH)	35 - 45	30 - 35	25
Surface	Paved	Not required	Not required
Parking allowed	No	No	Yes
Drainage	Required	Required	Required

* Roadway widths are considered from flow line of curb to flow line of curb.

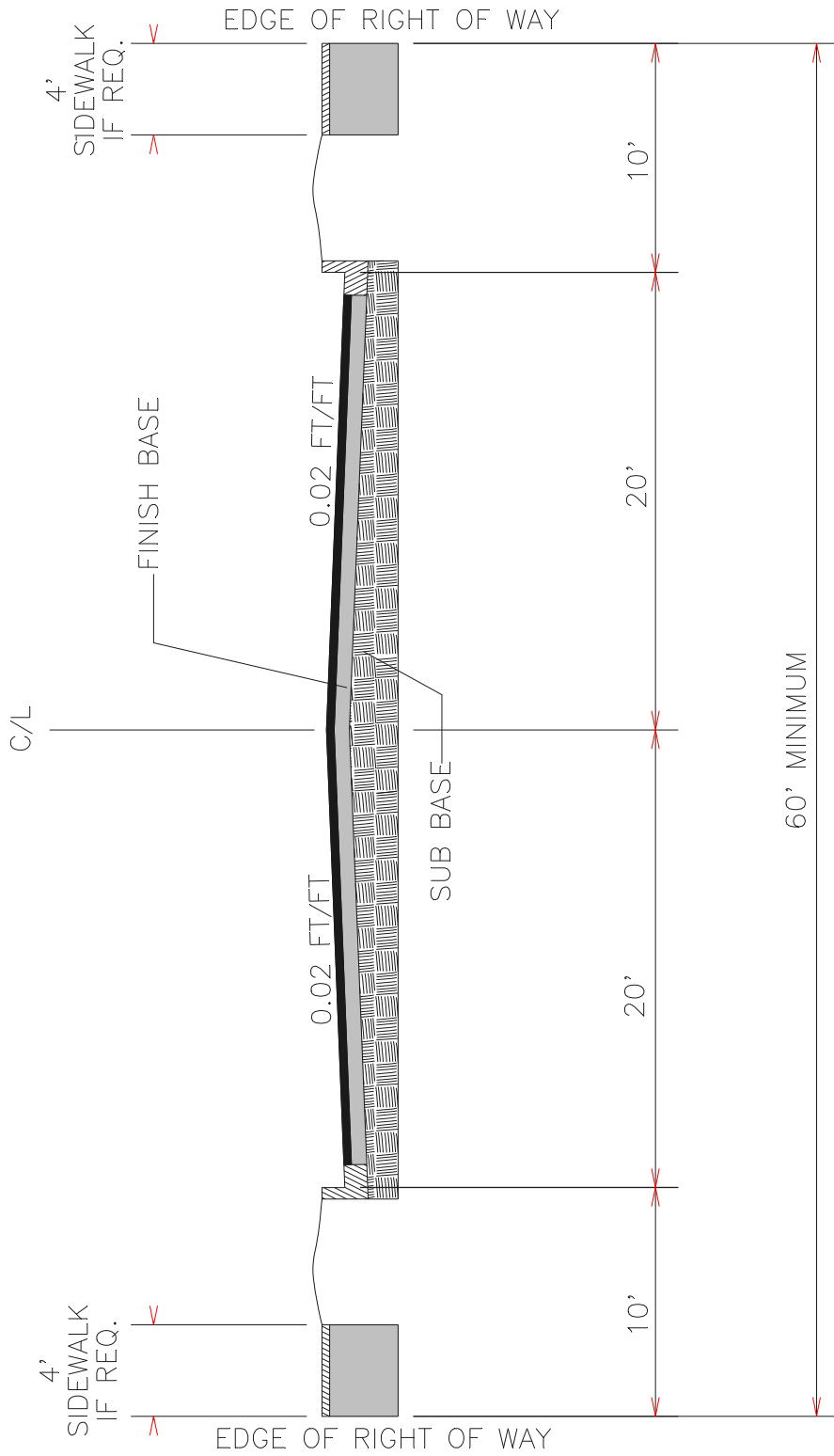
NOTE: For street designations refer to Appendix A of the Fremont County Master Plan, dated 2002



ARTERIAL (RURAL)

PAVED WITH VERTICAL CURB, GUTTER, SIDEWALK

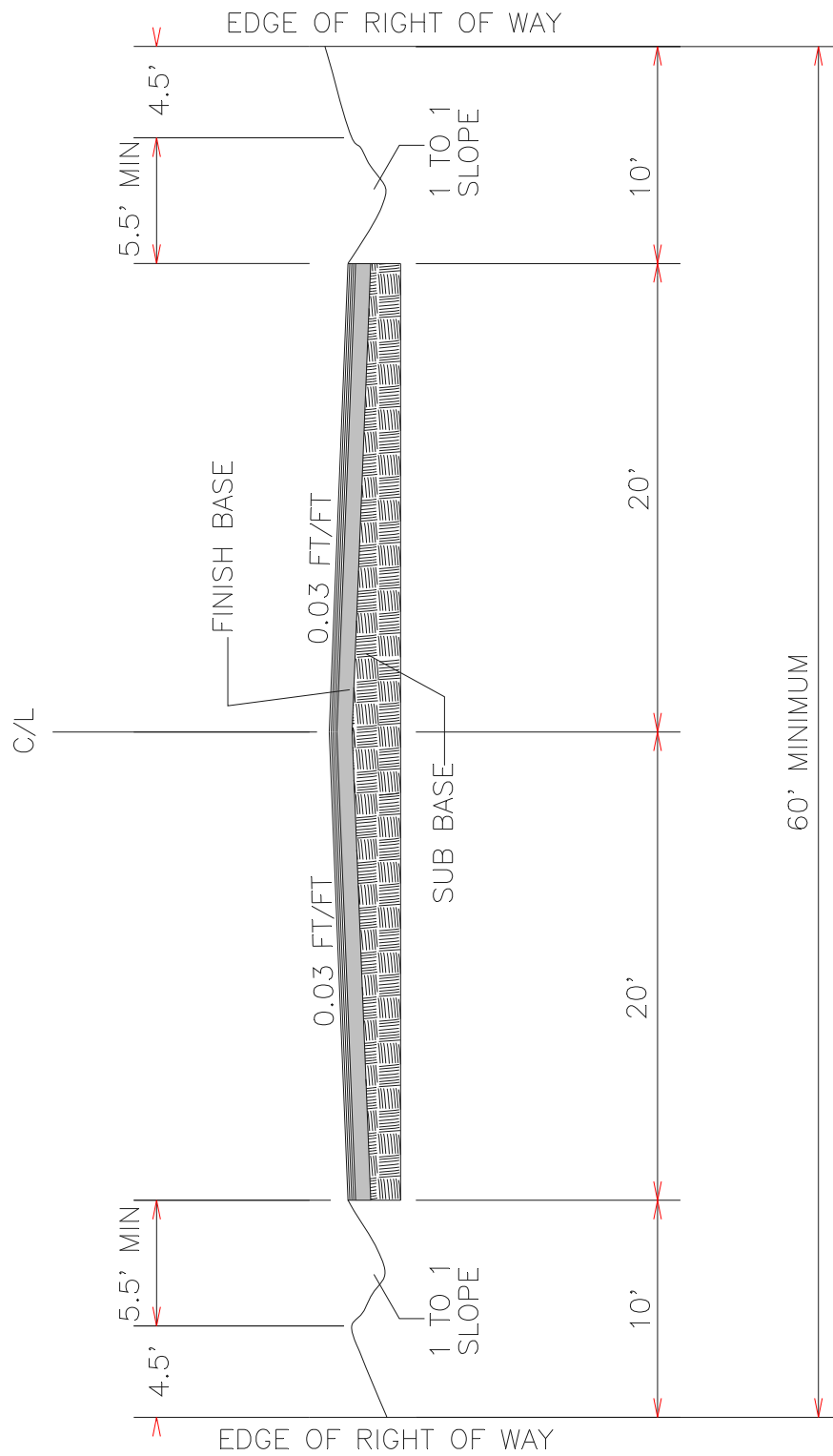
FIGURE 8



COLLECTOR STREET (RURAL)

PAVED WITH VERTICAL CURB, GUTTER, SIDEWALK

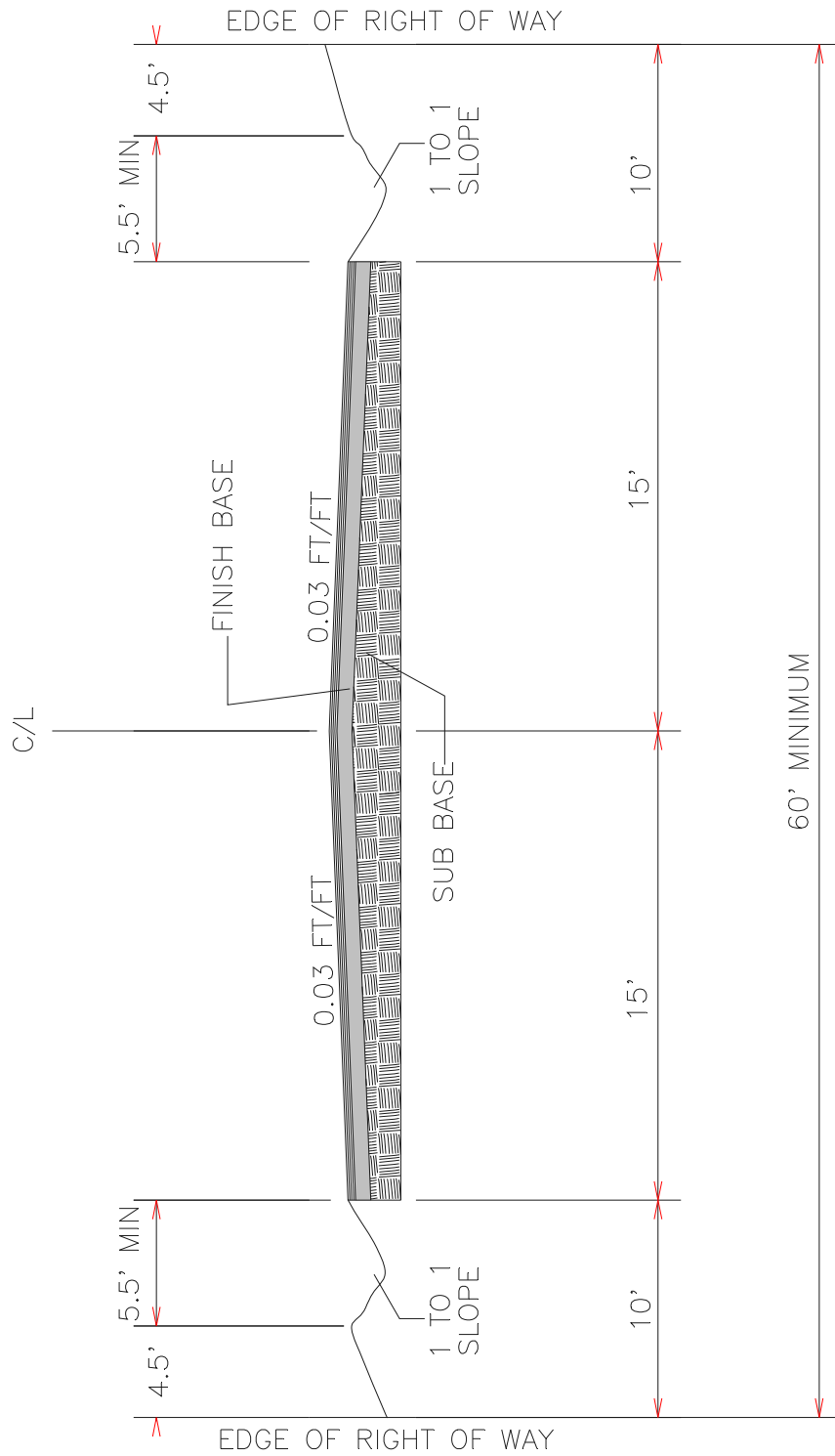
FIGURE 10



COLLECTOR STREET (RURAL)

GRAVEL

FIGURE 11



LOCAL STREET (RURAL)

GRAVEL

FIGURE 12

G. CITY OF CAÑON CITY - 3 MILE FRINGE AREA * See figures 13-16

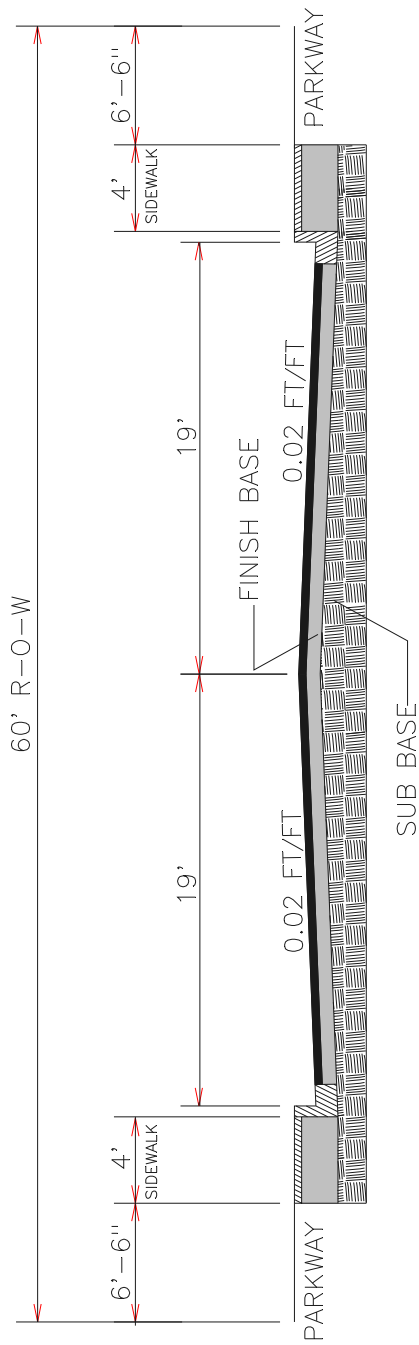
	<u>Local</u>	<u>Collector</u>	<u>Arterial</u>	<u>Major Arterial</u>	<u>Expressway/Freeway</u>
R-O-W width in feet	60 ¹	70	80	100 ²	250
Roadway width in feet *	38	44 ³	52	54 Rural 66 Urban	as determined by CDOT
Lane width in feet	12	12	12	12	12
Median width in feet	0	0	12	12	as determined by CDOT
Maximum Grade	12%	8%	8%	6%	as determined by CDOT
Spacing in miles	as required	¼ - ½	1	1	as determined by CDOT
Parking permitted	Yes	No (if possible)	No	No	No
Sidewalk width in feet	4	4	6	6 - 8	No

¹ Where 5 foot utility easements are provided along the front property lines of lots on both sides of the street, total right-of-way may be decreased by 10 feet.

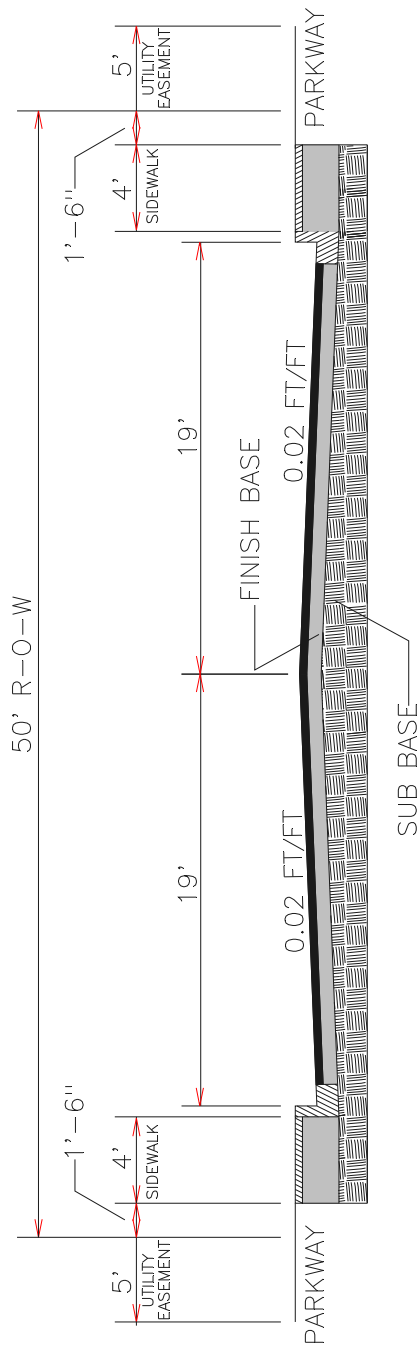
² Except for the U.S. Highway 50 corridor, from 1st Street to 15th Street, where the right-of-way is 80 feet, and except Colorado State Highway 115 (South Ninth Street), from U.S. Highway 50 (Royal Gorge Boulevard) south to Poplar Avenue, where the minimum right-of-way width required is 80 feet.

³ Where parking is prohibited, roadway width may be decreased by 4 feet.

* Roadway widths are considered from flow line of curb to flow line of curb.

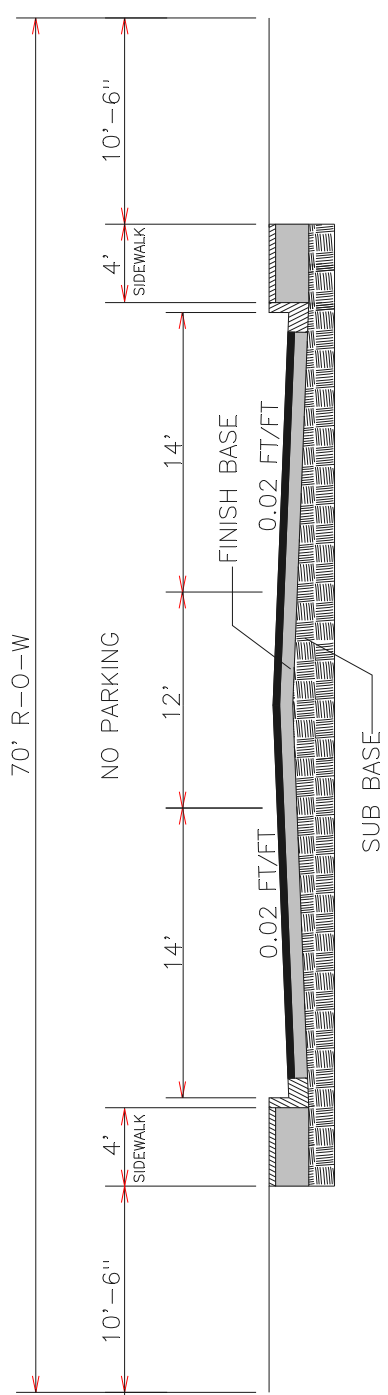


LOCAL - A
CITY OF CANON CITY - 3 MILE FRINGE AREA

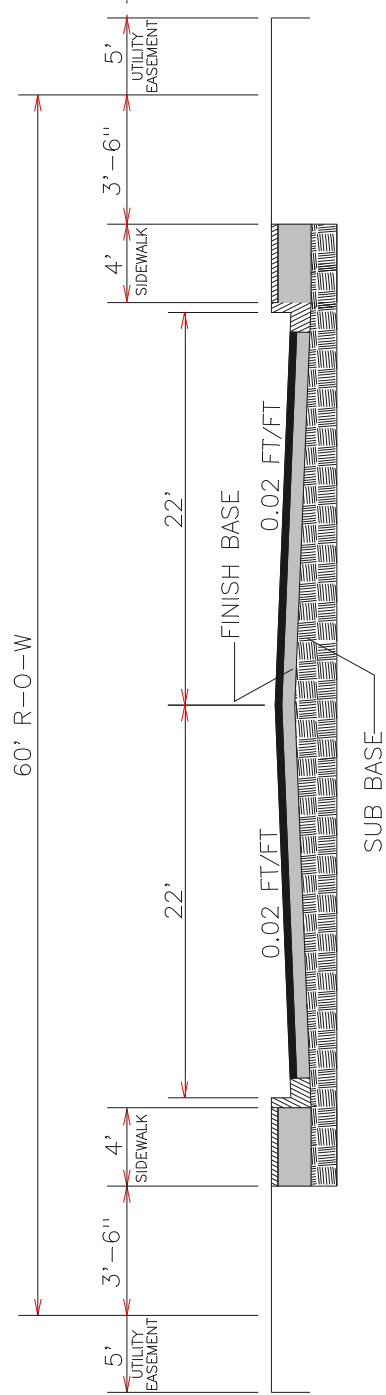


LOCAL - B
CITY OF CANON CITY - 3 MILE FRINGE AREA

FIGURE 13 - A & B

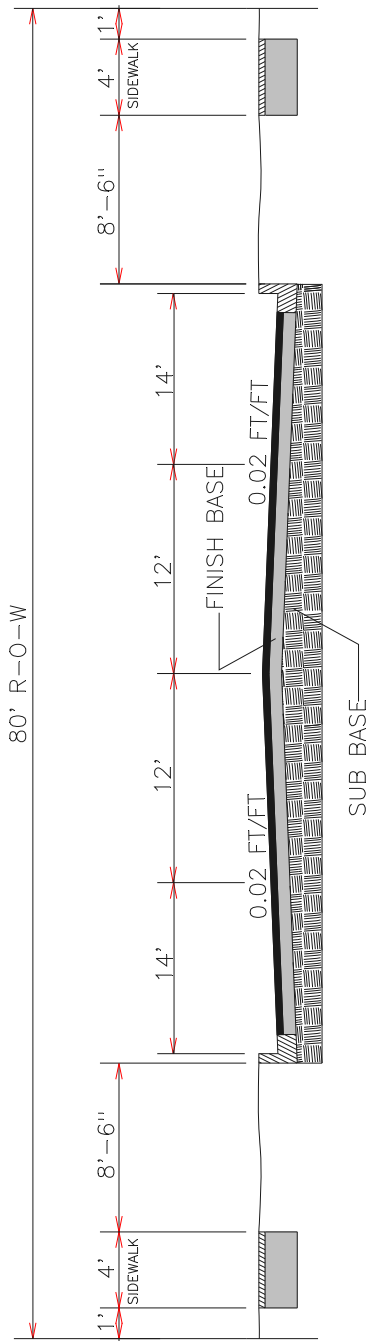


COLLECTOR - A
CITY OF CANON CITY - 3 MILE FRINGE AREA

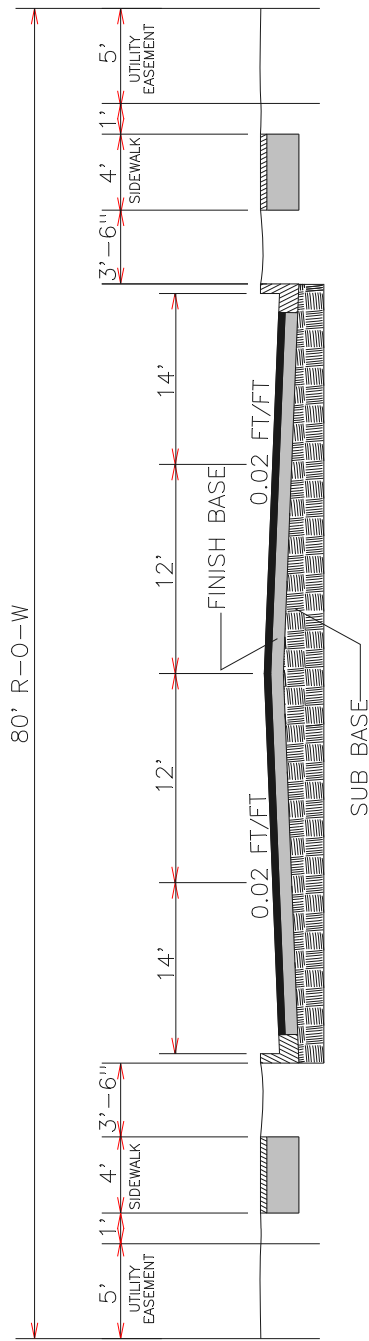


COLLECTOR - B
CITY OF CANON CITY - 3 MILE FRINGE AREA

FIGURE 14 - A & B

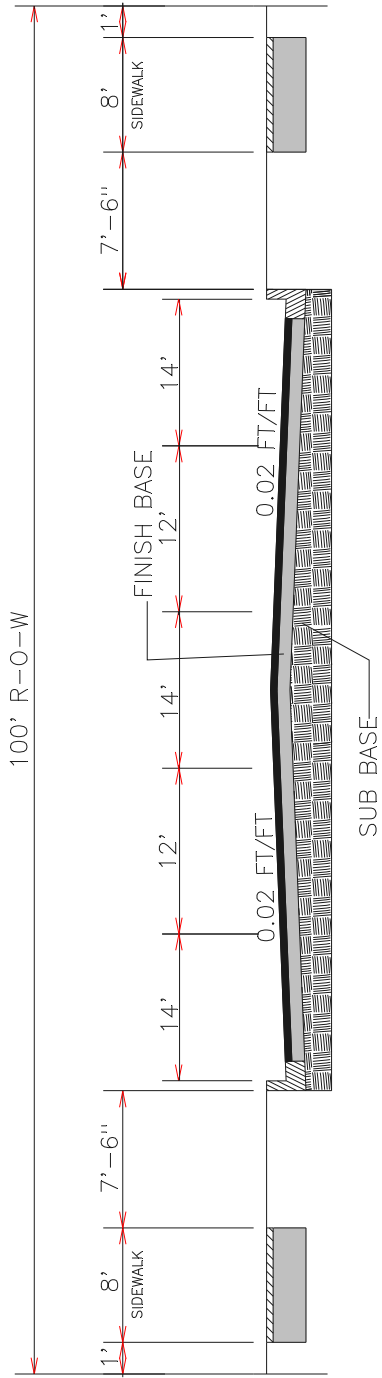


ARTERIAL - A
(NO PARKING)

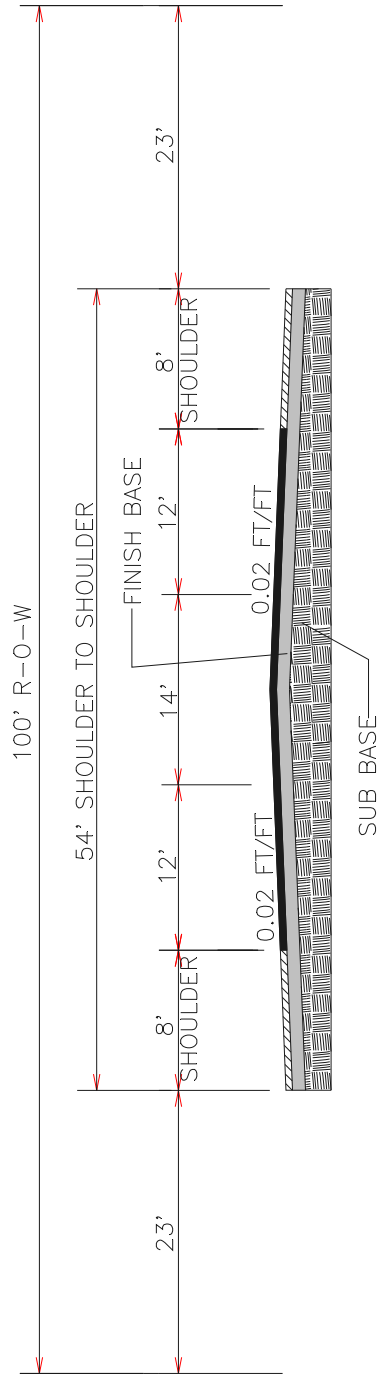


ARTERIAL - B
(NO PARKING)

FIGURE 15 - A & B



MAJOR ARTERIAL – URBAN
CITY OF CANON CITY – 3 MILE FRINGE AREA
(NO PARKING)



MAJOR ARTERIAL – RURAL
CITY OF CANON CITY – 3 MILE FRINGE AREA
(NO PARKING)

FIGURE 16

H. OTHER DESIGN STANDARDS: The following is a list of design standards which should be considered prior to plan submittal.

1. All streets shall be aligned to join with planned or existing streets.
2. All streets shall be designed to bear a logical relationship to the topography of the land.
3. Intersections of streets shall be at right angles unless otherwise approved by the County Official.
4. Cul-de-sacs shall be permitted only if they are not more than seven-hundred and fifty (750) feet in length in rural areas and have a turn around at the end thereof with a radius of the right-of-way of at least fifty (50) feet for each cul-de-sac. Surface drainage on a cul-de-sac shall be adequately addressed.
5. Except as provided above for cul-de-sacs, no dead-end streets shall be permitted except in cases where such streets are designed to connect with future streets on adjacent land in which case a temporary turn around easement at the end thereof with a diameter of at least eighty (80) feet must be provided. Such turn around easement shall not be required if no lots in the subdivision are dependent on such street for access.
6. In the event residential lots in a subdivision are adjacent to a principal or minor arterial street, no access to individual lots from such arterial street shall be permitted unless approved by County Official.

I. INTERSECTION DESIGN REQUIREMENTS:

1. **Curb Radius:** Curb radii shall not be less than ten (10) feet.
2. **Grade at intersections:** In no case shall grades exceed four (4) percent for a distance of at least one-hundred (100) feet from all intersections.
3. **Site Distance:** The intersection site distance shall be:
 - (a) Arterial Streets: Four-hundred (400) feet minimum.
 - (b) Collector Streets: Three-hundred (300) feet minimum.
 - (c) Residential Streets: Two-hundred (200) feet minimum.
4. **General:** Intersecting streets shall meet at a ninety (90) degree angle.

J. CURVES IN STREETS:

1. **Radii of curvature:** The minimum radii of curvature for streets on the center line shall be:
 - (a) Arterial Streets: Six-hundred (600) feet minimum.
 - (b) Collector Streets: Four-hundred (400) feet minimum.
 - (c) Residential Streets: Two-hundred (200) feet minimum.
2. **Reverse Curves:** Between reverse curves on collector and arterial streets there shall be a tangent of at least one-hundred (100) feet long.
3. **Vertical Curves:** All changes in grade for arterial and collector streets shall be connected by vertical curve of a minimum length equal to twenty (20) times the algebraic difference in the rates of grade; the length of curve for all other streets shall be ten (10) times the algebraic difference in rates of grade, but in no case less than one-hundred (100) feet.
4. **Superelevation:** Superelevation may be required on collector and arterial roadways. The superelevation shall be a maximum of six-hundredths (0.06) foot with minimum transition length of one-hundred and fifty (150) feet. When superelevation is necessary, supporting data will be supplied to the County Official for approval.

K. SITE DISTANCE: Clear visibility, measured along the centerline, shall be provided for at least six-hundred (600) feet on arterial streets and collectors, four-hundred (400) feet on all other streets.

L. STREET GRADES: For adequate drainage, the minimum street grade shall not be less than five-tenths (5/10) of one (1) percent. Minimum down grade for cross section shall be two-hundredths (0.02) foot per foot on the normal cross section template. Unusual cross sections or grades different from these standards shall have the approval of the County Official.

1. Street grades shall not exceed:
 - (a) Arterial and Collector Streets Six percent (6%)
 - (b) All other streets Eight percent (8%)

M. STREET ALIGNMENT: Where appropriate to the design, proposed streets shall be

continuous and in alignment with existing planned or platted streets with which they are to connect. The centerlines of streets not in alignment shall be offset by a minimum of one-hundred and thirty-five (135) feet unless otherwise approved by the Board.

II. GENERAL DESIGN CRITERIA FOR UTILITIES: See figures 17 & 18

A. GENERAL REQUIREMENTS:

1. Every attempt shall be made to coordinate all possible utility installations. Utility main lines and service lines to all lots, tracts, or parcels of land shall be placed prior to construction of roadway.
2. Once the roadway construction is completed to its finality, utility placement under hard surface of roads shall not disturb the roadway surfaces for a minimum of five (5) years except for an emergency. Jacking or tunneling under the surface will be mandatory for new utility placement in hard surfaced (*paved*) roadways.
3. Each utility company must coordinate with the other utility companies in the location of its utility, i.e. the companies should mutually ascertain the most satisfactory location of their utility in the utility corridor.
4. The installation of utilities in dedicated rights-of-way in new subdivisions will be exempt from requiring a permit, but such installations will require a placement plan to be submitted to the County for its review and approval. The County regulates the placement of utilities in public rights-of-way by the permit procedure.

B. EXISTING UTILITIES: Of necessity, existing utilities must be maintained, repaired, and/or relocated to accommodate demands of the user. The utility companies will not be prohibited from performing such functions as are required to maintain, repair, or relocate existing utilities, i.e. main lines and service lines. Any such costs will be the responsibility of the developer.

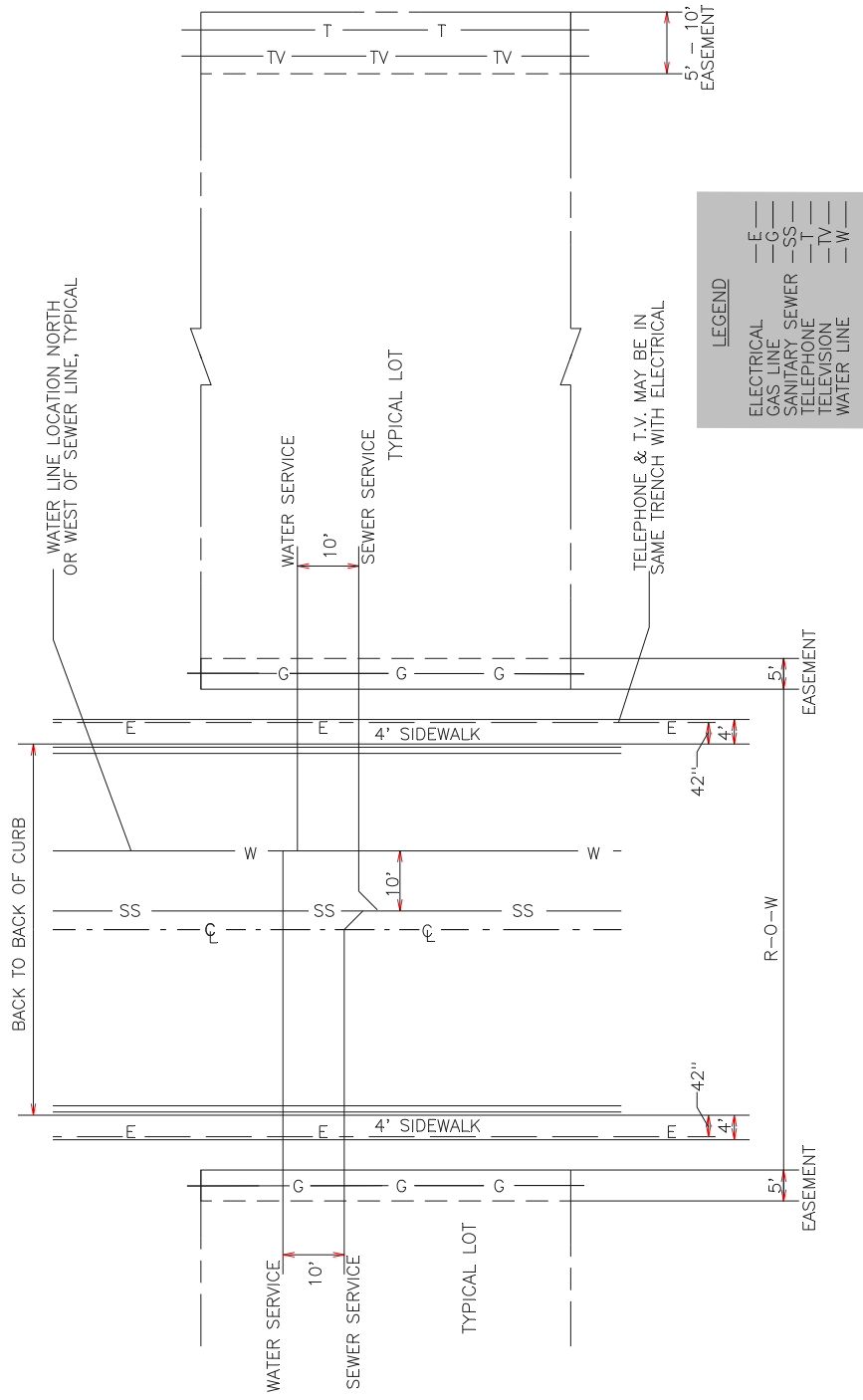
C. STANDARDS: Industry codes used by the utility companies for design and installation of their facilities are generally acceptable to the County. The minimum depths and overhead clearance for utility services in Fremont County public right-of-way shall be as follows:

- | | |
|-------------------------------------|--------------------------------------|
| 1. Water lines: | Forty (40) inches minimum |
| 2. Sanitary and Storm Sewer: | Minimum depth determined by Engineer |
| 3. Gas lines: | Forty-eight (48) inches minimum |
| 4. Electric Power: | Forty (40) inches minimum |

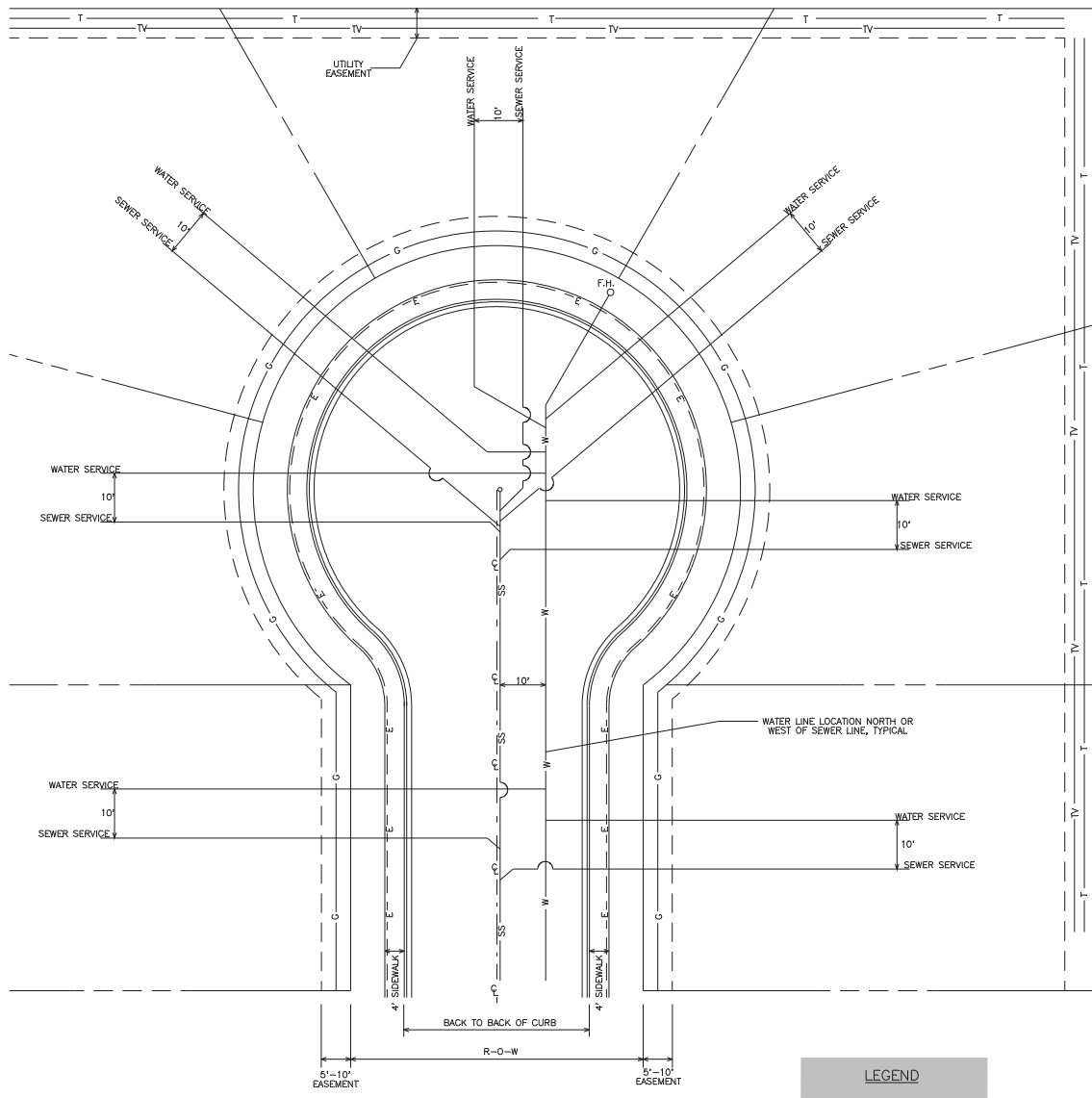
- 5. **Telephone:** Forty (40) inches minimum
- 6. **Cable TV:** Forty (40) inches minimum
- 7. **Overhead utilities:** Nineteen (19) feet from center of roadway
- 8. **Fiber Optic** (*with 1 inch tracer wire above the line*): Forty-eight (48) inches minimum

Note: All Gas, Telephone, Power, Cable TV lines shall be located on the west side of the street for all north-south oriented streets and on the south side of the street for all east-west oriented streets.

- 9. **Electrical** (*overhead*): Poles for suspending electrical lines must be placed within a corridor in the public rights-of-way, being three (3) feet in width, and adjacent to the right-of-way lines. At no time shall the guy wire anchors extend beyond the three (3) foot corridor, toward the travel lane. If anchorage is necessary on a line perpendicular to the alignment of road such anchorage may necessitate an anchor pole and guy lines on the opposite side of the road. A nineteen (19) foot minimum clearance for overhead lines, crossing County roads is mandated by needs of the County to operate its equipment.
- 10. **Cable Television:** Cable Television suppliers will be granted the same privileges as the public utility companies, to make their installation within public rights-of-way and such installations are to comply with the foregoing mandates to the electrical and telephone installations.
- 11. **Damages Caused by Utility Installations:** Any damage to existing installations caused by the installation of utilities, i.e., culverts damaged or cut, sidewalks cut or undermined, fencing cut or damaged, vegetation destroyed, road surface, hard surface cut or undermined, etc., shall be repaired or replaced at the sole expense of the utility company or contractor making the installation.



UTILITY LOCATIONS
FIGURE 17



UTILITY LOCATIONS
FIGURE 18

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III. GENERAL DESIGN CRITERIA - DRAINAGE:

A. DESCRIPTION: Proper drainage is critical in road design. Protection of the road, adjacent upstream land, and downstream lands depend upon property drainage design.

1. All roads that encroach on flood plains, large bodies of water, or streams must be designed to permit conveyance of the basic flood without significant damage to the road, the stream, the body of water, or other property.
2. Surface drainage involves removal of water, from either rain or melting snow, that falls directly on the roadbed, and the interception and removal of water coming to the road from adjacent development.

B. GENERAL PROVISIONS:

1. Smaller sizes must be approved by the County Official.
2. Minimum recommended cover over a culvert is twelve (12) inches or one-half the culvert diameter, whichever is greater.
3. The County may require carrying away by pipe or open ditch any surface water because of the new road construction. Such a drainage facility shall be located within the right-of-way or in a perpetual easement.
4. Drainage Plans will be required at the discretion of the County Official.

C. HYDROLOGY: A drainage system for the area shall be designed by a professional engineer licensed to practice in the State of Colorado and qualified to perform such work. The drainage plan shall include:

1. All existing drainage features and proposed drainage facilities and structures together with computations supporting the size shown.
2. Computations taking into consideration all drainage areas affecting the proposed site.
3. Location and computations for all outfall points.
4. A local basin map or location map of the area.
5. A detailed map of the drainage in the area under study.
6. The minimum criteria for sizing of drainage facilities in Fremont County shall be in accordance with the drainage requirements of the Fremont County Subdivision

Regulations.

- a. The one-hundred (100) year storm for all facilities which will carry five-hundred (500) cubic feet per second or more as calculated on the one-hundred (100) year storm criteria. The fifty (50) year storm criteria shall be used for all other facilities.
- b. The six-hour frequency storm for a fifty (50) year event or the twenty-four-hour frequency storm for a one-hundred (100) year event shall be used depending on which one yields the greater runoff.
- c. For areas less than twenty (20) acres, the Rationale Method shall be used; For areas greater than twenty (20) acres, the U.S.D.A. - Natural Resource Conservation Service publication "Procedures for determining Peak Flows in Colorado, March 1977" or successor publication, shall be used.

D. STREET FLOWS: The primary use of streets is for the movement of traffic. However, streets shall have limited use as a waterway for storm runoff with flow capacities in quantities as approved by the County Official.

E. DETENTION BASINS: Detention basins or other devices should be used to maintain historical runoff amount where possible. Maintenance of these facilities must be addressed by the developer and approved by the County Official to avoid public nuisances and health hazards. Care must be taken to design and construct all such facilities in accordance with applicable Federal, State and local regulations. The engineer shall incorporate methods to control flows which exceed historical runoff amounts.

F. CULVERT AND CHANNEL DESIGN:

1. **Culverts:** A culvert may be defined as a covered channel of comparatively short length installed to drain water through roadway embankments. The general criteria for design shall be:
 - a. The culvert shall be properly designed to take care of the water at all flows. Capacity shall be determined by a Professional Engineer stating method used.
 - b. Inlets shall be designed to minimize entrance and friction losses.
 - c. Outlets shall be designed to avoid sedimentation and erosion of the downstream channel. Outlet control devices may be required where excessively high discharge velocities occur.
 - d. A minimum of twelve (12") inch diameter culvert, unless a larger diameter is required by the County Inspector, which will accommodate the historical drainage

flow. The County may require a drainage study to determine the diameter of the culvert. The drainage study shall comply with the current requirements of the Fremont County Subdivision Regulations.

- e. All culverts shall be designed for HS-20 loading with the appropriate embankment considerations.
 - f. If an adjacent roadside ditch is to be crossed, it shall be provided with a corrugated metal galvanized pipe (CMP) culvert with a minimum diameter of twelve (12) inches, and a minimum length of twenty-four (24) feet to be installed no later than at time of commencement of site work on lot; culverts must have suitable head walls or rip rapped inlet and outlet ends which are not to exceed the elevation of the road grade; and installation of above are subject to County approval.
 - g. For commercial, industrial or multiple uses, the minimum length of the culvert shall be thirty-(30) feet.
2. **Channel Design:** Capacity of channel shall be determined by a Colorado Registered Professional Engineer by using Manning's Equation or other appropriate methods.

G. ENGINEERING SPECIFICATIONS: All engineering specifications for streets, roadways, curb and gutter, sidewalks and other public ways, constructed under these Subdivision Regulations, shall be governed by the Fremont County Engineering Specifications for Streets found at Appendix 2.

H. STREET PLAN AND PROFILE REGULATIONS - GENERAL: No construction of streets shall be commenced (*unless waived by the Board*) within a County right-of-way without an approved set of street plans and profiles as prepared by a Colorado Registered Professional Engineer.

1. **Plan Requirements:** A set of prints or plans shall be submitted to the County Official for approval. Should circumstances warrant changes from approved plans or specifications, the proposed revision must be submitted and approval must be obtained from the County Official, copies to be given to the contractor, developer and developer's engineer. It shall be the responsibility of the Developer's engineer to provide the County Official with a set of "as-built" prints at the completion of the project.
2. **Plan Detail:** The following items shall be provided in the construction plans:
 - a. **General:**
 - (1) Title Block (*lower right hand corner preferred*).

- (2) Scale.
- (3) Date of original drawing and the date of any revisions made to the drawing.
- (4) Name of Professional Engineer or firm.
- (5) Colorado Registered Professional Engineer's seal and signature.
- (6) Drawing Number(s).
- (7) **Statement:** All work shall be constructed to the Fremont County Engineering Specifications for streets. In addition an approval statement by the County Official and date of approval shall be provided.

b. Plan:

- (1) North Arrow.
- (1) **Property Lines:** Indicate lots to be served by solid line; other property lines dotted.
- (2) Ownership or Subdivision Information.
- (3) Street names.
- (4) Elevations as follows:
 - (a) Points of vertical curve.
 - (b) Points of vertical tangent.
 - (c) Points on vertical curve and curve tangents at the one-hundred (100) foot and the fifty (50) foot stationing locations or greater as required.
 - (d) Points of horizontal curve.
 - (e) Points of horizontal tangent.
 - (f) Every fifty (50) foot station.
 - (g) At grade breaks.
 - (h) Flow lines for curb and gutter.

- (i) Centerline grade, if no curb and gutter.
- (5) Proposed property lines.
- (6) Dimensions for street cross section as follows:
 - (a) Flow line to flow line.
 - (b) Back of walk to back of walk.
 - (c) Right-of-way width.
- (7) Stationing for the following:
 - (a) Points of curve (*horizontal and vertical*).
 - (b) Points of tangent.
 - (c) Centerline intersection of street.
 - (d) Curb radii, grade breaks, points of intersection, vertical curves.
 - (e) Culverts and drainage structures.
 - (f) Horizontal alignment information including curve data (*3 pieces of information*).
 - (g) Design connecting proposed to existing conditions.
 - (h) Type of curb, gutter and sidewalk.
 - (i) Valley pans and other drainage structures.

c. Profile:

- (1) Existing ground.
- (2) Proposed design grade.
- (3) Stationing for the following:
 - (a) Points of curve.

- (b) Points of tangent.
- (c) Points of vertical curve (*required where change in grade exceeds two (2) percent*).
- (d) Points of vertical tangent.
- (e) Vertical tangent intersection.
- (f) Center line intersection of streets.
- (g) Vertical curves required where change in grade exceeds two (2) percent. Vertical curves shall be one-hundred (100) foot length minimum.
- (h) Culverts and drainage structures.

(4) Design grades:

- (a) No Street shall exceed eight (8) percent grade unless approved by the County Official.
- (b) No Street shall be designed flat.

(5) Vertical curve information as follows:

- (a) Beginning and ending grades.
- (b) Length of curve.
- (c) Point of vertical intersection.

I. SEWAGE DISPOSAL STANDARDS: Sewage disposal systems shall be designed and constructed in compliance with applicable State, Federal and County laws and/or regulations.

J. EASEMENTS:

1. **Public Utility Easements:** A minimum public utility easement of no less than five (5) feet shall be provided on all side lot lines and ten (10) feet on all exterior property lines not fronting a public way. In event that a public utility agency deems it necessary to increase the width of an easement or require an additional easement, it will be the responsibility of the subdivider to provide the required easement.

2. **Drainage easements:** If a subdivision is traversed by a watercourse, drainage way or channel, then a storm water easement or drainage right-of-way shall conform to the lines of such watercourse and shall be of such width or construction, or both, as may be necessary to provide adequate storm water drainage and for access to and maintenance, thereof. Drainage areas generally should be left in a natural state unless channelization is recommended by a Colorado Registered Professional Engineer. The drainage system shall be designed:

- a. To permit the unimpeded flow of natural watercourses.
- b. To accommodate potential runoff from drainage areas upstream from the development.
- c. To provide adequate protection of development downstream by detaining storm runoff caused by the development of the subdivision, so that peak flows downstream are not increased.

3. **Trail and Park Easements:** If requested by a park or recreation district the Board may require a trail or park easement. If an easement is required, it shall be deeded to the appropriate Park and Recreation District.

K. OPEN SPACE: If open space is to be provided, it shall be platted as an outlot, shall be noted as such on the plat and shall be maintained by the owners, or a homeowners association or other means acceptable to the Board.

APPENDIX 2

I. ENGINEERING SPECIFICATIONS - GENERAL

A. SCOPE: The purpose of these Engineering Specifications is to provide quality and consistency of construction and installation of streets, curbs, gutters, sidewalks, driveways, curb cuts, and any other improvements located in or under public rights-of-way.

B. PROVISIONS:

1. **Definitions & Abbreviations:** Wherever the following words, phrases or abbreviations appear in these specifications they shall have the following meaning:

- a. **AASHO:** American Association of State Highway Officials
- b. **ASA:** American Standards Association
- c. **ASTM:** American Society for Testing and Materials
- d. **Contractor:** a person, partnership or corporation who will perform the construction.
- e. **County:** The County of Fremont.
- f. **County Regulations:** The official adopted regulations of Fremont County, Colorado.
- g. **County Official:** The authorized representative acting on behalf of the County.

2. Wherever the words, "as directed", "as required", "as permitted" or words of like meaning are used, it shall be understood that the direction, requirements or permission of the County is intended. Similarly, the words "approved", "acceptable", "satisfactory" shall refer to approval by the County Official.

3. Whenever references are made to standard specifications, methods of testing materials, codes, practices and requirements it shall be understood that the latest revision of said references shall govern unless a specific revision is stated. Whenever any of the following abbreviations appear they shall have the following meaning:

C. AUTHORITY OF COUNTY OFFICIAL: The County Official shall have the authority on behalf of the County to ascertain that all construction of facilities are equal to or better than the minimum construction requirements set forth in these specifications. The County Official shall have the additional authority to assign an inspector to check all work, including all materials to be incorporated in the work, excavation, bedding, back-fill and all

construction methods and practice.

D. CONTRACTOR'S RESPONSIBILITY: It shall be the responsibility of the contractor to read and fully comply with all the provisions of these specifications.

E. PERMITS: Permit Required - No person, firm or corporation shall contract streets, sidewalks, curbs, gutters, driveways, curb cuts or other improvements within a public right-of-way without obtaining a permit from the County Official.

F. INSURANCE & WARRANTY REQUIREMENTS: The Contractor shall provide the minimum coverage as outlined below:

1. Liability Insurance policy:

a. with explosion coverage, if required;

b. collapse and underground coverage.

2. Such policy shall be for the protection of the County from all suits, actions or claims of any type for injuries or damages allegedly sustained by any person or property as a result of the operations or completed operations of the work.

3. Such policy shall specifically cover the acts and operations of any subcontractor's employees or agents.

4. Special Districts, Utilities governed by State Public Utilities Commission and municipalities by obtaining a permit do agree to accept liabilities for their work in public rights-of-way.

5. In addition to the insurance requirements above, the contractor personally, by applying for and obtaining a permit, agrees to be liable to the County for any expenses incurred by the County because of the contractor's acts of omissions relating to the work, and the contractor shall hold the County harmless from any claims of anyone else arising from or relating to the work.

6. In accordance with Colorado Revised Statutes, the owner of any utility assumes responsibility for maintenance of said utility corridor in perpetuity.

G. NOTICE BEFORE BEGINNING OF WORK: The Contractor shall notify the County Official at least twenty-four (24) hours before beginning any construction. If for any reason work should stop on a project during any stage of construction for a period of more than twenty-four (24) hours, it shall be the responsibility of the contractor to notify the County Official at least twenty-four (24) hours, prior to any resumption of work on the project. If

the contractor intends to work shifts, double shifts or hours other than the normal work day of County personnel, he shall notify the County Official at least twenty-four (24) hours prior to such extension, except in the event of an emergency.

- H. TRAFFIC CONTROL:** The Contractor shall be required to provide adequate construction signing, flagmen, barricades, etc., to warn vehicular and pedestrian traffic of work in progress and divert traffic as may be required during the course of construction. All signing shall be subject to the approval of the County Official and shall be in accordance with applicable regulations. Portions of streets shall be allowed to be closed to traffic for construction; however, the Contractor shall make every attempt to keep the time of closure of such streets to a minimum. It shall be the responsibility of the contractor to notify the respective Fire and Police Departments, Sheriff's Office, etc., twenty-four (24) hours prior to the closure of any street.
- I. SAFETY:** Precaution shall be exercised at all times for the protection of persons (*including employees*) and property. The safety provision of applicable laws, and building and construction codes shall be observed. Machinery, equipment, and all hazards shall be guarded or eliminated in accordance with the safety provisions of the Manual of Accident Prevention in Construction, published by the Associated General Contractors of America.
- J. PROTECTION OF EXISTING FACILITIES:** The Contractor shall notify all utility companies and interested parties prior to commencement of work in order to insure there is no interruption of service during construction. The Contractor shall be liable for all damages to existing structures and shall hold the County harmless from any liability or expense for injuries, damages, or repairs to such facilities.
- K. RESPONSIBILITY FOR REPAIR:** Should any utility be damaged in the construction operations, the Contractor shall immediately notify the owner of such utility, and unless authorized by the owner of the utility, the Contractor shall not attempt to make repairs. In the event that during construction it is determined that any underground utility conduit, including sewers, water mains, gas mains and drainage structures, and any above ground utility facilities are required to be relocated, the Contractor shall notify the utility owner in advance of his approach to such utility so arrangements with the utility owners can be completed without delay of work.
- L. SANITARY CONVENIENCES:** The Contractor shall provide and maintain suitable sanitary facilities for use of those employed without committing any public nuisance. All toilet facilities shall comply with all applicable regulations and are subject to the approval of the Environmental Health Department.
- M. CLEANUP:** The Contractor shall at all times keep the site free from accumulations of waste materials or rubbish caused by his employees or work, and at the completion of the work, he shall remove all his rubbish from and about the site and all his tools, equipment,

and surplus materials and shall leave the site clean and ready for use.

N. CERTIFICATION OF MATERIALS AND INSTALLATION: It shall be the responsibility of the excavation contractor, concrete contractor and asphalt contractor to certify to the County that the materials are in accordance with the provisions of this appendix:

1. Section II Grading & Sub-grading Preparation
2. Section III Sub-base Material and Procedures
3. Section IV Base Course Material and Procedures
4. Section V Asphalt Paving Materials and Procedures
5. Section VI Curb, Gutter and Sidewalk Materials and Procedures

O. CERTIFICATE OF COMPLIANCE AND ACCEPTANCE OF CONSTRUCTION: Upon receipt of a certificate of compliance for each stage of construction, i.e. grading and sub-grade preparation, sub-base, base, asphalt, curb & gutter and sidewalk from a Colorado Registered Professional Engineer the County Official shall issue a "Certificate of Compliance" upon satisfactory construction and the streets will be accepted for full maintenance by the County.

II. GRADING AND SUB-GRADE PREPARATION

- A. GRADING AND SUB-GRADE:** The grading shall consist of all grading above or below sub-grade elevation, of whatever nature, required to bring the street to proper sub-grade elevation, including necessary excavation for curb, sidewalk and alley returns, construction of embankments, excavation and proper sloping of all cuts, fills, removal of unnecessary structures, clearing and grubbing of a right-of-way, and other work incidental thereto.
- B. EXCAVATIONS:** All excavations shall be made to sub-grade elevations and shall correspond to the lines and grades established by the profiles. Material below sub-grade elevation in cuts shall not be loosened by plowing or other methods during the progress of work except with the approval of the County Official. In the event excavation extends below sub-grade elevation, the excavated material shall be replaced with suitable material and shall be thoroughly compacted to a depth of six (6) inches in accordance with Section V-E.
- C. CONSTRUCTION OF EMBANKMENTS:** Embankments shall be constructed to sub-grade elevation and shall be thoroughly compacted to a depth of six (6) inches. The Modified Proctor Method (*AASHO Designation T99-49*) will be used as a guide to obtain ninety (90) percent density.
- D. EXCESS EXCAVATION:** Excavated material that is not required for the construction of embankments or the back filling of excavations, from which unsuitable material has been removed, shall be disposed of by the Contractor.
- E. EQUIPMENT OPERATED ON STREETS:** Only equipment with pneumatic tires shall be permitted to operate on any paved street surface and the Contractor shall be responsible for any damage to street surfaces resulting in any manner from the operations.
- F. PROTECTION OF EXISTING IMPROVEMENTS:** The Contractor shall at all times take proper precautions for the protection of, and replacement or restoration of, driveway culverts, street intersection culverts or aprons, irrigation crossing, mail boxes, driveway approaches and all other public and private installations that may be encountered during construction. Written approval of completed replacement or restoration work may be required by the County Official.
- G. CLEARING AND GRUBBING:** The clearing of the entire right-of-way will be the responsibility of the Contractor. This clearing operation will include all removal of obstructions to sight distances, appearance and construction as deemed necessary by the County Official. Grubbing constitutes the excavation and removal of all deleterious materials and the proper disposal thereof.
- H. BLADING AND SHAPING:** In areas where base course surfacing has been placed previously under contract or otherwise, blading and shaping of the base course will be

required to permit completion of the paving work. The blading and shaping shall conform to slopes, dimensions and other details of the established typical roadway sections and profiles, lines and grades. Where necessary, excess base course material shall be removed or otherwise disposed of by the Contractor.

- I. **COUNTY APPROVAL PROCEDURES:** The County Official will approve the grading and sub-grade preparation upon receipt of a certification by a Colorado Registered Professional Engineer that the grading and sub-grade is in compliance with the County approved street plans and profiles and with the engineering specifications.

III. SUB-BASE MATERIAL AND PROCEDURES

- A. DESCRIPTION:** The construction of sub-base shall consist of furnishing and placing approved sub-base material to form a stable foundation on which to construct base course, in conformity with the lines, grades and typical cross sections.
- B. THICKNESS:** Thickness of sub-base material shall be determined through a HVEEM soil test, soil analysis, or other approved method, however, a minimum eight (8) inches of sub-base shall be required if the Engineer does not recommend the HVEEM soil test, soil analysis. Basis for design shall be provided to the County Official at time of submittal of the final street plans and profiles. All design costs will be at the expense of the developer.
- C. MATERIALS:** A Class V material or six (6) inch minus as per State Road and Bridge Specifications shall be used for the sub-base.
- D. CONSTRUCTION METHODS:** Sub-base material shall be placed to the depth as per design analyses. Each layer of material shall be placed and spread so that after compaction it will conform to width and crown of the typical cross sections. The wetting of sub-base layers shall be done with sprinkling equipment of a type which insures uniform and controlled distribution of the water. All wetting shall be done by uniformly sprinkling each layer of material being placed only that amount of water to obtain maximum density of the material. Travel may be allowed over sub-base to assist in compaction of the material. Mixing and blading of the sub-base material on the street will be required if the material as spotted is non-uniform. However, blading will be held to a minimum in order to avoid the floating of the heavier rock particles to the surface.
- E. COMPACTION:** In general, when using a pit run type sub-base material, the rubber tired roller shall be used for initial compaction followed by a flat wheeled roller for final compaction. Wetting and compacting of sub-base materials shall continue until a minimum field density of ninety-five (95) percent is obtained. The number of compaction tests and locations shall be determined by a Colorado Registered Professional Engineer. The results of the compaction tests shall be provided to the County Official upon engineer's certification. Compaction tests will be at the expense of the developer or contractor.
- F. COMPACTION TEST FAILURE:** If the required state of compaction is not obtained, it shall be the responsibility of the Contractor to re-compact the material as specified above. In cases where there is repeated failure to achieve the required state of compaction the County Official may require that the back-fill be removed and re-compacted in six (6) inch lifts.
- G. FROZEN CONDITIONS:** No base course shall be placed on a frozen or spongy sub-base and no base course shall be placed or rolled while in a frozen condition.
- H. CERTIFICATION OF MATERIALS:** The Contractor shall provide the County Official

with a written certification from supplier that the sub-base material used is in accordance with the requirements of V-C. The County Official in absence of a written certification may require that samples of the materials be delivered to an approved testing laboratory for testing to insure compliance with these specifications, at the expense of the Contractor or Developer.

- I. **COUNTY APPROVAL PROCEDURES:** The County Official will approve the sub-base installation upon receipt of a certification by a Colorado Registered Professional Engineer that the sub-base was installed in accordance with the engineering specifications.

IV. BASE COURSE MATERIAL AND PROCEDURES

- A. DESCRIPTION:** This item shall consist of a foundation course composed of crushed gravel or crushed stone and filler, constructed on the prepared sub-base in accordance with these specifications and in conformity with the lines, grades, and typical cross section as approved by the County Official.
- B. MATERIALS:** A Class VI material as per State Road and Bridge Specifications shall be used for the base course.
- C. THICKNESS:** Thickness of the base material may be determined by the design analysis, however a minimum of four (4) inches of compacted material will be required. The Proctor Method Modified (*A.A.S.H.T.O designation T-99-49*) will be used as a guide to obtain ninety-five (95) percent density.
- D. CONSTRUCTION METHODS:** Each layer of material shall be placed and spread so that after compaction it will conform to the width and crown of the typical cross sections. The wetting of base course layers shall be done with sprinkling equipment of a type which insures a uniform and controlled distribution of the water. All wetting shall be done by uniformly sprinkling each layer of material being placed with only that amount of water to obtain maximum density of the material. Travel may be allowed over base course to assist in compaction of the material. Mixing and blading of the base course material on the street will be required if the material as spotted is non-uniform. However, blading will be held to a minimum in order to avoid the floating of the heavier rock particles to the surface. Concurrently with the wetting operation the material shall be uniformly compacted by rolling.
- E. COMPACTION:** Materials shall be compacted to ninety-five (95) percent of the maximum density at optimum moisture. The number of compaction tests and locations shall be determined by a Colorado Registered Professional Engineer. The results of the compaction tests shall be provided to the County Official upon engineer's certification. Compaction tests will be at the expense of the developer or contractor.
- F. COMPACTION TEST FAILURE:** If the required state of compaction is not obtained, it shall be the responsibility of the contractor to re-compact the material as specified above. In cases where there is repeated failure to achieve the required state of compaction the County Official may require that the back-fill be removed and re-compacted in six (6) inch lifts.
- G. SURPLUS MATERIAL:** Any surplus base course material deposited upon the concrete curb and gutter during the construction of the base course shall be removed prior to any further construction operations.
- H. FROZEN CONDITIONS:** No base course shall be placed on a frozen or spongy sub-base

and no base course shall be placed or rolled while in a frozen condition.

- I. CERTIFICATION OF MATERIALS:** The Contractor shall provide the County Official with a written certification from the supplier that the base course material used is in accordance with the requirements of VI-B. The County Official in the absence of a written certification may require that samples of the materials be delivered to an approved testing laboratory for testing to insure compliance with these specifications at the expense of the Contractor or Developer.

- J. COUNTY APPROVAL PROCEDURES:** The County Official will approve the base materials and installation upon receipt of a certification from a Colorado Registered Professional Engineer that the installation was in accordance with the engineering specifications.

V. ASPHALT PAVING MATERIALS AND PROCEDURES

A. TACK COAT:

1. **Description:** Tack coats are required on all pavement overlays or on all pavements being constructed in two (2) or more courses. Such tack coats will be placed between two (2) courses i.e., on the previous course.
2. **Surface Preparation:** Before applying the tack coat, surfaces shall be thoroughly cleaned of all dirt and other debris to insure adequate bond between tack surface and asphaltic mat.
3. **Liquid Asphalt:** The liquid asphalt used for tack coat shall be an emulsified asphalt grade CSS-1 or CSS-1h or SS1 or SS 1h. Other emulsified asphalt may be used upon written permission of the Engineer.
4. **Placing:** The rate of applications shall be one-tenth (0.1) gallons per square yard and provide a uniform and even coating of the surface. The surface shall be allowed to cure to permit drying and setting of the tack coat prior to the paving operation.

B. ASPHALTIC CONCRETE PAVEMENT:

1. **Description:** Asphaltic concrete pavement shall consist of asphalt cement uniformly mixed with well graded aggregate and laid upon the prepared surface along the lines and to the thickness as shown on the approved plans.
2. **Materials:** Asphalt Cement - The asphalt cement for pavement mixture shall be AC10 or AC20 and shall conform to the requirements of AASHTO-M226, or as revised and it shall contain anti-strip at a five-tenths percent (0.5%) rate. The asphalt cement content shall be six (6) percent to seven (7) percent by weight of the mixture, dependent upon the requirements of the job mix formula. The asphaltic cement shall be homogenous, free from water and show no tendency to foam when heated to three-hundred and forty-seven (347) degrees Fahrenheit. The spot test shall be negative for all grades when conducted with a naphthaxylene solvent containing not more than ten (10) percent xylene by volume.

Asphalt cement shall not be heated during the process of its manufacture, storage or during construction to a temperature so as to cause the formation of carbonized particles.

At no time shall the temperature in storage be more than ten (10) degrees Fahrenheit below the actual flash point of the asphalt cement, nor shall the temperature of the asphalt cement to be raised above three-hundred and seventy-five (375) degrees Fahrenheit after loading in a tank for transportation from the refinery to the purchaser.

3. **Aggregate:** The coarse and fine aggregates for the mixture shall be graded and

combined in such proportions that the resulting composite blend meets the grading requirements of the job mix formula. The following gradation table is for identification of material for bidding purposes only:

<u>SIEVE DESIGNATION</u>	<u>GRADATION I % PASSING</u>	<u>GRADATION II % PASSING</u>	<u>GRADATION III % PASSING</u>
3/4"	100	100	---
1/2"	70 - 95	---	100
3/8"	68 - 88	---	---
No. 4	40 - 70	38 - 72	45 - 78
No. 8	28 - 58	25 - 58	30 - 60
No. 50	9 - 32	---	---
No. 100	---	---	---
No. 200	3 - 12	3 - 12	3 - 12

Coarse aggregate (*material retained on the No. 8 sieve*) shall have not more than forty-five (45) percent wear per the "Los Angeles Abrasion Test". Fine aggregate (*material passing the No. 8 sieve*) shall have a maximum loss of twelve (12) percent at five (5) cycles in a sodium sulfate solution by the "Soundness of Aggregates Test".

The aggregate shall be free from vegetable material, clay and deleterious substances.

Fifty (50) percent by weight of the combined coarse aggregate shall consist of crushed pieces having one or more fractured faces.

Mineral filler shall conform to the requirements of ASTM D242.

4. Asphalt-Aggregate Mixtures: (*Job mix formula*)

The Contractor shall furnish to the County Official a mix design from an approved testing laboratory of the asphaltic concrete he proposes to use. The job mix formula shall be within the range as shown in the table above with allowable tolerances.

Marshall Stability	1200 Min.
Marshall Flow (1/100th inch)	8 Min. - 16 Max.
Swell (Hveem), inches	0.03
Percent Air Voids	3 Min. - 5 Max.
Percent Voids filled w/ bitumen	75-85
Wet/Dry Stability Ratio	75 Min.

Tolerances for the job-mix formula shall be as follows:

Aggregate Passing No. 4 and larger sieves	± 7%
Aggregate Passing No. 8 through No. 100 sieves	± 5%
Aggregate Passing No. 200 sieve	± 3%
Asphalt Cement	± 0.3%

5. **Testing:** All samples and tests shall be made in accordance with approved ASTM procedures. All costs of providing samples and tests herein are the responsibility of the Contractor.

C. MIXING PLANT: The requirements of this section shall be the same as Section "Bituminous Mixing Plant" of the Standard Specifications for Road and Bridge Construction, by the Colorado State Highway Department 1991 edition. For plant inspection, the County Official or approved laboratory shall have full right to enter at any time and conduct necessary tests to insure compliance with these specifications.

D. MATERIAL PREPARATION AND MIXING: The asphalt cement shall be heated at the paving plant to a temperature at which it can be applied uniformly to the aggregate. The aggregates shall be dried and heated to the required temperature. Immediately after heating and drying the aggregates shall be screened and stored in two or more bins ready for mixing with asphalt cement.

The dried aggregates shall be combined in the mixer in the amounts necessary to satisfy the job-mix formula. The asphalt cement shall be measured and introduced into the mixer in an amount specified by the job-mix formula.

The asphalt cement and the aggregate shall be introduced into the mixer within thirty-five (35) degrees Fahrenheit of each other. The mixing temperature shall be greater than two-hundred and twenty-five (225) degrees Fahrenheit and less than three-hundred and twenty-five (325) degrees Fahrenheit. The temperature of the mixture delivered to the paving machine shall not be less than two-hundred and twenty-five (225) degrees Fahrenheit.

After the required amounts of asphalt cement and aggregate have been introduced into the mixer the materials shall be mixed until a complete and uniform coating of the particles and thorough distribution of the asphalt cement throughout the aggregate is secured.

E. CONSTRUCTION METHODS:

1. **Hauling Equipment:** Trucks used for hauling the asphaltic concrete mixture shall be equipped with tight, clean, smooth metal beds. When directed by the County Official, the beds shall be coated with an oil or other approved material to prevent the mixture from adhering to the beds, also each load shall be covered with canvas or other suitable material of sufficient size to protect it from weather conditions.

2. **Paving Machines:** Unless otherwise permitted by the Engineer, the mixture shall be spread by means of a self-propelled paver, with an activated screed or strike-off assembly and capable of spreading and finishing the asphaltic concrete mixture to the line, grade and crown as shown on the plans.

The paver shall be equipped with a receiving hopper having sufficient capacity for a uniform spreading operation. The hopper shall be equipped with a distributing system to place the mixture uniformly in front of the screed. The mixture shall be dumped in the center of the hoppers, and care exercised to avoid over loading and spilling over of the mixture onto the base.

The screed or strike-off assembly shall be capable of being operated at the necessary forward speeds for satisfactory placement. The operation of the paver shall be such to attain continuous paving.

3. **Rollers:** Rollers shall be steel wheeled and/or pneumatic tire type and be in good condition, capable of reversing without backlash. They shall weigh not less than eight (8) tons. All rollers shall have a water system capable of keeping the wheels properly moistened to prevent adhesion of the mixture to the wheels.
4. **Paving Surface:** After the pavement base has been prepared, it shall be made ready for paving by clearing any loose material off and applying a prime coat as specified in Section V., A., 4. of these specifications. The rate of application of the prime coat shall be three-tenth (0.3) gallons per square yard. Edges of all contact surfaces such as curb and gutter, manholes, crosspans and other structures shall be coated with the prime coat material as herein described before paving. When more than one lift is required, a tack coat shall be used between courses of pavement in accordance with Section VII., B. of these specifications.
5. **Asphaltic Pavement Thickness:** A minimum of thickness of three (3) compacted inches of asphalt mat shall be required unless a greater thickness is required by the design engineer. The construction of pavement of roadways will be as follows:
 - a. Three (3) inches compacted thickness mat will be done in one course;
 - b. All asphalt mats of over three (3) compacted inches will be done in courses as mutually agreed to by the developer and the County Official.
6. **Spreading, Finishing and Compaction:** The mixture shall be laid upon the approved base surface, spread, and struck off to the grade and elevation required. Pavers shall be used to distribute the mixture over the entire surface except where hand placing is necessary.

On the areas where the use of mechanical pavers cannot be used, the mixture shall be spread, raked and luffed by hand tools. When material is shoveled, it shall be deposited by turning the shovel over above the desired area. No "slinging" of the shovel will be permitted. The hand placed material shall be smoothed and left higher than the machine laid material by about one-fifth (1/5) inch per one (1) inch of depth prior to rolling. If the machine laid mixture has been rolled, then the hand laid mixture shall be smoothed and left higher than the rolled pavement by about one-fifth (1/5) inch per one (1) inch depth. The majority of the raker's work shall be done with a lute rather than a tined rake.

Segregation of materials shall not be permitted. If segregation occurs, the spreading operation shall be immediately suspended until the cause is determined and corrected.

Placing the mixture shall be as continuous as possible. All surface irregularities shall be adjusted by the addition or removal of mixture prior to rolling. After the mixture has been spread, struck off and surface irregularities adjusted, it shall be thoroughly and uniformly compacted by rolling.

The surface shall be rolled at a specified breakdown temperature which shall be determined by the contractor's foreman and the Engineer or County Official at the beginning of the job. The breakdown temperature shall be such that the required density is obtained without displacement, cracking, or shoving of the mixture. The rollers shall operate at a speed slow enough to avoid displacements or "crawl" of the mixture. Any displacement shall be immediately corrected by means suitable to the County Official.

The number, weight, and type of rollers furnished shall be sufficient to obtain the required compaction while the mixture is in a workable condition. The minimum number of rollers shall be two. Heavy equipment or rollers shall not be allowed to stand on freshly placed pavement.

Unless otherwise directed, rolling shall begin at the sides and proceed longitudinally parallel to the street centerline, each pass overlapping one-half (1/2) the roller width, gradually progressing to the crown of the street. When paving adjacent to a previously placed lane, the longitudinal joint shall be rolled first followed by the regular rolling procedure.

Rolling shall be continued until all roller marks are eliminated and no further compression is possible. The minimum density of the compacted mixture shall be ninety-five (95) percent of the maximum density required to provide a laboratory compacted specimen made in the same proportions as the job-mix formula.

Along forms, curbs, manholes, and other places not accessible to rollers, the mixture shall be thoroughly compacted with hand tampers or with mechanical tampers. The joints between these structures shall be effectively sealed.

Any mixture that becomes loose and broken, mixed with dirt, or is in any way defective shall be removed and replaced with fresh hot mixture, which shall be compacted to conform with the surrounding area.

7. **Joints:** Transverse joints shall be formed by cutting through the previously laid course to expose the full depth of the course. A coat of tack coat material shall be used on contact surfaces of all joints just before additional mixture is placed.
8. **Weather Limitations:** The placing and compacting of asphaltic surfacing shall be performed only when weather conditions are suitable. Asphaltic surfacing shall not be placed on surfaces which are damp or wet nor when the temperature of the surface on which the asphaltic pavement is to be placed is less than forty (40) degrees Fahrenheit and the atmospheric temperature is less than forty (40) degrees Fahrenheit. The temperature of the mixture delivered to the job site shall not be less than two-hundred and twenty-five (225) degrees Fahrenheit. When the atmospheric temperature is less than fifty degrees Fahrenheit all roads shall be delivered continuously in covered vehicles.
9. **Surface and Thickness Tolerances:** The surface of the finished pavement shall be free from depressions exceeding three-sixteenths (3/16) inch in ten (10) feet, when tested with a straight edge. All depressions exceeding the specified tolerances shall be corrected by removing defective work and replacing it with new material as directed. The surface shall be smooth and true to the established crown and grade.

F. CERTIFICATION OF MATERIALS: The Contractor shall provide the County Official with a written certification from the supplier that the prime coat, tack coat and asphalt comply with these specifications. The County Official in the absence of a written certification may require that samples of the materials be delivered to an approved testing laboratory for testing to insure compliance with these specifications, at the expense of the Contractor.

G. COUNTY APPROVAL PROCEDURES: The County Official will approve the tack coat and asphalt installation upon receipt of a certification from a Colorado Registered Professional Engineer that installation was in accordance with these engineering specifications.

VI. CURB, GUTTER AND SIDEWALK MATERIALS AND PROCEDURES

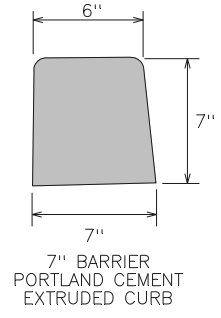
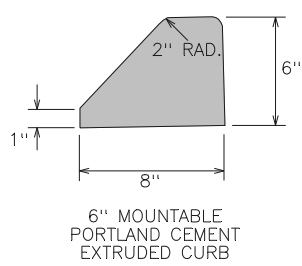
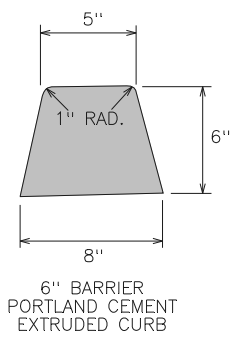
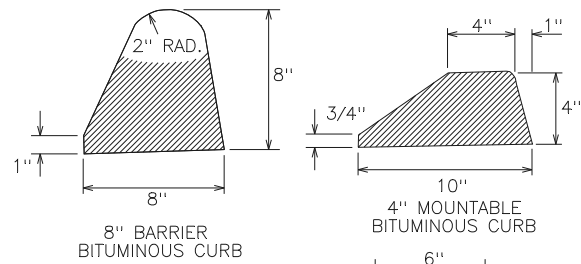
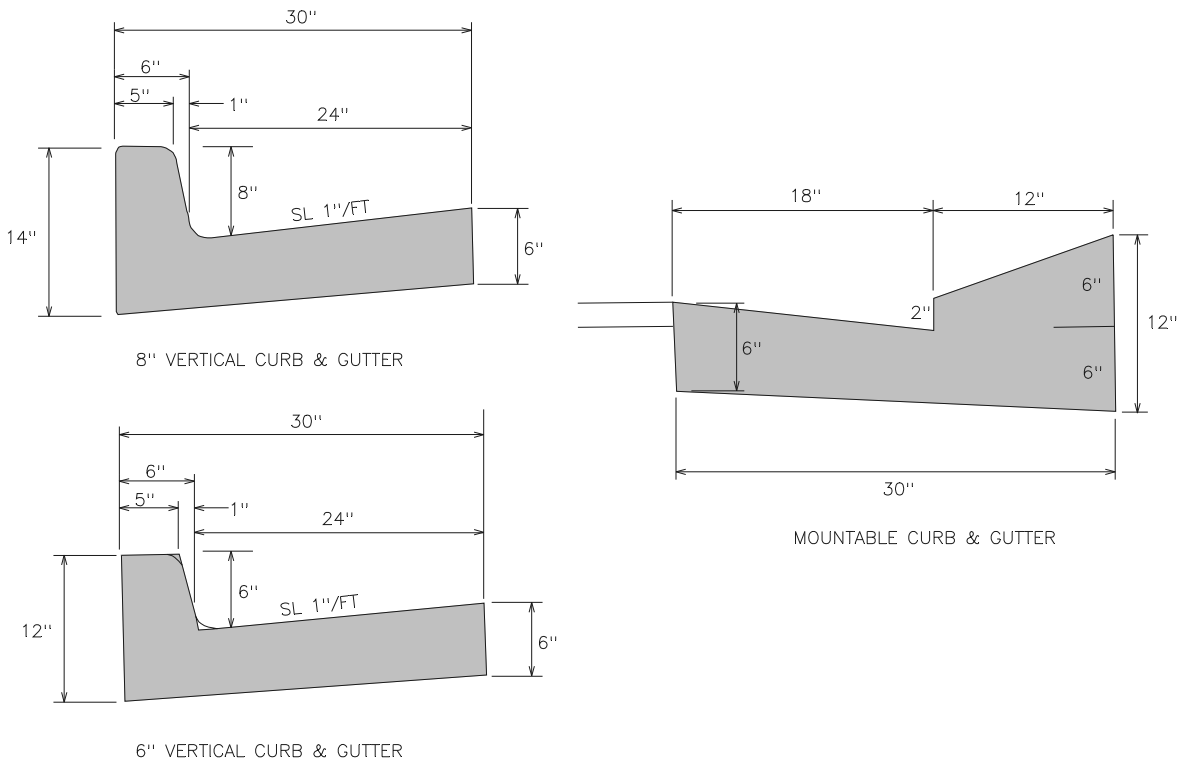
See figures 1-3

A. CURB AND GUTTER TYPES AND USES:

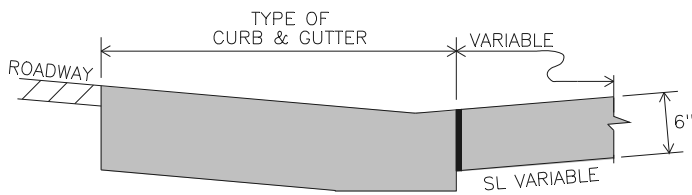
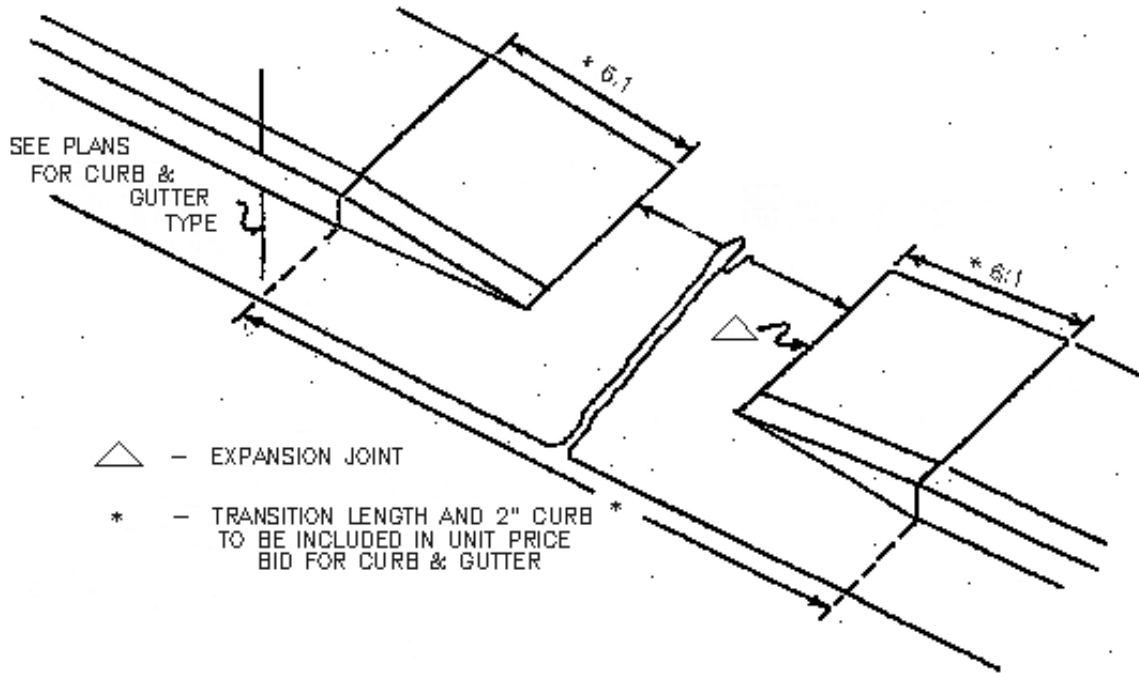
1. The approved types of curbed sections are shown in Figure 1. The curb heads shall be six (6) inches vertical or eight (8) inches vertical on all County streets abutting residential, commercial and industrial development. Arterial streets in the urbanizing area will require vertical curbs. Ramp type curbs may be allowed in lieu of vertical curbs in areas where the carrying capacity for storm water is secondary to delineation and separation but only with the recommendation of the Contractor's Engineers.
2. Valley gutters are generally used when it is necessary to carry drainage across a highway only when side drains or storm sewer inlets are not feasible. The use of valley gutters is generally discouraged. See Figure 2 for details on valley gutter construction.
3. Bituminous curbing is generally discouraged in use, and in lieu of bituminous curbing the extruded portland cement curb may be used, however, the use of this type curb shall be limited and used at locations approved by the County Official. Extruded curbing must be glued to road surface by approved epoxy cements.
4. The curbs, curb and gutters, and the dimensions thereof to be used shall be shown on the construction plans.

B. GENERAL DESIGN STANDARDS FOR SIDEWALKS:

1. **Sidewalk width:**
 - a. Single-family residential areas: Four (4) feet.
 - b. Multi-family and business areas: Six (6) feet.
2. **Sidewalk thickness:** All sidewalks shall be constructed of concrete and shall have a minimum thickness of four (4) inches.
3. **Sidewalk locations:** The following is a list of the types of sidewalks permitted:
 - a. A sidewalk may be built adjacent to the curb and gutter.
 - b. A sidewalk may be detached from the curb and gutter, adjacent to property lines.
4. **Sidewalks at street intersections:** These sidewalks shall be ramped, as the curb heads are lowered to provide access to and from the sidewalks for physically impaired persons in those certain areas being commercial or industrial centers. See figure 3.

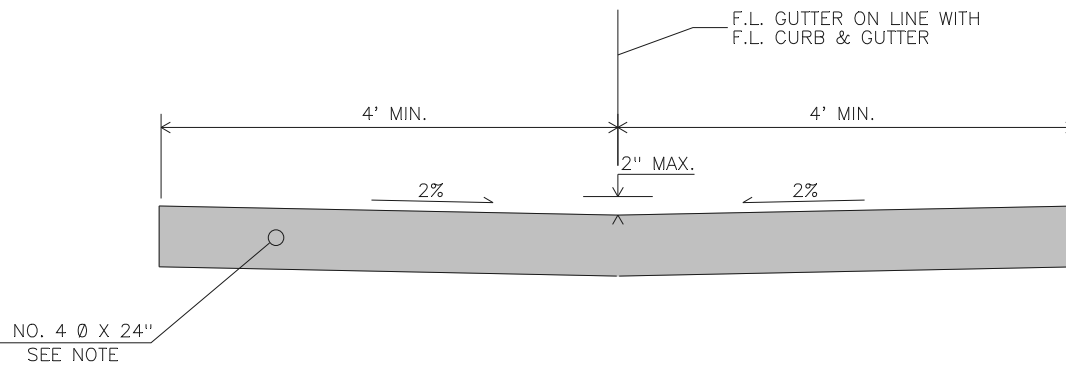


TYPICAL CROSS SECTIONS CURBS – CURB AND GUTTERS
FIGURE 1

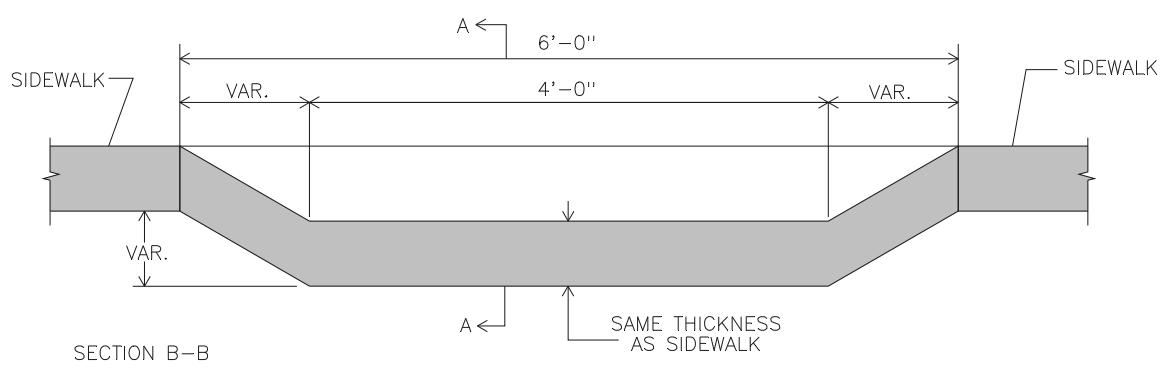
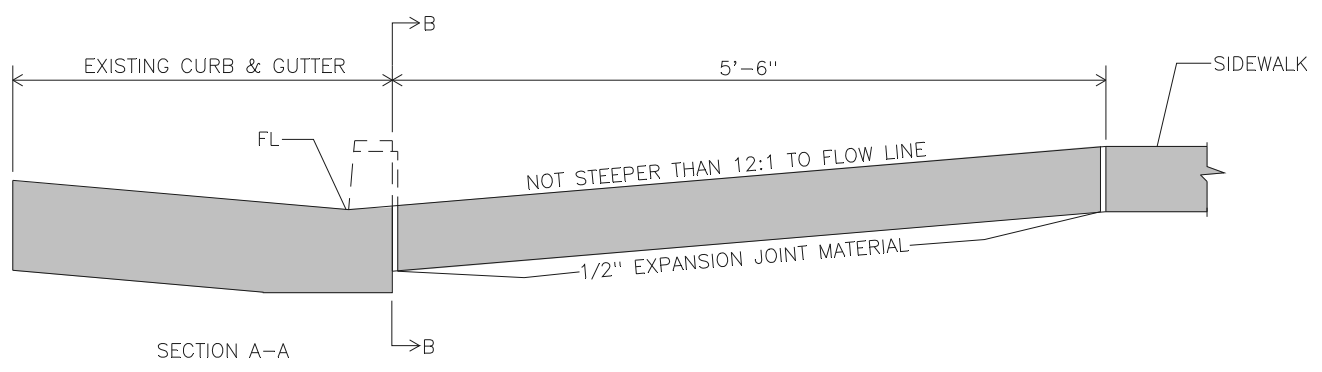
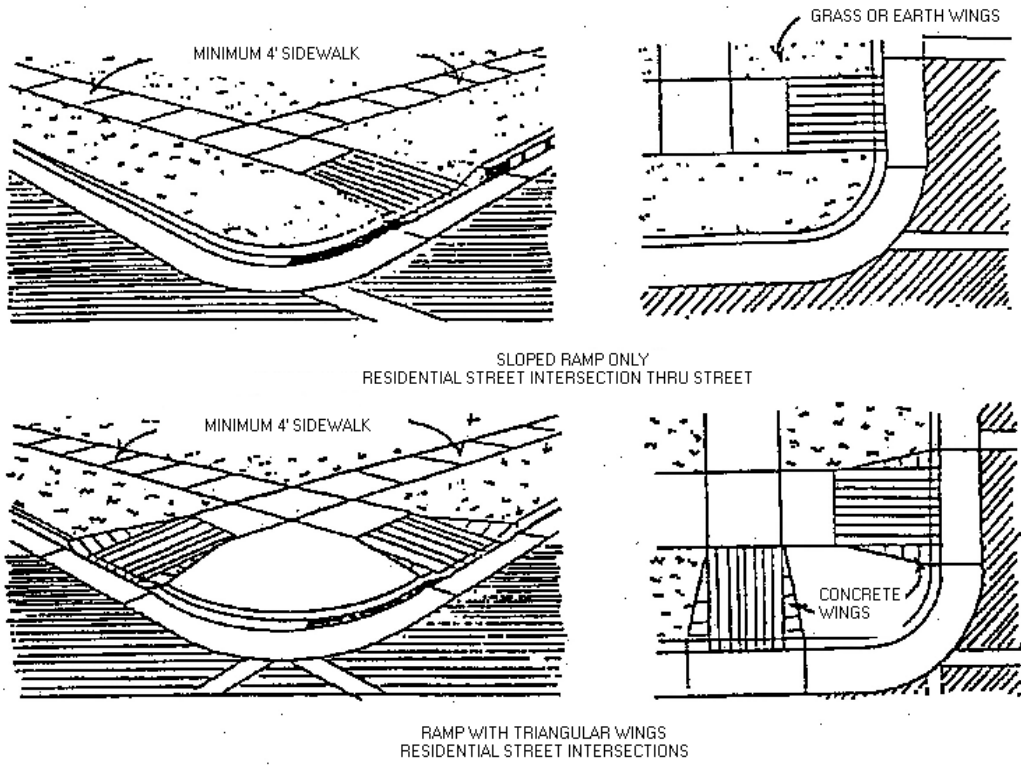


CONCRETE PAVEMENT DRIVEWAYS

NOTE: WHERE TRAFFIC MUST BE MAINTAINED, ONLY 1/2 OF GUTTER LENGTH SHALL BE CONSTRUCTED JOINT SHALL BE DOWELED WITH 7 EACH NO. 4 Ø x 24



CONCRETE VALLEY GUTTER
FIGURE 2



TYPICAL CURB RAMP

FIGURE 3

C. MATERIALS:

1. **Base Material:** Base material shall consist of sand and hard, durable fragments of rock together with filler material which when combined with the balance of the surfacing material will conform with the mechanical analysis and other requirements of these specifications. Fifty (50) percent or more by weight shall not pass a #4 sieve and shall have at least one fractured face. The material shall be a well graded mixture containing sufficient soil mortar, crusher dust or other proper binding material which, when placed and compacted on, the sub-base will result in a firm, dense, stable surface. Material shall be free from vegetable matter, lumps and balls of clay, ice or other deleterious matter.
 - a. The material shall be uniformly graded coarse to fine and meet the following requirements:

<u>SIEVE SIZE</u>	<u>PERCENT PASSING</u>
3/4"	100%
No. 4	30 - 65%
No. 8	25 - 55%
No. 200	3 - 12%

Material shall have a liquid limit of not more than thirty (30) and a plasticity index of not more than six (6). Tests for Liquid Limit and Plasticity Index shall be in accordance with AASHTO Standard Test T-89 and T-90 respectively.

- b. **Construction Methods:** Base coarse material will be placed to the thickness shown on construction plans, but not less than seven (7) inches, as prepared under the direction of a Professional Engineer. All base and sub-base will be compacted to a minimum density of ninety-five (95) percent. No base or sub-base shall be placed on frozen or spongy ground or rolled or compacted while in a frozen condition.
2. **Concrete:** All concrete shall be Portland Cement conforming to the most current provisions of ASTM C-150 "Standard Specification for Portland Cement".
 - a. **Curb and Gutter:** The minimum cement content shall be six (6) sacks per cubic yard of concrete. Total water content to the concrete should not exceed six (6) gallons of water per one-hundred (100) pounds of concrete. Slump shall be not less than one (1) inch nor more than four (4) inches. Slump shall be determined in accordance with the most current provisions of ASTM C-143 "Standard Test Method for Slump of Portland Cement Concrete". Minimum thirty (30) day compressive strength shall be three-thousand (3,000) pounds per square foot.
 - b. **Sidewalks:** The minimum concrete content shall be five and one-half (5 ½) sacks per cubic yard of concrete. Slump shall be not less than one (1) inch nor more than

four (4) inches. Slump shall be determined in accordance with ASTM C-143 as noted above.

3. **Aggregates:** Concrete aggregates shall conform to the most current "Specification for Concrete Aggregates", ASTM C-33. Aggregate shall not contain more than two (2) percent soft particles. When tested according to ASTM Standard C-136, the aggregates shall conform to the following gradations:

<u>SIEVE SIZE</u>	<u>% PASSING COURSE AGGREGATE</u>	<u>% PASSING FINE AGGREGATE</u>
3/4"	100%	---
1/2"	90 - 100%	---
3/8"	40 - 70%	100%
No. 4	0 - 15%	95 - 100%
No. 8	0 - 5%	---
No. 16	---	45 - 80%
No. 50	---	10 - 30%
No. 100	---	2 - 10%

Concrete aggregates shall consist of sand and gravel, gravel, crushed stone or limestone. The particles shall be clean, hard, durable and of uniform quality free from any injurious materials.

4. **Water:** Water used in mixing concrete shall be potable, clean and free from injurious amounts of oils, acids, alkalis, salts, organic materials or other substances that may be deleterious to concrete or steel.

5. **Reinforcing Steel:**

- a. Deformed and Plain Billet - Steel Bars for Concrete Reinforcement AASHTO M-31.
- b. Fabricated Steel Bar or Rod Mats for Concrete Reinforcement AASHTO M-54.
- c. Welded Steel Wire Fabric for Concrete Reinforcement AASHTO M-55.

Bars conforming to AASHTO M-31 shall be furnished in Grade 40 unless otherwise designated. In AASHTO M-54 bars conforming to AASHTO 47 will not be permitted.

6. **Admixtures:** Air entraining mixtures shall conform to the most recent requirements of AASHTO M-154. Air entraining Portland cement if used shall conform to "Specifications for Air Entraining Portland Cement, ASTM C-175". Contractors may, at their option, use a water-reducing admixture conforming to "Specification for Chemical

Admixture for Concrete, ASTM C-494". Fly ash or other pozzolans used as admixtures shall conform to "Specifications for Fly Ash and Raw or Calcined Natural Pozzolans for Use in Portland Cement Concrete ASTM C-618". Due to increased shrinkage and susceptibility to sulfate attack, Calcium Chloride will not be permitted.

7. **Air Content:** All concrete shall be air entrained with a minimum air content of five (5) percent and a maximum of seven (7) percent. The air content shall be measured by "Test for Air Content of Freshly Mixed Concrete by the Pressure Method" (ASTM C-231), "Test for Air Content of Freshly Mixed Concrete by the Volumetric Method" (ASTM C-173) or "Test for Weight for Cubic Feet, Yield and Air Content Gravimetric of Concrete" (ASTM C-138). Cement and aggregates shall be stored in such a manner as to prevent deterioration or the intrusion of foreign material.
8. **Mixing of Concrete:** All concrete shall be mixed until there is a uniform distribution of the materials and shall be discharged completely before the mixer is recharged. Concrete may be mixed at the site of the work, in a central mix plant, or in truck mixers. The mixer shall be of an approved type and capacity. Mixing time shall be measured from the time all materials, except water, are in the drum. Concrete shall be mixed and delivered in accordance with the requirements of "Standard Specifications for Ready Mixed Concrete", ASTM C-94, with the following exceptions:
 - a. When mixed at the site of the work or in a central mixing plant, the mixing time shall not be less than fifty (50) seconds nor more than ninety (90) seconds. Four (4) seconds shall be added to the specified mixing time if timing starts the instant the skip reaches its maximum raised position. Mixing time ends when the discharge chute opens. Transfer time in multiple drum mixers is included in mixing time. The contents of an individual mixer drum shall be removed before a succeeding batch is emptied therein. The time elapsing from the time water is added to the mix (*or cement comes in contact with the aggregate*) until the concrete is deposited in place at the site of the work shall not exceed forty-five (45) minutes when the concrete is hauled in non-agitating trucks, nor ninety (90) minutes, when hauling in truck mixers or truck agitators.
 - b. Transit mixed concrete shall conform with one of the following, in addition to the requirements of ASTM C-94:
 - (1) Concrete mixed completely in a truck mixer may be partially mixed at the batching plant or while in transit, however, the final fifty (50) mixing revolutions shall occur at the delivery site before discharge of the concrete.
 - (2) The Contractor will be permitted to partially mix concrete in a stationary central mixing plant with mixing brought to completion in a truck mixer (*known as shrink mixing*). For shrink mixed concrete the mixing time in the stationary

mixer may be reduced to a minimum of thirty (30) seconds. Mixing shall be completed in a truck mixer by not less than twenty (20) revolutions of the drum at mixing speed, at the delivery site.

9. Placing of Concrete:

- a. **General:** Concrete shall not be placed until forms and reinforcing steel (*if needed*) have been checked and approved. Before depositing concrete, debris shall be removed from the space to be occupied by the concrete. Concrete shall be deposited on a dry surface, free from ice or other deleterious material. Concrete shall be handled from the mixer or in the case of ready mixed concrete, from the transporting vehicle to the place of final deposit as rapidly as practicable by methods which shall prevent the separation or loss of the ingredients. Under no circumstances shall concrete that was partially hardened be deposited. Concrete shall be deposited in the forms as nearly as practicable to its final position to avoid rehandling. During and immediately after depositing, all concrete shall be thoroughly compacted and worked around all reinforcements and embedments and into corners of the forms freeing any trapped air or water. Concrete shall be compacted with suitable mechanical vibrators operating within the concrete. They shall be capable of transmitting vibrations to the concrete at frequencies of not less than four-thousand and five-hundred (4,500) impulses per minute. Vibration shall be of sufficient duration to accomplish compaction, but shall not be prolonged to the point where segregation begins.
- b. **Chutes and Troughs:** Concrete shall be placed so as to avoid segregation of materials and the displacement of reinforcement. Concrete shall not be pumped through aluminum alloy pipe. Concrete shall not be dropped for more than eight (8) feet unless confined by closed chutes or pipes. All chutes, troughs and pipes shall be kept clean and free of hardened concrete.
- c. **Cold Weather Concrete:** When it is necessary to place concrete at or below an atmospheric temperature of thirty-five (35) degrees Fahrenheit, the water, aggregates or both shall be heated and suitable enclosures and heating devices provided. In freezing weather, suitable means shall be provided for maintaining the concrete at a temperature above fifty (50) degrees Fahrenheit for a period of at least seventy-two (72) hours. Before concrete is placed, the form will be checked for frost or ice, and after the concrete is placed it shall be protected on all exposed sides by:
 - (1) Three (3) inches of straw covered with plastic;
 - (2) Insulated blankets, or other means as approved by the County Official.

10. **Forms:** Forms shall conform to the shape, lines and dimensions and depth as needed for the work to be done. Forms shall be constructed of wood, metal or other material

approved by the County Official and shall conform to the following requirements:

- a. **Wood forms:** Shall be of such a cross section and strength and so secured as to resist the pressure of the concrete when placed without springing or settling. When any form has been disturbed or any grade has become unstable, the forms shall be reset and rechecked. Flexible forms of proper radius shall be used for curves of one-hundred (100) feet or less. Straight wood forms shall have a minimum thickness of one and five-eighths (1 & 5/8) inch.
- b. **Metal forms:** Shall be a type where all bolts and rivet heads shall be counter sunk. Clamps, pins and other connecting devices shall be designed to hold the forms rigidly together and to allow removal of the form without injury to the concrete. Metal forms which do not line up properly shall not be used. Metal forms shall be free from rust, grease and other materials.
- c. **Slip forms:** As an alternative to using fixed forms, a slip form paver may be used providing it has first been approved by the County Official prior to beginning of construction.
- d. **Surface treatment:** All metal forms shall be treated with oil prior to placement of concrete. Wood forms shall be thoroughly moistened with water immediately before the placing of concrete. Forms for members with exposed surfaces shall be treated with an approved oil before reinforcement shall be removed.
- e. **Removal of forms:** Forms shall be removed in a manner to insure safety of the structure. In no case shall the forms be removed before the concrete attains sufficient strength.
- f. **Reuse of forms:** The shape, strength, rigidity, water tightness and smoothness of reused forms shall be maintained at all times. Unsatisfactory forms shall not be used.
- g. **Test strength:** The minimum acceptable compressive strengths as determined by ASTM C-39 shall be:

	<u>AGE</u>	<u>MINIMUM STRENGTH</u>
Curb and Gutter	7 days	2800 psi
	28 days	3000 psi
Sidewalk	28 days	3000 psi

- 11. **Finishing Concrete Surfaces:** Unless otherwise authorized, the surface of the concrete shall be finished immediately after form removal. All irregular projections shall be removed from all surfaces except those which will not be exposed. Cavities produced by the form ties, honeycomb spots, broken corners or edges, and other defects shall be

thoroughly cleaned, moistened with water and carefully pointed and trued with a mortar consisting of cement and fine aggregate and the surface left sound, smooth and even in color. Mortar used in pointing shall be not more than thirty (30) minutes old.

The finish for horizontal surfaces shall be achieved by placing an excess of material in the form and removing and striking off the excess with a template, forcing the aggregate below the mortar surface. Creation of concave surfaces will be avoided. Before the finish has set, the surface cement film shall be removed with a fine brush or broom in order to have a fine grained, smooth but sanded texture.

12. **Curing Concrete:** Immediately after forms have been removed, all concrete shall be cured as specified herein. The minimum curing period shall be one-hundred and twenty (120) hours. During hot weather all surfaces from which the forms have been removed and all unformed surfaces shall be kept moist by wet curing for a least twenty-four (24) hours. At the end of twenty-four (24) hours wet curing period, the surfaces may be treated with a curing compound.

One of the following methods shall be adopted in normal weather (*temperature above fifty (50) degrees Fahrenheit*) conditions:

- a. **Water method:** All surfaces other than slabs shall be protected from the sun and the whole structure shall be kept wet for a period of at least five (5) days. Curbs, walls, handrails and other surfaces requiring a rubbing finish may have the covering temporarily removed for finishing, but the covering must be restored as soon as possible. All concrete slabs shall be covered as soon as possible with suitable material so that concrete is kept thoroughly wet for at least five (5) days.
- b. **Membrane forming curing compound:** All surfaces shall be given the required surface finish prior to application of the curing compound. During the finishing period, the concrete shall be protected by the water method of curing.

Type 2 curing compound may be used on concrete surfaces. Curing compound shall not be used on construction joints.

The rate of application of curing compound shall not be more than three-hundred (300) square feet per gallon. All concrete cured by this method shall receive two (2) applications of the curing compound. The first coat shall be applied immediately after stripping of forms and acceptance of the concrete finish. If the surface is dry, the concrete shall be thoroughly wet with water and the curing compound applied just as the surface fill of water disappears. The second application shall be applied after the first application has set. During curing operations, any unsprayed surfaces shall be kept wet with water.

The coating shall be protected against marring for a period of at least ten (10) days after application. Any coating marred, or otherwise disturbed shall be given an additional coating. When using a curing compound, the compound shall be thoroughly mixed within an hour before use.

If the use of curing compound results in a streaked or blotchy appearance, the method shall be stopped and water curing applied until the cause of the defective appearance is corrected.

- c. **Form method:** Concrete shall be protected by forms for at least seven (7) days. Forms shall be kept moist, when necessary, during the curing period.
- d. **Cold weather requirements:** During cold weather, means shall be provided for maintaining the concrete at a temperature of at least fifty (50) degrees Fahrenheit for at least three (3) days after placing. As long as forms remain in place, surfaces adjacent to the forms are adequately cured in cold weather. For unformed surfaces, steam curing is preferable. If a curing compound is used, it should not be applied until the use of steam has been discontinued. When dry heating is used, the concrete shall be covered with an approved impervious material or curing compound. Water curing shall not be used.

Following removal of temperature protection no positive measures to prevent excessive evaporation are required as long as the air temperature remains below fifty (50) degrees Fahrenheit. However, if the relative humidity at fifty (50) degrees Fahrenheit is below forty (40) percent or at forty (40) degrees Fahrenheit below sixty (60) percent a curing compound shall be used (*water curing is acceptable if no freezing is expected*). When temperatures above fifty (50) degrees Fahrenheit occur during more than half of any twenty-four (24) hour period, normal curing practice shall apply.

- e. **Curing materials:** Shall conform to the following requirement as specified:
 - (1) Burlap cloth made from Jute or Kenaf AASHTO M183.
 - (2) Liquid Membrane - Forming Compounds for Curing Concrete AASHTO M148.
 - (3) Sheet Materials for Curing Concrete AASHTO M171.
 - (4) Straw used for curing shall consist of threshed straw or oats, barley, wheat or rye. Clean field or marsh hay may be substituted for straw when approved by the County Official. Old straw which breaks in the spreading process will not be accepted.

13. **Expansion Joints:** Non-extruding pre-molded expansion joint material of one-half ($\frac{1}{2}$) inch thickness shall be placed at least once every one-hundred (100) feet, at the junction of new concrete with existing concrete or existing structures at the tangent parts of all alley and intersection returns. Masonite, Cellotex, or other substitutes will not be accepted unless approved by the County Official prior to construction.
14. **Contraction Joints:** Cross pans, curb and gutter and driveways shall be divided into sections of length by contraction joints. A contraction joint formed by division plates shall be used in such a manner so the cross pan, or curb and gutter will be divided into uniform sections of ten (10) feet except where shorter sections are necessary for closures but no section shall be less than four (4) feet in length. The plates shall be one-eighth ($\frac{1}{8}$) inch thick, fit neatly into the forms and be set perpendicular to the surface of the concrete and shall project through the curb head no more than one-third ($\frac{1}{3}$) of the depth of the gutter slab. The shape of the divider plate shall conform to the curb and gutter section with the exception that the lower two-thirds ($\frac{2}{3}$) of the divider plate shall be removed. This joint may be constructed by other methods that would obtain the same desired results if recommended by the Contractor's Engineer.
15. **Backfilling:** Curb and gutter having fill sections shall have a two (2) foot berm constructed against the back of the curb and sloped to the existing round at a two (2) to one (1) slope. In cut sections the backfill shall be brought to the top of the curb so as to fill the area excavated during construction. The ground between the back of the curb or sidewalk line and property line shall be sloped not steeper than two (2) to one (1) and blended into existing lawn or ground surface. Upon completion of any curb and gutter, the site of the same shall be left in a neat and workmanlike manner. No backfilling will be permitted until the concrete has cured for a period of seven (7) days.
16. **Driveway Installation:** All driveways abutting curb and gutter, curb, gutter and sidewalk combination, drive over curb and gutter, cross pan or any cross gutter shall have a strip of non extruding expansion joint material one-half ($\frac{1}{2}$) inch thick, conforming to the cross-sections of the drive placed between the driveway and the sidewalk, curb, or cross gutter so as to provide for the concrete driveway or cross pans. Base under curb and gutter, cross pans, or sidewalks shall conform to requirements as set forth in Section VI B., 1. Base under driveways shall be prepared using suitable material that when tamped or rolled shall be smooth and firm and to the desired depth below finish grade. This material when tested shall meet ninety-five (95) percent minimum compaction. Minimum driveway thickness shall be six (6) inches and six by six (6X6) wire welded fabric will be used for reinforcement. Figures 2 and 3.

D. COMPACTION: Materials shall be compacted to ninety-five (95) percent of the maximum density at optimum moisture. The number of compaction tests and locations shall be determined by a Colorado Registered Professional Engineer. The results of the compaction

tests shall be provided to the County Official upon engineer's certification. Compaction tests will be at the expense of the Contractor or Developer.

- E. COMPACTION TEST FAILURE:** If the required state of compaction is not obtained, it shall be the responsibility of the Contractor to re-compact the material as specified above. In cases where there is repeated failure to achieve the required state of compaction the County Official may require that the backfill be removed and re-compacted.
- F. FROZEN CONDITIONS:** No base course shall be placed on a frozen or spongy sub-base and no base course shall be placed or rolled while in a frozen condition.
- G. CERTIFICATION OF MATERIALS:** The Contractor shall provide the County Official with a written certification from the supplier that the materials used in the curb, gutter and sidewalks are in accordance with these engineering specifications. The County Official in the absence of a written certification may require that samples of the materials be delivered to an approved testing laboratory for testing to insure compliance with these specifications at the expense of the Contractor or Developer.
- H. COUNTY APPROVAL PROCEDURES:** The County will approve the installation of curb, gutter and sidewalks upon receipt of certification from a Colorado Registered Professional Engineer that the curb, gutter and sidewalks were installed in accordance with the engineering specifications.

VII. ENACTMENT CLAUSE, EFFECTIVE DATE:

1. Upon approval and adoption by the County Commissioners of Fremont County, a certified copy of these Subdivision Regulations shall be filed, according to the law, in the office of the County Clerk and Recorder of Fremont County, Colorado.
2. These Subdivision Regulations shall become of full force and effect as of the date of its adoption, this being:

The _____ day of _____, 2000.

Chairman, Board of County Commissioners

Attest - Fremont County Clerk and Recorder