

SAGUACHE COUNTY LAND USE  
PO BOX 326 – SAGUACHE, CO 81149  
719-655-2321 FAX 719-655-2635  
APPLICATION FOR SUBDIVISION

Owners Name (all owners) \_\_\_\_\_

Mailing Address \_\_\_\_\_

City and State \_\_\_\_\_ Phone \_\_\_\_\_

A. APPLICATION CONDITIONS

1. This is a proposal to divide a parent parcel of land consisting of \_\_\_\_\_ acres into \_\_\_\_\_ tracts consisting of \_\_\_\_\_ acres each.
2. All lots shall have access to public road (name of road): \_\_\_\_\_  
This access is assured by \_\_\_\_\_ arrangements.
3. An adequate water supply can and will be provided by \_\_\_\_\_  
The Colorado Division of water Resources permit number for this source is \_\_\_\_\_  
(Water Court Decree or approved augmentation plan may be substituted for this permit number if attached.)
4. Adequate sewage disposal facilities can and will be provided through \_\_\_\_\_
5. Utilities will be provided by the following arrangements:  
Electricity: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Other: \_\_\_\_\_
6. Intended or proposed use for the tract(s) will be:  
\_\_\_\_\_  
\_\_\_\_\_

B. APPLICATION REQUIREMENTS

This application must be submitted a minimum of 45 days before the Plan Commission meeting at which a review is requested, and accompanied by:

1. A survey plat, prepared as required in Article II, of the Saguache County Land Development Code.
2. Fee as established by B.O.C.C. (\$1020.00 + \$25.00 per lot)  
Also a list of all landowners within 1500 feet of the subject property will be acquired from our office with the cost of \$17.50 for GIS Fee. Certified mailings will be sent to these landowners for a cost. Certified mailing fee must be paid before mailings will be sent.
3. Proof of Ownership
4. County Road Access approval, if applicable.

APPLICATION, ALL SUPPORTING DOCUMENTS AND FEES MUST BE RECEIVED BY THIS OFFICE AT LEAST 45 DAYS PRIOR TO ANY PLANNING COMMISSION MEETING.

ALL TAXES DUE MUST BE PAID ON EACH LOT BEFORE THIS REQUEST WILL BE APPROVED. A CERTIFICATE OF TAXES DUE WILL BE OBTAINED AT THE BEGINNING OF THE APPLICATION PROCESS AND BEFORE THE REQUEST IS TAKEN BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR APPROVAL.

IF APPLICANT HAS NOT COMPLETED ALL REQUIREMENTS WITHIN ONE YEAR, APPLICATION WILL BECOME VOID.

I hereby certify that the above information is true and accurate to the best of my knowledge. I further certify that I or we are legal owner(s) of record of the property that this Subdivision is being applied for.

Applicant needs to be aware that by signing this application you are giving the Saguache County Land Use office permission to access your property for purposes relating to this application.

\_\_\_\_\_  
Owner (all owners must sign)  
Date

Application received \_\_\_\_\_ by \_\_\_\_\_  
Date

County Representative

If any of the following condition exists, the Planning Commission may require additional reports.

\*\*\*\*\*  
FOR OFFICE USE ONLY  
\*\*\*\*\*

The land Use Office has determined that the area to be subdivided:

is            is not  
\_\_\_\_\_    \_\_\_\_\_ in a Geologic Hazard Area  
\_\_\_\_\_    \_\_\_\_\_ in a Fire Hazard Area  
\_\_\_\_\_    \_\_\_\_\_ in a critical Wildlife Habit Area  
\_\_\_\_\_    \_\_\_\_\_ in an Area with possible high groundwater levels

**Legal Description**

Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ Quarter Section \_\_\_\_\_

Subdivision \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_

Soil Type \_\_\_\_\_ Soil Survey Map \_\_\_\_\_

I, \_\_\_\_\_ hereby authorize \_\_\_\_\_  
Property Owner(s) Representative

to represent me and to make commitments consistent with this \_\_\_\_\_  
Application type

application that is before the Saguache County Planning Commissions and Board of  
County Commissioners. My representative is hereby granted the authority to make  
binding commitments on my behalf.

\_\_\_\_\_  
Property Owner(s)

\_\_\_\_\_  
Date

State of \_\_\_\_\_ )

County of \_\_\_\_\_ )

The forgoing was signed before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

By \_\_\_\_\_.

Witness my hand and seal.

My commission expires: \_\_\_\_\_

Notary: \_\_\_\_\_

SEAL

ARTICLE II

SUBDIVISION AND PLANNED UNIT DEVELOPMENT REGULATIONS  
SUBDIVISION EXEMPTIONS AND PLAT VACATIONS

**II.1. Purpose**

These regulations are designed and enacted for the purpose of protecting the health, safety, and welfare of present and future inhabitants of Saguache County, Colorado, by

- II.1.1. Regulating the location of activities, which may result in significant changes in population density;
- II.1.2. Ensuring that land subdivision plans conform with public improvement plans of existing subdivisions, Saguache County and its various municipalities;
- II.1.3. Ensuring the provision of an adequate source of water, sewage disposal and other essential services; and
- II.1.4. Recognizing the rights of the developer, the citizens, and the communities, and to ensure that any proposed development does not create an excessive burden on Saguache County taxpayers.

**II.2. Approval**

Saguache County approval is required when any parcel of land, within the unincorporated area of Saguache County, is divided into one or more parcels of land consisting of less than thirty-five (35) acres.

Approval is also required when a person or company holding properties within a platted subdivision and within the unincorporated area of Saguache County, is desirous of having the separate parcels combined into one legally described parcel of land. This vacation of lots may include removal, change of use or sale of property previously dedicated as a public way, ground, place or property.

**II.2.1. Preliminary Plan**

After the sub-divider has reached preliminary conclusions concerning the feasibility and design of the proposed subdivision, the preliminary plan will be prepared for the consideration of the Planning Commission and the Board of County Commissioners. The purpose of this process is to check it against the design standards, evaluation criteria and improvement requirements that have been established by Saguache County, thereby expediting approval of the final plan. The plan will consist of the preliminary plat and supplemental information required. Plans and planning shall be guided by the design standards, improvement requirements and evaluation criteria contained in this Code.

### **II.3. Design Standards**

To facilitate approval of subdivision plats, the following requirements will be met.

#### **II.3.1. General Requirements**

- II.3.1.1. Consideration shall be given to the influence of topography insofar as it affects street patterns, proper drainage, and protection of scenic views.
- II.3.1.2. Trees and shrubs shall be planted within property lines and are prohibited within street right-of-way lines, except upon recorded approval by the Board of County Commission

#### **II.3.2. Alleys**

- II.3.2.1. Alleys shall be provided in commercial and industrial developments, except that the County may waive this requirement where other definite provision is made for service access and off-street parking adequate for the uses proposed.
- II.3.2.2. The minimum width of an alley shall be twenty (20) feet.
- II.3.2.3. Dead-end alleys shall be avoided where possible, but if unavoidable, shall be provided with adequate turn-around facilities at the dead-end as determined by the County.

#### **II.3.3. Easements**

- II.3.3.1. Easements shall be sixteen (16) feet wide, eight (8) feet of which shall be on each side of common rear lot lines where said lines abut. On perimeter rear lots, easement width shall be ten (10) feet or more. Side lot easements, where necessary, shall be at least sixteen (16) feet in width, eight (8) feet of which shall be on one lot, and another eight (8) feet on the adjacent lot. Front lot easements if necessary shall be at least six (6) feet in width.
- II.3.3.2. Where a subdivision is traversed by a water course, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of such water course and such further width as may be required by the County for necessary control measures. The minimum requirements for such easements shall be based on the greatest flood on record in Saguache County.

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II.3.4. Blocks

II.3.4.1. The lengths, widths and shapes of blocks shall be determined with due regard to:

II.3.4.1.1. Provisions of adequate structure sites suitable to the special needs of the type of use contemplated.

II.3.4.1.2. Needs for convenient access, circulation, control, safety of street traffic, and fire protection.

II.3.4.1.3. Limitations and opportunities of topography.

II.3.4.2. Block lengths shall not exceed sixteen hundred (1600) feet, nor be less than four hundred (400) feet (length requirements may be waived by the County when the proposed density of the subdivision is one (1) dwelling unit per acre or less).

II.3.4.3. Pedestrian crosswalks, not less than fourteen (14) feet wide, shall be required where the County deems them essential to provide access to schools, playgrounds, shopping centers, or other community facilities.

II.3.5. Lots

II.3.5.1. The lot size, width, depth, shape, and orientation shall be appropriate for the location of the subdivision, for the type of development and use contemplated, and for future re-subdividing, where appropriate.

II.3.5.2. Depth and width of properties shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.

II.3.5.3. Lot areas:

II.3.5.3.1. Central sewer and water system shall require a minimum of seven thousand (7000) square feet of lot-area per lot.

II.3.5.3.2. Central sewer system and individual water supply shall require a minimum area of one (1) acre per lot

II.3.5.3.3. Central or individual water supply and individual sewer system shall require a minimum area of one (1) acre per lot to afford the construction of septic tanks and sewage disposal systems in accordance with regulations and specifications of the Saguache County Land Use Department, and shall be located and constructed in such a manner which will not pollute or endanger wells or water sources.

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II.3.5.4. Lot Frontage

II.3.5.4.1. A minimum of one hundred fifty (150) feet of frontage for lots of one (1) acre or greater in area.

II.3.5.4.2. A minimum of sixty (60) feet of frontage for all lots less than one (1) acre in area.

II.3.5.4.3. Double frontage and reverse frontage lots should be avoided except where essential to provide separation of residential developments from expressways, arterial highways and major thoroughfare, or to overcome specific disadvantages of topography and orientation. A planting screen easement of at least ten (10) feet in width, and across which there shall be no vehicular right of access, may be required along the property line of lots abutting such a traffic artery or other disadvantageous use.

II.3.5.5. Corner lots for residential use shall have extra width to permit appropriate building setback from and orientation to both streets.

II.3.5.6. Side lot lines shall be substantially at right angles, or radial, to street lines.

II.3.5.7. The subdividing of the land shall be such as to provide each lot with satisfactory access to a public street.

II.3.5.8. Smaller lots may be provided for neighborhood utility service facilities in non-residential buildings.

II.3.6. Streets

The arrangement, character, extent, width, grade and location of all streets shall conform to existing topographical conditions to enhance public convenience and safety, and such streets shall be designed in accordance with the following provisions:

II.3.6.1. The proposed street layout shall be made according to sound land-planning practice for the type of development proposed, and shall be coordinated with the street system of the surrounding areas. All streets must provide for the continuation of appropriate projection of principal streets in surrounding areas and provide reasonable means of ingress and egress for surrounding acreage tracts.

II.3.6.2. Whenever a subdivision abuts or contains an existing or proposed arterial highway or major thoroughfare, the County may require marginal access or frontage streets, reverse frontage with screen planting contained in a non-access reservation along the rear property line, deep lots, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of arterial and local traffic.

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- II.3.6.3. Minor streets shall be laid out so that their use by arterial traffic will be discouraged.
- II.3.6.4. Where a subdivision borders on or contains a public right-of-way or limited-access highway right-of-way. The Saguache County Board of Commissioners may require a street approximately parallel to and on each side of such right-of-way at a distance suitable for the appropriate use of the intervening land. Such distances also shall be determined with due regard for the requirements of approach grades and future grade-separation structures.
- II.3.6.5. Reserve strips controlling access to streets shall be prohibited except where their control is placed with Saguache County under conditions approved by the Board of County Commissioners.
- II.3.6.6. Where the plat to be submitted includes only part of the tract owned or intended for development by the sub-divider, a tentative plan of a proposed future street system for the un-subdivided portion may be required.
- II.3.6.7. A tangent at least four hundred (400) feet long shall be introduced between reverse curves on major thoroughfares.
- II.3.6.8. Half streets shall be prohibited.
- II.3.6.9. Cul-de-sacs or dead-end streets, designed to be so permanently, shall not be longer than six hundred (600) feet measured from the entrance to the rear of the turnaround, and shall be provided at the closed end with a turnaround having an outside right-of-way diameter of at least one hundred (100) feet (length requirements may be waived by the County when the proposed density of the subdivision is one (1) dwelling unit per acre or less.
- II.3.6.9.1. No street names shall be used which will duplicate or be confused with the names of existing streets. Street names shall be subject to approval of the County.
- II.3.6.9.2. Intersections:
- Streets shall be laid out so as to intersect as nearly as possible at right angles. No street shall intersect any other street at less than seventy (70) degrees.
  - Street jogs with centerline offsets of less than one hundred twenty-five (125) feet shall not be permitted.
- II.3.6.9.3. All minimum street right-of-way widths, minimum roadbed widths and grades are indicated in Table 1, Article III, Summary of Street Design Elements.

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- II.3.6.9.4. Sub-dividers seeking to have roads included in the County Road Maintenance System must meet the criteria in Article III, County Road Acceptance Standards.

II.3.7. Hillside Development

When a subdivision or development is proposed on land, which has an average slope greater than fifteen (15%), the following provisions shall apply supplementary to all other provisions of this Code.

- II.3.7.1. The sub-divider shall submit a soils report prepared by a Colorado-registered soils engineer, along with detailed information on the preliminary plan regarding geologic conditions, soil types, and other pertinent information, in order that a determination can be made as to the appropriateness of development on the site.
- II.3.7.2. All individual lots shall be at least one (1) acre in size.
- II.3.7.3. The sub-divider shall submit, with the preliminary plan, detailed plans for any proposed cut and fill operation.
- II.3.7.4. Maintenance easements shall be provided for access to any cut and fills slopes outside the street right-of-way.
- II.3.7.5. Special attention shall be given to lot design in order to accommodate adequate space for a structure site and sewage disposal facilities.
- II.3.7.6. Special attention shall be given to the drainage system in order to prevent soil erosion and slippage.

II.3.8. Public Sites and Open Spaces

- II.3.8.1. When the density of the proposed subdivision is greater than one (1) dwelling unit per acre, the Board of County Commissioners, upon consideration of Saguache County transportation and community facility plans and the particular type of development proposed, shall require a dedication or reservation of a percentage of the total area of the subdivision for public purposes other than streets. The percentage required shall be determined by a formula.
- II.3.8.2. If the Board of County Commissioners finds that land dedication or reservation is not appropriate, the sub-divider shall make a cash contribution to the County calculated at the percentage as determined by the formula of the fair market value of the land as zoned for development.

## II.4 II. 4. IMPROVEMENT PLANS

A qualified engineer, registered in the State of Colorado, shall prepare public improvements herein required. Two set of prints of the plans and specifications for all public improvements shall be filed with the Saguache County Clerk and Recorder at the time of submission of the final plat. One set of "as built" plans and specifications, certified and signed by an engineer registered in the State of Colorado, shall be filed with the Saguache County Clerk and Recorder prior to the acceptance by the Board of County Commissioners of any public improvement installed by the sub-divider.

### II.4.1. Street Improvements

Street improvements shall meet the following criteria.

- II.4.1.1. When the residential density is greater than one (1) dwelling unit per acre, and in areas proposed for commercial and/or industrial development, all streets shall be graded to the widths and grades required by this Code.
- II.4.1.2. When the residential density is one (1) dwelling unit per acre or less, streets must be graded to Saguache County Standards and gravel surfaced, or other material required and approved by the Board of County Commissioners shall be developed to assure possibility by ordinary traffic under all weather conditions.
- II.4.1.3. Where streets are to be constructed through timber land, the timber must be cleared from the width of road right-of-way and within six (6) feet of the roadway on each side for all streets. Limbs must be trimmed of all small branches and all material is neatly stacked. All timber of five (5) inches in diameter or greater must be trimmed out and cut to lengths of not over ten (10) feet and stacked into neat piles outside of the right-of-way lines. In no case will streets be accepted where timber or debris has been cleared by bulldozing to the sides of the roadway.
- II.4.1.4. Curbs, gutters and sidewalks shall be required where a majority of lot widths are less than one hundred (100) feet and where the Board of County Commissioners deems them necessary for the proper drainage of storm water, or for the protection of public safety and welfare.
- II.4.1.5. Where bridges and culverts are necessary as part of the improvements in a subdivision, the sub-divider shall be responsible for their construction.
- II.4.1.6. All sidewalks, where required, shall be of concrete or bituminous material, and shall be at least forty-eight (48) inches in width.
- II.4.1.7. Street name signs shall be installed at all intersections in the subdivision according to street names approved by the Board of County Commissioners.

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II.4.2. Water System

- II.4.2.1. A public water treatment and distribution system shall be required in all subdivisions with a proposed density greater than one (1) dwelling unit per acre.
- II.4.2.2. Fire hydrants shall be required in all subdivisions where a public water system is required. Hydrants shall be installed according to state requirements and the recommendations of the local fire district, if applicable.
- II.4.2.3. Water lines, where required, shall be designed to connect each lot with mains in accordance with applicable engineering standards.
- II.4.2.4. All water systems and individual wells shall be subject to applicable standards, technical procedures, and requirements of the Colorado Department of Health and the Colorado Division of Water Resources.

II.4.3. Sanitary Sewer System

- II.4.3.1. A central collection and treatment system shall be required in all subdivisions with a proposed density greater than on (1) dwelling unit per acre.
- II.4.3.2. All sewage disposal and treatment systems, whether individual or public, shall comply with all regulations and specifications of the State Health Department, and shall be located and constructed in such a manner, which will not pollute or endanger wells or water sources.

II.4.4. Storm Drainage

Complete drainage systems for the entire subdivision area shall be designed by a Colorado-registered professional engineer qualified to perform such work, and shall be shown graphically. All existing drainage features, which are to be incorporated in the design, shall be so identified. If the final plat is to be presented in filings, a drainage plan for the entire area shall be presented with the first filing and appropriate development stages for the drainage system for each filing shall be indicated. The drainage and flood plain systems shall be designed to permit the unimpeded flow of natural water courses and to insure adequate drainage of all low points.

II.4.5. Utility Service

- II.4.5.1. The sub-divider shall make the necessary arrangements, including any construction or installation charges, to extend utility service to the lot lines in the proposed subdivision. The installation of all utilities shall be subject to all other applicable Saguache County and State regulations. Such facilities shall be placed within easements or public streets, as herein provided, or upon private easements or rights-of-way provided for utility facilities.

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II.4.5.2. In the event that the location of utility easements adjacent to property lines is unsuitable for use by utility companies due to drainage, irrigation ditches, timbered areas, or other obstructions, suitable easements will be provided adjacent to said areas of obstruction. Modification of the easement width requirements may be granted only when approved by both the Planning Commission and the public utility or utilities concerned.

II.4.5.3 All public utilities shall be installed underground, with the exception of street lighting facilities, except upon proof that the same cannot be accomplished.

II.4.5.4. Where model guidelines exist for location of utilities, the sub-divider and utility companies shall install all utilities in compliance with such guidelines.

II.4.6. Other Improvements

Other improvements not specifically mentioned herein but found necessary due to conditions peculiar to the site may be required by the County.

**II.5. Subdivision Improvement Guarantees**

II.5.1. No Final Plat shall be approved until the sub-divider has submitted, and the Board of County Commissioners has approved, one of the following:

II.5.1.1. Improvements Agreement

A subdivision improvements agreement agreeing to construct all required improvements shown in the final plat documents, together with collateral which is sufficient in the judgment of the Board of County Commissioners, to make reasonable provision for the completion of said improvements in accordance with the design and time specifications.

II.5.1.2. Other Agreements and Contracts

Other agreements or contracts setting forth the plan, method, and parties responsible for the construction of any required public improvements shown in the final plat documents which, in the judgment of the Board of County Commissioners, will make reasonable provision for completion of said improvements in accordance with design and time specifications, or

II.5.1.3. The Board of County Commissioners waives the Improvement Guarantee requirement.

II.5.2. Collateral Release

As improvements are completed, the sub-divider may apply to the Board of County Commissioners for a release of part or all of the collateral deposited with said Board.

## **II.6. Application Procedure**

Subdivision review is a two-stage process involving a preliminary plan and final plat.

Property Taxes on all affected parcels must be current at the time of Board of County Commissioners' decision. A Certificate of Taxes Due will be obtained at the beginning of the application process and confirmed before the Board of County Commissioners' final review.

### **II.6.1. Preliminary Sketch Plan**

Preliminary Plans should be submitted to the Land Use Administrator at least 35 days prior to the Planning Commission meeting at which the applicant wishes to have the application heard.

Applicant must meet with Planning Commission to discuss the proposed subdivision in broad conceptual terms. The preliminary plan should show the location of the subdivision in relation to surrounding land uses, proposed lot arrangement, street pattern, open space, and any major natural feature.

The purpose of the preliminary plan is to alert the applicant to what will be required in future stages, and any problems that could jeopardize the final approval, before the applicant makes a considerable investment in the project.

The following criteria will be considered at this stage are: 1) suitability of the land for the proposed subdivision in terms of slope, flood plain, soil erosion, drainage, and vegetation; 2) compatibility of the subdivision with surrounding land uses; 3) the impact on public facilities and services.

At this stage, the Planning Commission will also determine what supplemental material must be submitted with the final plan.

#### **II.6.1.1. Preliminary Plan Submittal Requirements**

In addition to a broad conceptual plan of the applicant's proposed submission, the following must be submitted:

- II.6.1.1.1. Documentation of water and sewer availability.
- II.6.1.1.2. Reports concerning the impact on streams, lakes, topography and vegetation.
- II.6.1.1.3. Reports concerning geologic characteristics of the area significantly affecting the land use and determining the impact of such characteristics on the proposed subdivision.

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- II.6.1.1.4. Evaluation of potential radiation hazards in areas of potential radiation hazard to the proposed future land use.
- II.6.1.1.5. Maps and tables concerning suitability of types of soil in the proposed subdivision in accordance with the National Soil Survey.
- II.6.1.1.6. Property survey
- II.6.1.1.7. Legal proof of ownership with a full disclosure of all mortgages, liens and encumbrances against said property.
- II.6.1.1.8. Relevant environmental characteristics and analysis applicable to the proposed subdivision including the following:

**FLOOD HAZARD:** A map showing the boundaries of a 100-year flood, delineating the possible depth of flood waters in the proposed subdivision, and the proposed location of public improvements within the boundaries, including buildings, utilities and roads. This information must be certified by a professional engineer.

**FIRE HAZARD:** A map showing the location of fire hazards and the reason for the hazard, that is, slope, aspect, topography, fuel, and so on. A written report must accompany this map. It should include information regarding site-specific fire prevention and suppression plans. This information must be prepared by a professional forester or experienced fire marshal.

**GEOLOGIC HAZARD:** A report concerning geologic characteristics of the area significantly affecting the proposed land use. Any hazardous conditions should be expounded upon and measures, if any that could be taken to mitigate these conditions explained.

**SOIL SUITABILITY:** Maps and tables concerning suitability of types of soil in the proposed subdivision, in accordance with the National Soil Survey.

**IMPORTANT RESOURCE AREAS:** Including potential mineral resources, historically significant or archaeologically important areas, wildlife habitat, and prime agricultural land. See Article VI, Areas of Local Interest.

- II.6.1.1.9. Documentation that a water supply will be available that is sufficient in terms of quality, quantity and dependability for the planned development. Include evidence of ownership or right of, acquisition of, or use of, existing and proposed water rights, historic use and estimated yield of claimed water rights, and ability to amend existing rights to change in use.
- II.6.1.1.10. Evidence of suitable and legal ingress and egress to the subdivision available to the lot owners in the subdivision.

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- II.6.1.1.11. Proof of financial responsibility in relation to proposed development costs.
- II.6.1.1.12. Preliminary copy of any proposed covenants and restrictions to the land property title.

II.6.1.2. Preliminary Plat Requirements

The preliminary plat will be required to meet the following minimum requirements prior to submittal to the Land Use Office.

- II.6.1.2.1. Name of Subdivision
- II.6.1.2.2. Scale 1" = 100' when the proposed density of the subdivision is greater than one (1) dwelling unit per acre, and at 1" = 200', or 1" = 400' when the proposed density is one (1) dwelling unit per acre or less.
- II.6.1.2.3. Total acres to be subdivided.
- II.6.1.2.4. Name and address of land owner.
- II.6.1.2.5. Location of the subdivision as part of some larger subdivision or tract of land and by reference to permanent survey monuments with a tie to a section corner or a quarter-section corner.
- II.6.1.2.6. Names and addresses of the sub-divider, the designer of the subdivision, and the surveyor (who shall be licensed by the Colorado State Board of Examiners for land surveyors).
- II.6.1.2.7. Names and locations of abutting subdivisions.
- II.6.1.2.8. Location of section lines, and approximate location and principal dimensions for all existing and proposed streets, alleys, easements, rights-of-way, lot lines, area to be reserved for public use, and other important features within and adjacent to the tract to be subdivided.
- II.6.1.2.9. Date of preparation, and north sign.
- II.6.1.2.10. Topography at vertical intervals of two (2) feet where the average slope of the subdivision is less than ten percent (10%) and at vertical intervals of five (5) feet where the average slope of the subdivision is ten percent (10%) or greater. If the proposed density of the subdivision is (1) dwelling unit per acre or less, the respective vertical intervals required shall be five (5) feet and (10)

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feet. U.S.G.S. datum may be used if it meets the foregoing interval requirements.

- II.6.1.2.11. Location by preliminary survey of streams, washes, canals, irrigation laterals, private ditches, culverts, lakes, or other water features, including direction of flow, water level elevations, and typical depths and location and extent of areas subject to inundation, whether such inundation is frequent, periodic or occasional.
- II.6.1.2.12. Location of representative soil percolation tests for each major soil type in the subdivision if septic systems are proposed.
- II.6.1.2.13. Proposed sites, if any, for multiple-family and single-family residential areas, business areas, industrial areas, and churches.
- II.6.1.2.14. Total number of proposed dwelling units.
- II.6.1.2.15. Existing improvements, if any.
- II.6.1.2.16. Total number of square feet of proposed nonresidential floor space.
- II.6.1.2.17. Total number of proposed off-street parking spaces, excluding those associated with single family residential development.
- II.6.1.2.18. Approximate boundary lines and dimensions of subdivision.
- II.6.1.2.19. Location of existing and/or proposed water and sewer utilities.
- II.6.1.2.20. Estimated total number of gallons per day of sewage to be treated where a central sewage treatment facility is proposed, or sewage disposal means and suitability where no central treatment facility is proposed.
- II.6.1.2.21. Estimated total number of gallons per day of water system requirements where a distribution system is proposed.
- II.6.1.2.22. Location map drawn to scale showing the relationship of the proposed subdivision to the nearest towns, and direct routes via Saguache County roads to the subdivision from such towns.
- II.6.1.2.23. Evidence that the development plan will present no obstacle to extraction of mineral resources on or under the subject property, or evidence that the proposed development will be of greater economic value than the minerals present.

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II.6.1.2.24. The estimated quantity of garbage and/or industrial waste to be generated, the types of water involved and proposed sites for disposal.

II.6.1.2.25. A check or money order, payable to the Colorado Geological Survey, in the amount necessary to cover fees charged for review of the Preliminary Plan by the Colorado Geological Survey.

II.6.2. Preliminary Plan Process

II.6.2.1. The preliminary plan consisting of the non-refundable application fee, preliminary plat and supplemental information will be received by the Land Use Administrator and reviewed for completeness.

Upon the determination by the Land Use Administrator that the application and attachments are complete, the sub-divider will assemble a minimum of twenty (20) copies of the plat and supplemental information into packet form, with a copy of each required item included in each packet, and submit them to the Land Use Administrator.

II.6.2.2. Notice of the public meeting before the Planning Commission will be published for three (3) consecutive weeks in newspapers of general circulation in Saguache County. The first notice will be published at least thirty (30) days prior to the hearing date. The applicant will pay all publication costs. The County will prepare all notices.

II.6.2.3. Upon receipt of the applicant's twenty (20) packets, the Land Use Administrator will, in a timely manner, send the preliminary plan to the following offices for their study and recommendations.

- Board of County Commissioners.
- County Engineer, if applicable.
- Colorado Department of Health.
- State Engineer, Colorado Division of Water Resources.
- Area utility suppliers, i.e.: electrical company and natural gas/propane supplier.
- Each County and/or municipality, within a three mile radius of proposed subdivision.
- Area school district(s).

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- Area conservation and conservancy district(s). National Resource Conservation Service.
- Colorado Geological Survey.
- Where needed, local improvement or service districts, U.S. Forest Service, State Forest Service, Bureau of Land Management, State Highway Department, area ditch companies, and fire protection districts.
- Area representative of Colorado Division of Wildlife.
- Area homeowner's association or property owners' association, if applicable.
- State Historical Society.

II.6.2.4. These offices shall respond to the Land Use Office prior to the time the hearing is scheduled.

If any office fails to respond within the prescribed time period, it will be deemed an approval of the preliminary plan; except that when the preliminary plan involves twenty (20) or more dwelling units, the relevant school districts must submit specific recommendations, within the prescribed time period, with respect to the adequacy of school sites and structures.

II.6.2.5. The Planning Commission shall, in a timely manner, forward to the Board of County Commissioners a recommendation of, 1) unconditional approval, 2) approval with conditions, or 3) denial, specifically stating the reasons for such action.

II.6.2.6. Upon receipt of the Planning Commission's recommendations, the Board of County Commissioners shall, in a timely manner: 1) unconditionally approve, 2) approve with conditions, or 3) deny with a written statement of the reasons for denial.

II.6.2.7. Approval or conditional approval of the preliminary plan indicates permission to proceed with the final plat.

- Approved preliminary plans shall be effective for twelve (12) consecutive months. One twelve (12) month extension may be requested by submitting a written application to the Board of County Commissioners which demonstrates that unusual circumstances exist, making the extension necessary. To grant the extension, the Board of County Commissioners must concur that unusual circumstances do exist.
- If the final plat is not submitted within the prescribed time period, the preliminary plan must be resubmitted along with the necessary filing fee.

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II.6.2.8. Determination of Final Plat Supplementary Information

Upon approval of the preliminary plan the County shall determine what supplementary information will be submitted with the final plat. If the density of the proposed subdivision is one dwelling unit per acre or less, the County may waive any of the following requirements:

- II.6.2.8.1. Submit plan and centerline profiles for all streets and roads.
- II.6.2.8.2. Submit plan and profiles for sanitary and storm sewers and for water distribution systems.
- II.6.2.8.3. Show stationing (starting point) on plan and profile (one hundred foot intervals).
- II.6.2.8.4. Define and locate horizontal and vertical curves both on plan and profile (length, Point of Curvature (PC), Point of Interest (PI), Point of Tangency (PT), Radius, Tangent, Delta).
- II.6.2.8.5. Show existing grade by a dashed line on profile.
- II.6.2.8.6. Show new or proposed grade by a heavy solid line on profile.
- II.6.2.8.7. Show percent of grade from PI to PI on profile.
- II.6.2.8.8. Draw typical cross-section.
- II.6.2.8.9. Show and dimension roads, curbs and gutters, sidewalks, water and sewer utility lines, and structures within rights-of-way on plan.
- II.6.2.8.10. Locate and size culverts, including CSP, RCP, Box culverts, and so on, on both plan and profile.
- II.6.2.8.11. Show direction of water flow on plans.
- II.6.2.8.12. Show street names on profile plans.
- II.6.2.8.13. For minimum radius at shoulder or curb line at all intersections on plans, see Table 1, Summary of Street Design Elements, in Article VI.
- II.6.2.8.14. Show design benchmarks data on plans and submit one (1) set of traverse closure computations and solar or Polaris computations of the exterior boundary of the subdivision.
- II.6.2.8.15. Submit final construction plans for all structures, such as box culverts, bridges. All structure plans must bear the seal of a

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Colorado-registered professional engineer and must be approved by the Board of County Commissioners or their designated representative.

- II.6.2.8.16. Submit drainage plans.
- II.6.2.8.17. In addition to the above, a letter of intent, stating the estimated construction cost and proposed method of financing of the streets and related facilities, water distribution system, sewage collection system, storm drainage facilities, and such other utilities as may be required of the sub-divider by Saguache County.
- II.6.2.8.18. Finalized edition of any covenants or restrictions to be placed on the property.

### II.6.3. Final Plan

The final plan shall conform substantially to the previously-approved preliminary plan. The final plan will consist of the final plat along with any supplemental information requested by the County following approval of the preliminary plan.

#### II.6.3.1. Final Plat Submittal Requirements

To facilitate the approval of Final Plats, the following requirements will be met.

##### II.6.3.1.1. Monuments

Affixed securely to the top of each monument shown on the final plat shall be the Colorado registration number of the land surveyor responsible for the establishment of said monument. Reasonably-permanent external boundary survey monuments shall be set at locations approved by the Board of County Commissioners, provided that such monuments shall be set not more than fourteen hundred (1400) feet apart along any straight boundary line, at all angle points, and at the beginning, end, and points of change of direction or change of radius of any curved boundary. In addition, half-inch steel pins (or larger) shall be set at all lot corners.

- II.6.3.1.2. The final plat shall be drafted at a scale of 1" = 100' when the proposed density of the subdivision is greater than one (1) dwelling unit per acre, and at 1" = 200' when the proposed density is one (1) dwelling unit per acre or less. The final plat shall be drafted by the use of permanent black ink, on linen or mylar drafting media with outer dimensions of twenty-four (24) inches by thirty-six (36) inches. Good draftsmanship shall be required in order for all of the following information to be shown accurately and legibly.

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- II.6.3.1.3. Title, scale, north sign, date.
  - II.6.3.1.4. Primary control points of descriptions and "ties" to such control points to which all dimensions, angles, bearings, and similar data on the plat shall be referred. These primary control points shall be determined, and approved by the County Engineer, prior to the final approval. Monuments and ties to monuments shall actually exist in the field before final approval. Elevation data shall be referenced to U.S.G.S. datum.
  - II.6.3.1.5. Tract boundary lines; right-of-way lines of streets, easements and other right-of-way; and property lines of residential lots and other sites, with accurate dimensions, bearings or angles, and radii, arcs or chords, and central angles of all curves.
  - II.6.3.1.6. Name of each street, and right-of-way width of each street or other right-of-way.
  - II.6.3.1.7. Any easement required by the Planning Commission or granted to public utility companies shall be included, and the location, dimensions, and purpose of such easements shall be given.
  - II.6.3.1.8. Number identifying each lot or site, and each block; and the area of each lot.
  - II.6.3.1.9. Location and description of monuments.
  - II.6.3.1.10. Evidence that the requirements of CRS 1973, 38-51-101 "Monumentation of Land Surveys" have been met.
  - II.6.3.1.11. Any accompanying deed restrictions that shall be recorded, and shall be referred to on the final plat.
  - II.6.3.1.12. An official signed deed dedicating or reserving certain tracts or development rights to such tracts for public use, or a cash payment in lieu thereof in the specified amount.
  - II.6.3.1.13. Certificate of Acceptance as given in Appendix B.
  - II.6.3.1.14. Certificate of Final Plat, as given in Appendix C.
- II.6.3.2. Final Plat Review Procedure
- II.6.3.2.1. Not more than twelve (12) months, or any extension thereof, after approval of the preliminary plan, and at least 30 days prior to the Planning Commission meeting at which the applicant wishes to have the request heard, the original tracing and five (5) prints of the final plat together with the required supplemental material shall be submitted by the sub-divider to the Land Use Administrator.

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- II.6.3.2.2. At the meeting of the Planning Commission, the Planning Commission shall check the final plat for conformity with the approved preliminary plan and other requirements of this Code, shall consider the recommendations of the various offices and interested agencies listed in Article III, Section 3.2.2.3 and shall then recommend approval or disapproval of the final plat.
- II.6.3.2.3. Upon recommended denial by the Planning Commission, the sub-divider may appeal to the Board of County Commissioners within thirty (30) days.
- II.6.3.2.4. When the final plat is approved by the Planning Commission, the original shall be held by the Land Use Administrator until such time as all required conditions related to final proceeding of the plat are satisfactorily completed.
- II.6.3.2.5. Once all the required supplemental conditions are met (such as dedicating certain land to public use, and so on) the original of the final plat shall be presented by the Land Use Administrator to the Board of County Commissioners for their review and action.
- II.6.3.2.6. The Board of County Commissioners shall check the final plat, especially with regard to required improvements and the acceptance of the areas dedicated for public use, easements, and so on, and shall then approve as submitted or disapprove the final plat within ten (10) days after the meeting at which it was presented.
- II.6.3.2.7. Not more than thirty (30) days after approval of the final plat by the Board of County Commissioners, the final plat will be recorded in the Office of the Saguache County Clerk and Recorder. The recording fee shall be paid by the sub-divider and shall be submitted at the time the final plat application is approved.
- II.6.3.2.8. At the request of the sub-divider, with the approval of the Board of County Commissioners, recording of the final plat may be delayed for no longer than six (6) months.

## II.7. REPLATS

Replats (re-subdivision) shall be considered subdivisions and shall conform to the appropriate procedures for planning and reviewing original subdivision proposals.

### II.7.1. Subdivision Exemption

#### II.7.1.1. Purpose

To provide procedures for use by the Planning Commission, Board of County Commissioners and applicant, to exempt divisions of land not within the purpose of Part 1, Article 28, Title 30, C.R.S. 1973, for the regulations and procedures contained within the Colorado Statutes.

Such exemptions normally involve the separation of a single parcel of land from a parent parcel of land. In order to prevent the circumvention of the intent and purpose of the subdivision regulations, parcels of land containing less than 35 acres created by exempt division procedure shall not be considered for subsequent exempt division, unless the Board of County Commissioners determines that unusual circumstances were or are present and that a subsequent exempt division should therefore be allowed.

#### II.7.1.1.2. Submittal Requirements

- An application for an exempt division of land may be filed only by the legal owner or own a legal or equitable interest in the land where the division is proposed. Such application will be made on a form provided and accompanied by:
- A preliminary sketch plan showing, parcels to be created through the proposed subdivision, area of parcels, easements, right-of-ways, access roads, and improvements on any appropriate part of the parent parcel and/or parcel to be exempted and location of existing wells with registration numbers.
- A nonrefundable-processing fee in the amount currently in effect as set by the Board of County Commissioners. Where more than one parcel of land is applied for exempt division, processing fee will be required for each parcel.
- Proof of ownership.
- A list of adjoining landowners within 500 feet of applicant's property will be obtained from the County Assessor's office.
- A fee to be paid for certified mailings to all 500 feet adjoining landowners.
- Property Taxes owed on all affected parcels must be current at the time of Board of County Commissioner decision. A Certificate of Taxes Due will be obtained at the

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beginning of the application process and confirmed before the Board of County Commissioners' final review.

- Applicant must supply an 8.5 x 11 inch paper copy of survey plat.

If applicant has not completed all requirements within one year, application will become void.

- II.7.1.1.3. After preliminary approval is given by the Planning Commission and the Board of County Commissioners a survey plat must be submitted, including a metes and bound description, drawn to an appropriate scale and prepared by a registered land surveyor, showing corners and boundaries of the land to be divided.

Also included on the plat will be a title, scale, north sign, date, location map, all improvements if any on all parcels and signature certificates. See Appendix D.

Board of County Commissioners require that all landowners sign the approved resolution before County Commissioners will sign the approved resolution and the resolution is recorded. Resolution must be signed and returned to the Land Use office within 15 days of date of Commissioners' approval.

There will be a sixty - (60)-day time limit for property to be deeded to create the subdivided tract. The sixty (60) - day time limits shall start from the date of Board of County Commissioner approval. If any changes are required the time limit shall begin on the date of Board of County Commissioner signing resolution.

The subdivided tract of land will now be subject to Article XV-Blight Regulation of this Code after the resolution is recorded.

## **II.8. Vacation/Consolidation**

### **II.8.1. Purpose**

To provide procedures for the use by the Planning Commission, Board of county Commissioners and applicant, to vacate lot of parcel tract line boundaries and consolidate smaller tracts into a larger tract, parcel or lot.

### **II.8.2. Modified Procedures**

The requirements set forth in the final plat section shall apply to all vacation/consolidation requests, except those which in the opinion of the Land Use Administrator, may be accomplished under a modified procedure. In general such a modified procedure may be appropriate in the following cases;

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Vacation of public rights-of-way, roads and easements in which the proposed vacation does not affect provisions of access or necessary services.

Property Taxes owed on all affected parcels must be current at the time of Board of County Commissioners decision. A Certificate of Taxes Due will be obtained at the beginning of the application process and confirmed before the Board of County Commissioners final review.

II.8.2.1. Consolidated lots may not be re-subdivided, except by subdivision process.

II.8.3. Submittal Requirements

An application for vacation/consolidation of land may be filed only by the owner or owners having a legal of equitable interest in the land where the consolidation is proposed. Such application will be on a form provided by Saguache County and accompanied by:

II.8.3.1. A survey plat including lot numbers, metes and bounds descriptions, all improvements on parcel and drawn to an appropriate scale, prepared by a registered land surveyor. It must show corners and boundaries of the land to be vacated and lines being vacated will be shown as light dash lines. Parcel consolidated through the vacation process will be shown in heavy bold lines.

Areas of each parcel prior to vacation will be shown along with the combined area following consolidation. Easements, right-of-ways, access roads and location of existing utilities or wells. Wells should be shown with registration numbers.

Also included on the plat will be a title, scale, north sign, vicinity location map, date and the certificates as shown in APPENDIX E.

II.8.3.2. Proof of ownership.

II.8.3.3. A list of adjoining property owners within 500 feet of applicant's property will be obtained from the County Assessor's office. In the Baca Grande Subdivision exclusively, only contiguous landowners will be notified by certified mail.

II.8.3.4. A fee to be paid for certified mailings to all 500 feet adjoining landowners or contiguous landowners.

II.8.3.5. Property Taxes owed on all affected parcels must be current at the time of Board of County Commissioner decision. A Certificate of Taxes Due will be obtained at the beginning of the application process and confirmed before the Board of County Commissioners' final review.

II.8.3.6. Applicant must supply an 8.5 x 11 inch paper copy of survey plat.

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II.8.3.7. If applicant has not completed all requirements within one year, application will become void.

**II.9. Planned Unit Development (P.U.D.)**

Procedure for filing a P.U.D. is the same as that for other land development applications. It is found beginning in paragraph 2 of this Article II.

II.9.1. Design Standards

The County may modify the Design Standards of paragraph 3 of this Article II for a P.U.D. provided the overall design is consistent with the purpose of those design standards.

II.9.2. Open Space Requirement

The plan shall provide a percentage as calculated by a formula of the total area to be dedicated or reserved for "open space" land, exclusive of required parking and streets.

II.9.3. Common Area

Each parcel within the area shall be deeded as a unit granting to the parcel owner a proportionate undivided interest in the common area in perpetuity with a deed restriction against residential, commercial or industrial development.

There shall be a plan which shall also be a deed restriction by covenant or otherwise, in perpetuity, binding the unit owners to a method of maintenance of the common area.

II.9.4. Development Conformance Agreement

Prior to final approval of the P.U.D. the developer and County will enter into a Development Conformance Agreement. The agreement will specify the developer's obligation in areas of design standards, densities, open space, land uses and any special requirements that might be determined prior to final approval. The Development Conformance Agreement will be recorded with the P.U.D. plat and will be referenced by Book and Page on such P.U.D. plat at the time of recordation by the Clerk and Recorder of Saguache County.