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Chapter 16-04

General Provisions

16-04-010 Short title.

This title is known and may be cited as the "Broomfield Subdivision Regulations." (Ord. 724 §1, 1987; Ord. 1013 §1, 1993)

16-04-020 Requirements generally.

(A) Whoever divides or participates in the division of a lot, tract, or parcel of land into two or more lots, tracts, parcels, sites, or other divisions of land for the purpose, whether immediate or future, of sale or building development, shall make the transaction subject to the provisions of this title, and a plat therefor must be submitted to and approved by the city according to the terms set forth in this title. This title also applies to any division of land previously subdivided or platted.

(B) No plat of a subdivision of land shall be used for purposes of sale or building development, or filed and recorded, until approved by the city council, with such approval entered, in writing, on the plat and signed by the mayor and attested by the city clerk.

(C) No building shall be erected on any lot, nor shall a building permit or certificate of occupancy be issued unless the street giving access to the lot upon which such building is proposed to be placed has been dedicated to and accepted by the city, and a final plat for the lot or parcel upon which such building is to be placed has been approved by the city council. (Ord. 724 §1, 1987)

16-04-030 Interpretation of provisions.

In the interpretation and application of the provisions of this title, the following regulations shall govern:

(A) *Provisions are minimum requirements.* In their interpretation and application, the provisions of this title shall be regarded as minimum requirements for the protection of the public health, safety, comfort, morals, convenience, prosperity, and welfare. This title shall therefore be regarded as remedial, and shall be liberally construed to further its underlying purposes.

(B) *Application of overlapping regulations.* Whenever both a provision of this title and any other provisions of this title, or any provision in any other law, ordinance, resolution, rule, or regulation of any kind, contain any restriction covering any of the same subject matter, whichever restrictions are more restrictive or impose higher standards or requirements shall govern. (Ord. 724 §1, 1987)

Chapter 16-08

Definitions

16-08-010 Definitions.

As used in this title, the following words have the following meanings:

(A) *Access control line* means a line designated on a subdivision plat between known points of reference for the purpose of restricting or limiting access.

(B) *Block* means a unit of land within a subdivision containing one or more lots which is bounded by public or private streets, highways, railroad rights-of-way, public walks, alleys, parks or open space, rural or vacant land, or drainage channels, subdivision boundaries, property boundaries, or a combination thereof, and which is customarily further divided into lots.

(C) *Drainage easement* means a grant to the city of the right to control development of a drainage right-of-way or an area subject to periodic flooding. Development on such easement shall be restricted to uses which would not interfere with the flow of the water or act as a barrier for debris.

(D) *Easement* means a grant by a property owner of use of land for designated purposes by another.

(E) *Final drainage study* means a study in a form and content satisfactory to the city engineer, including such detailed maps, hydraulic calculations, designs, plans, drawings, and analyses as the city engineer shall specify.

(F) *Flag lot* means a lot of regular or irregular shape normally situated to the rear of other lots having as its frontage and access a drive connecting it to a street.

(G) *Geotechnical studies* means studies in a form and content satisfactory to the city engineer, including such data and recordings as the city engineer shall specify.

(H) *Minor subdivision* means a subdivision of five or fewer lots that requires no dedication of streets, rights-of-way, or other public uses. Easements may be dedicated to the city on a minor subdivision plat.

(I) *Preliminary drainage report* means a report in a form and content satisfactory to the city engineer, including such preliminary maps, hydraulic calculations, designs, plans, drawings, and analyses as the city engineer shall specify.

(J) *Street* means a way for vehicular traffic, whether designated as a street, alley, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, place, or however otherwise designated.

(K) *Subdivider* or *developer* means any person, partnership, joint venture, association, or corporation who participates as owner, promoter, developer, or sales agent in the planning, platting, development, promotion, sale, or lease of a subdivision.

(L) *Subdivision* means the division of a lot, tract, or parcel of land into two or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale or building development, whether residential, industrial, office, business, or other use. The term shall also include and refer to any division of land previously subdivided or platted.

(M) *Through lot* means an interior lot abutting on more than one street or a corner lot abutting more than two streets.

(N) *Tract* means a portion of land that is part of a subdivision which is designated for some purpose other than a building site, lot, or easement.

(O) *Traffic analysis report* means a report in a form and content satisfactory to the city engineer which addresses the traffic impact of the development of the land in question, and which includes such data and analysis as the city engineer shall specify. (Ord. 724 §1, 1987; Ord. 933 §1, 1992; Ord. 1534 §1, 2001)

Chapter 16-12

Fees

16-12-010 Fees.

The fee for preliminary plats, final plats, and minor subdivision plats, which fee shall be paid to the city at the time of submittal, shall be as follows:

- (A) The sum of \$500.00 for preliminary plats for ten or more acres of land;
- (B) The sum of \$200.00 for preliminary plats of less than ten acres of land;
- (C) The sum of \$650.00, plus \$10.00 per acre, for final plats for ten or more acres of land;
- (D) The sum of \$550.00 for final plats of less than ten acres of land; and
- (E) The sum of \$250.00 for minor subdivision plats. (Ord. 724 §1, 1987; Ord. 1691 §1, 2002)

Chapter 16-16

Preliminary Plat

16-16-010 Preliminary plat optional.

The preliminary platting process set forth in this chapter is optional. The developer or subdivider may omit this step and proceed with preparation of a final plat, provided that the final plat must include all contiguous property in one ownership. (Ord. 724 §1, 1987)

16-16-020 Scope.

A preliminary plat must include all contiguous property in one ownership. (Ord. 724 §1, 1987)

16-16-030 Preliminary plat; format.

(A) Preliminary plats shall be in black ink or photographic reproduction, on four-mil thickness Mylar (double-matted polyester film). The scale shall ordinarily be one inch equals one hundred feet. A larger scale or a smaller scale (not less than one inch equals two hundred feet) may be used with prior approval of the city manager or his or her designee.

(B) The size of the sheets shall ordinarily be twenty-four inches by thirty-six inches.

(C) Plats of two or more sheets shall be referenced to an index map placed on the first sheet. (Ord. 724 §1, 1987)

16-16-040 Preliminary plat; contents.

The preliminary plat shall contain the following information:

(A) Proposed name of the subdivision;

(B) Location and boundaries of the subdivision, including a legal description;

(C) Names, addresses, and signatures of the owner, subdivider, and surveyor (who shall be registered by the Colorado State Board of Registration for Professional Engineers and Land Surveyors);

(D) Date of preparation and of any revisions, written and graphic scale, the north arrow (designated as true north);

(E) Total acreage of the subdivision;

(F) Location and principal dimensions for all existing streets (including their names), alleys, easements, watercourses, and other important features within and adjacent to the tract to be subdivided;

(G) Location and dimensions for all proposed arterial and collector streets (including their proposed names) and sites to be reserved or dedicated for parks, schools, or other public uses (including the areas thereof);

(H) Topography at two-foot contour intervals, referenced to USGS data;

(I) Base flood elevation data and designation of areas of special flood hazard, as defined in section 17-04-022, B.M.C.;

(J) Proposed drainageways;

(K) Proposed sites and areas of residential uses, business uses, industrial uses, churches, and other uses;

(L) Existing and proposed zoning on and adjacent to the subdivision;

(M) The names of abutting subdivisions or the names of owners of abutting, unplatted property;

(N) The location of all existing buildings that are to be retained on the site;

(O) A proposed schedule for approval of final plats; and

(P) The location of any plugged and abandoned oil and gas well and its production site or any former oil and gas production site located within the boundaries of the preliminary plat or within 200 feet of such boundaries on abutting property. (Ord. 724 §1, 1987; Ord. 769 §1, 1988; Ord. 1698 §1, 2002)

16-16-050 Preliminary plat; accompanying information.

The preliminary plat shall be accompanied by:

(A) A completed development review application form, provided by the city manager or his or her designee, signed by the property owner and subdivider;

(B) Proof of ownership satisfactory to the city attorney, which may include a recently issued title commitment or title policy;

(C) Preliminary drainage report;

(D) A report or map showing the location and size of existing utilities within or adjacent to the subdivision (including water, sewer, electricity, and gas), and containing such engineering as is necessary to show generally how water, sewer, electricity, gas, telephone, and cable television services are to be provided; and

(E) Geotechnical studies, as requested by the city.

(F) Identification of the final grades for lots upon which structures are to be constructed on earthen fill materials.

(G) For plugged and abandoned oil and gas wells or former oil and gas production sites either within the boundaries of the preliminary plat or within 200 feet of such boundaries on abutting property, the Form 6, the well abandonment report, the plugging verification reports for such wells filed with the Colorado Oil and Gas Conservation Commission, and any Colorado Oil and Gas Conservation Commission reports regarding former oil and gas production sites. (Ord. 724 §1, 1987; Ord. 1598 §1, 2001; Ord. 1698 §2, 2002)

16-16-060 Preliminary plat; hearing and notice; land use review commission.

The land use review commission shall hold a public hearing on the preliminary plat. Notice shall be given in accordance with the provisions of chapter 17-52. (Ord. 724 §1, 1987; Ord. 1111 §3, 1995)

16-16-070 Preliminary plat; recommendation; land use review commission.

Within thirty days of the conclusion of its public hearing, the land use review commission shall adopt a resolution of approval, disapproval, or conditional approval. If the recommendation is for conditional approval, the conditions under which the preliminary plat would be acceptable shall be set forth. (Ord. 724 §1, 1987; Ord. 1111 §4, 1995)

16-16-080 Preliminary plat; hearing and notice; city council.

The city council shall hold a public hearing on the preliminary plat. Notice shall be given in accordance with the provisions of chapter 17-52. (Ord. 724 §1, 1987)

16-16-090 Preliminary plat; decision; city council.

Within thirty days of the conclusion of its public hearing on preliminary plat, the city council shall adopt a resolution of approval, disapproval, or referral back to the land use review commission for further study. (Ord. 724 §1, 1987; Ord. 1111 §5, 1995)

16-16-100 Preliminary plat; time limit.

(A) The preliminary plat shall be valid for one year from the date of approval, or such longer time as may be indicated in an approved final plat approval schedule.

(B) The validity of the preliminary plat may be extended by the land use review commission if it is satisfied that the preliminary plat remains consistent with current standards and specifications and review standards. (Ord. 724 §1, 1987; Ord. 1111 §6, 1995)

16-16-110 Review standards.

The recommendation of the land use review commission and the decision of the city council shall be based on whether the applicant has demonstrated that the proposed preliminary plat meets the following standards:

(A) The project should not create, or should mitigate to the extent possible, negative impacts on the surrounding property.

(B) The project should provide desirable settings for buildings, make use of natural contours, protect the view, and afford privacy and protection from noise and traffic for residents and the public.

(C) The project should preserve natural features of the site to the extent possible.

(D) The proposed traffic flow and street locations should be consistent with the city's master plan, should be in accordance with good engineering practice, and should provide for safe and convenient movement.

(E) The lots and tracts should be laid out to allow efficient use of the property to be platted.

(F) The proposed public facilities and services should be adequate, consistent with the city's utility planning, and capable of being provided in a timely and efficient manner.

(G) The proposal should comply with the design standards of chapter 16-28, the improvement requirements of chapter 16-32, and the standards and specifications of chapter 14-04.

(H) The proposal should be consistent with the need to minimize flood damage.

(I) The proposal should have public utilities and facilities, such as sewer, gas, electrical, and water systems, located and designed to minimize flood damage.

(J) The proposal should have adequate drainage provided to reduce exposure to flood damage. (Ord. 724 §1, 1987; Ord. 769 §2, 1988; Ord. 1111 §7, 1995)

Chapter 16-20

Final Plat

16-20-010 Final plat required.

The final platting process set forth in this chapter is required. When satisfactorily completed, this platting process satisfies the requirements of section 16-04-030. A final plat must include all contiguous property in one ownership, unless there is an approved preliminary plat covering all contiguous property in one ownership. Final plats submitted to the city will conform to all applicable laws of the State of Colorado regulating the practice of land surveying and will be prepared by a professional land surveyor registered by the State of Colorado. (Ord. 724 §1, 1987; Ord. 934 §1, 1992)

16-20-020 Final plat; format.

(A) Final plats shall be in black ink or photographic reproduction, on four-mil thickness mylar (double matted polyester film). The scale shall ordinarily be one inch equals one hundred feet. A larger scale or a smaller scale (not less than one inch equals two hundred feet) may be used with prior approval of the city manager or his or her designee.

(B) The size of the sheets shall be as required by the county where the plat is to be filed.

(C) Plats of two or more sheets shall be referenced to an index map placed on the first sheet. (Ord. 724 §1, 1987)

16-20-030 Final plat; contents.

The final plat will contain, as a minimum, the following information:

(A) A scaled drawing of the boundaries of the land parcel, including a title description, legal description, or reference thereto as required in section 16-20-020. The drawing must show the location, dimensions, and centerlines of all existing and proposed streets, including their names, and alleys, and location and dimensions of all lot lines.

(B) Recorded and apparent rights-of-way and easements as follows:

(1) When recorded and apparent rights-of-way are shown: If a search for recorded rights-of-way and easements was conducted by someone other than the professional land surveyor who prepared the plat, it must be stated and include the name of the person who conducted the search. It must also state the source from which the recorded rights-of-way and easements were obtained.

(2) When recorded rights-of-way and easements are not shown, the plat must contain a statement that the owner does not desire that the rights-of-way and easements be searched and stated on the plat.

(C) All of the dimensions necessary to establish the boundaries in the field.

(D) A statement signed and sealed by a professional land surveyor that the survey was performed by him or her or under his or her direct responsibility, supervision, and checking. If bearings are used, a statement explaining how the bearings were established must be included.

(E) Monuments:

(1) All monuments that mark the boundaries of the property, both found and set, and all control monuments which were used in conducting the survey will be clearly shown and described. Survey monuments for external boundaries of all platted subdivisions will be set not more than 1,400 feet apart along any straight boundary line, at all angle points, at the beginning, end, and all points of change of direction or change of radius of any curved boundaries defined by circular arcs, at the beginning and end of any spiral curve, and at all public land corners.

(2) Proper monuments will be set at section, quarter, or sixteenth corners, if applicable, and proper records filed in accordance with section 38-53-103, C.R.S.

(3) Internal subdivision survey monuments will be established at all road centerline intersections, the center of radius for cul-de-sacs, the road centerline PC's and PT's of curves, or the PI's of curves, and at the end of the centerline for dead end streets.

(4) All monuments will be solidly embedded in the ground. Affixed securely to the top of each monument will be a durable cap bearing the Colorado registration number of the professional land surveyor who sets the monument. Monuments located within a street but under pavement will be installed a minimum of twelve inches below the finished grade of the street. Access to these monuments will be provided by the installation of a range box.

(5) Whenever possible, state plane coordinates will be furnished to the city engineer for all subdivision boundary monuments that are within a reasonable distance of a first or second order monument for which such coordinates are available or can readily be determined by computation.

(6) At least one permanent bench mark will be established in all new or replatted subdivisions in the city. The bench marks will be a domed brass cap firmly affixed to a permanent structure, such as a concrete bridge headwall or wingwall, concrete irrigation structures, or other sizeable concrete masses. The cap may also be set in a solid rock formation or in the ground in a six-inch diameter, thirty-six-inch deep concrete monument, provided that the cap is not to be set in sidewalks, curbs, driveways, streets, utility poles, or trees. Each benchmark will be located with at least two horizontal ties shown on the plat. The elevation datum of the benchmark will be surveyed from monuments acceptable to the city engineer. The elevation and the datum used to establish the benchmark will be recorded on the plat and submitted to the city engineer.

(F) Title block will contain the proposed name of the subdivision and the section, township, range, and principal meridian.

(G) Any conflicting boundary evidence must be shown and described.

(H) Names, addresses, and signatures of the owner, subdivider, and professional land surveyor.

(I) Total acreage of the subdivision.

(J) Written and graphic scale, the north arrow designated as true north.

(K) The names of abutting subdivisions.

(L) Numbers and letters identifying each lot, block, and tract.

(M) Statement of land ownership.

(N) Statement by the owner dedicating streets, rights-of-way, easements, and other tracts to the city and its assigns. Areas reserved for future public acquisition will also be shown on the plat.

(O) A certificate by an attorney licensed to practice law in the State of Colorado that the person dedicating the streets, easements, parcels of land, and rights-of-way to the city owns them in fee simple, free and clear of all liens and encumbrances. Alternatively, the city may require the subdivider or developer to provide the city with an owner's title insurance policy, in a form approved by the city and county attorney, insuring the city's title to the streets, easements, parcels of land, and rights-of-way dedicated to the city on the final plat. The city and county attorney may approve endorsements to the owner's title insurance policy insuring over title defects. The city and county manager shall determine the value of the dedications to the city on the final plat and shall determine the amount of the title insurance coverage required by the city. The city may require the subdivider or developer to pay the premium in advance to the title insurance company for the owner's title insurance policy. The final plat shall include the following notation: "No building permit or certificate of occupancy shall be issued for any building or structure within the boundaries of this final plat unless and until an owner's title policy has been delivered to The City and County of Broomfield and the premium paid thereon in accordance with the provisions of section 16-20-030(O) of the Broomfield Municipal Code."

(P) Certification and approval by the land use review commission, with signature lines for the chairman and secretary.

(Q) Certification for approval by the city council with signature lines for the mayor and city clerk.

(R) The location of any plugged and abandoned oil and gas well and its production site or any former oil and gas production site located within the boundaries of the preliminary plat or within 200 feet of such

boundaries on abutting property (Ord. 934 §2, 1992; Ord. 1026 §2, 1994; Ord. 1111 §8, 1995; Ord. 1318 §1, 1998; Ord. 1695 §1, 2002; Ord. 1698 §3, 2002)

16-20-040 Final plat; accompanying information.

The final plat shall be accompanied by:

(A) A completed development review application form, provided by the city manager or his or her designee, signed by the property owner and subdivider;

(B) An executed subdivision agreement;

(C) Perpetual drainage easements for areas affected by the proposed development;

(D) The professional land surveyor will provide a certificate as to the accuracy and conformance of the final plat to all applicable state laws and the requirements set forth herein. The survey of the monumented perimeter must have an error of closure not greater than one part in 10,000 parts and must be tied into the state plane coordinates or other permanent marker accepted by the city engineer. The professional land surveyor will provide a computer printout of the mathematical closure of the boundary lines, road rights-of-way, easements, and blocks of the final plat for review by the city engineer. Any mathematical closure errors in excess of one-hundredth foot must be corrected prior to plat approval;

(E) A technical report showing the location, extent, capacity, and nature of all public improvements to be installed and other information as follows:

(1) Proposed name of subdivision;

(2) Outlines of existing and proposed streets, easements, rights-of-way, watercourses, lot lines, and other important features;

(3) Two-foot interval contours as existing and proposed;

(4) Streets, curbs, gutter, and sidewalk improvements;

(5) Traffic control devices;

(6) Water and sanitary sewer lines and appurtenances;

(7) Base flood elevation data and designation of areas of special flood hazard, as defined in section 17-04-022, B.M.C.;

(8) Proposed drainageways;

(9) Storm drainage improvements and appurtenances;

(10) Proposed sites and areas of residential uses, business uses, industrial uses, churches, and other nonpublic uses;

(11) Existing and proposed zoning on and adjacent to the tract; and

(12) The location of all existing buildings that are to be retained on the site; and

(F) Agreements made with ditch companies when needed;

(G) A final drainage study;

(H) A traffic analysis report;

(I) Geotechnical studies as requested by the city;

(J) A report or map showing the location and size of existing utilities within or adjacent to the subdivision (including water, sewer, electricity, and gas), and containing such engineering as is necessary to show generally how water, sewer, electricity, gas, telephone, and cable television services are to be provided;

(K) Proof of ownership satisfactory to the city attorney, which may include a recently issued title commitment or title policy;

(L) A general warranty deed or other deed satisfactory to the city attorney, title commitment, and fee for the title policy for property being dedicated to the city;

(M) Identification of the final grades for lots upon which structures are to be constructed on earthen fill materials; and

(N) For plugged and abandoned oil and gas wells or former oil and production sites either within the boundaries of the final plat or within 200 feet of such boundaries on abutting property, the Form 6, the well abandonment report, the plugging verification reports for such wells filed with the Colorado Oil and Gas Conservation Commission, and any Colorado Oil and Gas Conservation Commission reports regarding former oil and gas production sites. Final plats shall be subject to the provisions of chapter 17-56, B.M.C. (Ord. 724 §1, 1987; Ord. 934 §3, 1992; Ord. 1598 §2, 2001; Ord. 1698 §4, 2002)

16-20-050 Final plat; hearing and notice; land use review commission.

The land use review commission shall hold a public hearing on the final plat. Notice shall be given in accordance with the provisions of chapter 17-52. (Ord. 724 §1, 1987; Ord. 1111 §9, 1995)

16-20-060 Final plat; recommendation; land use review commission.

Within thirty days of the conclusion of its public hearing on the final plat, the land use review commission shall adopt a resolution recommending approval, disapproval, or conditional approval. If the approval is conditional, the conditions under which the final plat would be acceptable shall be set forth. (Ord. 724 §1, 1987; Ord. 1111 §10, 1995)

16-20-070 Final plat; hearing and notice; city council.

The city council shall hold a public hearing on the final plat. Notice shall be given in accordance with the provisions of chapter 17-52. (Ord. 724 §1, 1987)

16-20-080 Final plat; decision; city council.

Within thirty days of the conclusion of its public hearing on the final plat, the city council shall adopt a resolution of approval, disapproval, or referral back to the land use review commission for further study. (Ord. 724 §1, 1987; Ord. 1111 §11, 1995)

16-20-090 Review standards.

The recommendation of the land use review commission and the decision of the city council shall be based on whether the applicant has demonstrated that the proposed final plat meets the standards set forth in section 16-16-110 and is generally consistent with an approved preliminary plat, if there is one. No final plat will be recommended by the land use review commission or approved by the city council until such maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials as may be required herein have been submitted and reviewed, and found to meet the planning, engineering, and surveying requirements of the city required; provided, however, that the city engineer may waive any final plat requirement for good cause shown. (Ord. 724 §1, 1987; Ord. 934 §4, 1992; Ord. 1147 §1, 1995)

Chapter 16-22

Minor Subdivision

16-22-010 Application.

Any subdivider or developer may apply to the city for a minor subdivision of a tract of land. The city manager, or a designee thereof, must first approve all such applications. At the discretion of the city manager, the city manager may refer the application to the land use review commission for a recommendation. Should any such application be disapproved by the city manager, it may be further processed as provided in chapters 16-16 and 16-20. (Ord. 933 §2, 1992; Ord. 1111 §12, 1995)

16-22-020 Minor subdivision plat requirements.

Minor subdivision plats will include the following:

(A) The description, location, and dimensions of the tract of land and all lots within the tract.

(B) A scale drawing in black permanent ink of the boundaries of the tract, including a statement of the scale, such as one inch equals one hundred feet, and a graphic scale to permit scaling of reduced or enlarged copies of the original.

(C) Recorded and apparent rights-of-way and easements, including a cross-reference to previously recorded dedications.

(D) All dimensions necessary to establish boundaries in the field.

(E) A statement signed and sealed by a professional land surveyor that the survey was performed by him or her or under his or her direct responsibility, supervision, and checking. If bearings are used, a statement explaining how the bearings were established must be included.

(F) Identify not less than two horizontal ties from corners of the minor subdivision plat to a benchmark acceptable to the city engineer.

(G) A legal description of all monuments, both found and set, which mark the boundaries of the property, and a description of all control monuments used in conducting the survey.

(H) A north arrow.

(I) A subdivision name not duplicating any other subdivision in the city or the county in which the subdivision is located.

(J) A small vicinity sketch showing abutting subdivisions and major streets within one-half mile of the proposed minor subdivision.

(K) The format for a minor subdivision plat shall conform to the requirements of section 16-20-020.

(L) Approval of the plat by the signatures of the director of community development or the deputy director of community development and by the city manager or the assistant city manager.

(M) If required, a signed subdivision agreement.

(N) Payment of required fees.

(O) Payment of recording fees for the county in which the minor subdivision plat will be recorded.

(P) Such drainage and construction plans as may be required by the city engineer.

(Q) The location of any plugged and abandoned oil and gas well and its production site or any former oil and gas production site located within the boundaries of the minor subdivision plat or within 200 feet of such boundaries on abutting property. Minor subdivision plats shall be subject to the provisions of chapter 17-56, B.M.C.

(R) A certificate by an attorney licensed to practice law in the state that the person dedicating easements on the plat to the city owns them in fee simple, free and clear of all liens and encumbrances.

(S) As an alternative to the attorney's certificate required for easement dedications in subsection (R) above, the city may permit the subdivider or developer to provide the city with an owner's title insurance policy, in a form approved by the city and county attorney, insuring the city's title to easements dedicated to the city on the minor subdivision plat. The city and county attorney may approve endorsements to the owner's title insurance policy insuring over title defects. The city and county manager shall determine the value of the easement dedication to the city on the minor subdivision plat to ascertain the amount of the title insurance coverage required by the city. The city may require the subdivider or developer to pay the premium in advance to the title insurance company for the owner's title insurance policy. The minor subdivision plat shall include the following notation: "No building permit or certificate of occupancy shall be issued for any building or structure within the boundaries of this minor subdivision plat unless and until an owner's title policy has been delivered to The City and County of Broomfield and the premium paid thereon in accordance with the provisions of section 16-22-020(S) of the Broomfield Municipal Code." (Ord. 933 §2, 1992; Ord. 1534 §2, 2001; Ord. 1695 §2, 2002; Ord. 1698 §5, 2002)

16-22-030 Minor subdivision plat; accompanying information.

The minor subdivision plat shall be accompanied by the following information: for plugged and abandoned oil and gas wells or any former oil and gas production sites either within the boundaries of the minor subdivision plat or within 200 feet of such boundaries on abutting property, the Form 6, the well abandonment report, the plugging verification reports for such wells filed with the Colorado Oil and Gas Conservation Commission, and any Colorado Oil and Gas Conservation Commission reports regarding former oil and gas production sites. (Ord. 1698 §6, 2002)

Chapter 16-24

Vacation of Plats

16-24-010 Vacation authorized.

The city council is authorized to vacate any preliminary or final plat on application of the owner thereof. (Ord. 724 §1, 1987)

16-24-020 Vacation by ordinance or resolution.

A vacation of a preliminary plat or a final plat which includes no dedication of streets, easements, rights-of-way, or other interests in real property may be by resolution or ordinance. A vacation of a plat which includes the dedication of any streets, easements, rights-of-way, or other interests in real property shall be by ordinance. (Ord. 724 §1, 1987)

Chapter 16-28

Design Standards

16-28-010 Site requirements.

(A) Steep land, unstable land, and areas having inadequate drainage shall be noted, and unless acceptable provisions are made for eliminating or controlling problems which may endanger health, life, or property, such areas shall not be platted for residential occupancy.

(B) Any land in a natural drainage channel shall not be platted for occupancy unless adequate provisions to eliminate or control flood hazards are made and approved. These provisions shall be made to protect the health, safety, and welfare of the public, as well as to eliminate any flood hazard resulting from the development of the area. Development shall be carried out in conformity with plans as finally approved.

(C) Where a residential subdivision borders a railroad right-of-way, either a parallel street, lots with increased setbacks, or a landscaped buffer area shall be required. (Ord. 724 §1, 1987)

16-28-020 Streets.

(A) Streets shall be designed to bear a logical relationship to topography.

(B) Intersections shall approximate right angles as closely as possible.

(C) Dead-end streets, with the exceptions of cul-de-sacs, shall be prohibited unless they are designed to connect with future streets in adjacent land that has not been platted, in which case a temporary turnaround easement diameter of seventy feet shall be required. (Ord. 724 §1, 1987)

16-28-030 Adjoining arterial highway.

Restriction of access shall be required when a subdivision or portion thereof adjoins an arterial street or major collector street. Marginal access streets, reverse frontage with screen planting contained in a nonaccess reservation, deep lots, or similar treatment shall be required to reduce the impact of the traffic on residential properties and to avoid interference with the movement of the traffic on thoroughfares. (Ord. 724 §1, 1987)

16-28-040 Half streets prohibited; exceptions.

(A) Half streets shall be prohibited within the boundaries of a subdivision plat, except as provided for herein below.

(B) Where an arterial street or major collector street is to be located on the perimeter of a subdivision in order to conform to the location of such streets as delineated on the transportation element of the city's master plan or in order to conform to other applicable city policies, the dedication by the subdivider of one-half the width of an arterial or major collector street may be permitted, provided:

(1) That the subdivider shall dedicate sufficient right-of-way to provide an adequate street width for two lanes of traffic in accordance with the city's standards and specifications.

(2) That the subdivider shall cause to be constructed in accordance with the city's standards and specifications the one-half of the street, plus six feet which the subdivider is dedicating or shall provide sufficient funds therefor to the city, all as determined by the city; and

(3) That the subdivider has complied with all other applicable provisions of this code. (Ord. 724 §1, 1987)

16-28-050 Street ending at plat perimeter.

When the plat dedicates a street which ends on the plat or is on the perimeter of the plat, the subdivider shall convey the last foot of the street on the terminal end or outside border of the plat to the City of Broomfield, and such area shall be designated an outlot. The city shall put the same to public use for public road and access purposes when, within its sole and absolute discretion, it deems advisable. (Ord. 724 §1, 1987)

16-28-060 Alleys.

Alleys may be allowed or required in any subdivision at the discretion of the city council. (Ord. 724 §1, 1987)

16-28-070 Easements.

(A) Easements for utilities shall be a minimum of sixteen feet wide, eight feet of which shall be on each side of common rear lot lines where said lines abut. On perimeter rear lots, easement width shall be a minimum of ten feet or more. Side lot easements, where necessary, shall be at least five feet in width.

(B) 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 with the lines of such water course and such further width as may be required for necessary flood control measures. The minimum requirements for such easements shall be based on a one-hundred-year flood.

(C) Additional easements for utility, drainage, and other public purposes will be provided as required by the city manager or his or her designee. (Ord. 724 §1, 1987)

16-28-080 Street names.

Street names shall be subject to the approval of the land use review commission and city council. Street names shall not be used which will duplicate or be confused with the names of existing streets. (Ord. 724 §1, 1987; Ord. 1111 §13, 1995)

16-28-090 Blocks.

(A) Block lengths and widths shall be suitable for the uses contemplated, and shall be adequate for requirements pertaining to minimum lot sizes and dimensions.

(B) Blocks shall normally be at least 400 feet in length and not more than 1,320 feet in length between street intersections. Long blocks shall be broken by a pedestrian cross-easement through the block, when it is determined by the land use review commission or city council that such access is needed to provide adequate safety and convenience. (Ord. 724 §1, 1987; Ord. 1111 §14, 1995)

16-28-100 Lots.

(A) Lot dimensions and sizes shall be at least as large as required by applicable zoning requirements.

(B) Each lot shall have vehicular access to a public street.

(C) Through lots and reverse corner lots are prohibited except where essential for appropriate access. An access control line may be required along one or more streets where a lot abuts two or more streets. Flag lots are prohibited except under an approved PUD plan.

(D) Side lot lines shall be substantially at right angles or radial to street lines.

(E) Corner lots for residential use shall have extra width to permit appropriate building setback from and orientation to both streets. (Ord. 724 §1, 1987)

16-28-110 Dedication; requirements generally.

(A) Dedication of public streets, and easements for drainage, water, sewer, telephone, electric and gas service, cable television, and other facilities as determined necessary by the city, based on review of the reports submitted in accordance with section 16-20-040 and of the city's master plan, is required.

(B) Public land dedication is required in accordance with section 16-28-120 for all land zoned for residential uses. (Ord. 724 §1, 1987; Ord. 776 §1, 1988; Ord. 908 §1, 1991)

16-28-120 Dedication; public land dedication requirements.

(A) Except for land which is zoned for business, industrial, or commercial uses, the amount of land established by this section shall be dedicated as public land for public recreation and open space, location of public facilities, and other public uses as authorized by city council.

(B) The following percentage of land zoned for residential uses shall be dedicated at the time of platting:

Gross density (i.e., total number of units divided by total area being subdivided) x 2 + 5 = percent of land to be dedicated.

(Example: 5 units per acre (i.e., 200 units: 40 acres) x 2 + 5 = 15 percent of 40 acres, or 6 acres to be dedicated.)

(C) In addition to the above, drainage channels as shown in the city's master plan shall be dedicated.

(D) Dedication of land for the following purposes shall only be counted to the limited extent specified:

(1) Detention ponds and drainage channels: fifty percent of the area dedicated;

(2) Lakes, ponds, and reservoirs: twenty-five percent of the area dedicated; and

(3) School sites: fifty percent of the area dedicated, not to exceed five acres per school. (Ord. 724 §1, 1987; Ord. 776 §2, 1988)

16-28-130 Dedication; alternate parcel; when.

In lieu of dedicating land within the subdivision, the applicant may dedicate an alternate parcel of land consisting of the same number of acres in another area if, in the sole and exclusive opinion of the city council, it is capable of use for public purposes. In any event, the final decision shall be that of the city council. (Ord. 724 §1, 1987)

16-28-140 Dedication; cash in lieu; appraisal procedure.

If the city council so determines, the subdivider shall pay to the city, in cash, an amount based upon the average market value of the land to be dedicated, as required in section 16-28-120, in lieu of land dedication. The fee shall be negotiated with the subdivider, and if the city and the subdivider fail to agree on the value of the land, such value shall be fixed by a real estate appraisal by one or more qualified appraisers acceptable to both the subdivider and the city. The cost of the appraisals shall be paid by the subdivider. (Ord. 724 §1, 1987)

16-28-150 Dedication; policy determination considerations.

(A) In determining which of the above policies to implement, the land use review commission and the city council will consider the following: the size of the development and its adequacy for accommodating a suitable public use site; the public facility aspects of the city's master plan and the applicable school district's master plan; existing parks and other public uses in the area; the topography, geology, and location of land in the subdivision available for dedication; the needs of the people in the area; and any other appropriate factors.

(B) Land dedicated to the city shall be free of liens and encumbrances. (Ord. 724 §1, 1987; Ord. 1111 §15, 1995)

16-28-160 Dedication; previous arrangements.

The public land dedication requirements shall not apply where satisfactory dedication arrangements were made and approved by the city council at the time of annexation or previous subdivision of the same property. (Ord. 724 §1, 1987)

16-28-170 Reservation; schools and other public places.

Reservation of additional sites for public uses, including schools, shall be mutually agreed upon by the subdivider and the city council following recommendations from public agencies directly involved in the development and service of the area. These reserved sites shall be delineated on the final plat and reserved for public purchase. (Ord. 724 §1, 1987)

16-28-180 Oil and gas wells or injection wells.

(A) No residential lots in any subdivision shall be platted any closer than 200 feet from a well site as *well site* is defined in section 17-54-020, B.M.C.

(B) No public or private school building in any subdivision shall be located any closer than 500 feet from a well site as *well site* is defined in section 17-54-020, B.M.C. (Ord. 967 §4, 1993; Ord. 1039 §1, 1994)

Chapter 16-32

Improvements

16-32-010 Installation or guarantee required.

(A) Before a final plat is approved by the city council, all required improvements must be installed by the subdivider or arrangements satisfactory to the city council and city attorney for a bond, letter of credit, or other performance guarantee must have been made, except as hereinafter provided.

(B) A subdivider may provide the city with a performance guarantee in the amount of fifteen percent of the cost of improvements on the condition that the city will not issue building permits until all improvements are installed and completed within the subdivision or within a phase of the subdivision. The subdivider may, alternatively, provide the city with a performance guarantee in the full amount of funds necessary to construct the required improvements at any time after the fifteen percent performance guarantee is deposited with the city and receive building permits within the subdivision or within a phase of the subdivision.

(C) The performance guarantees for improvements described in subsections (A) and (B) above may be for the subdivision or for phases within a subdivision as approved by the city in the subdivision agreement. The city shall require the subdivider to provide a performance guarantee for the full cost of those improvements that serve the entire subdivision, including but not limited to parks, drainage improvements, collector streets, water and sewer mains, and the like.

(D) The city engineer shall determine in all instances the improvements required to serve the entire subdivision and any phase thereof, the costs of improvements, whether improvements have been satisfactorily installed and completed, and the amount of funds necessary for a performance guarantee. (Ord. 724 §1, 1987; Ord. 952 §1, 1993)

16-32-020 Improvements.

The following improvements shall be installed by the subdivider in conformance with the city's standards and specifications and the approved plat and plans:

- (A) Survey monuments;
- (B) Curbs, gutters, and sidewalks;
- (C) Streets and, where approved, alleys;
- (D) Street name signs and appurtenances;
- (E) Bridges, culverts, storm drainage channels and improvements, and storm sewers;
- (F) Street lights;
- (G) Trees and landscaping;
- (H) Water lines;
- (I) Sanitary sewer lines;
- (J) Fire hydrants; and

(K) Other improvements, both on-site and off-site, not specifically mentioned, but found necessary due to impacts created on existing or proposed public facilities. The need for such other facilities shall be determined by review of the reports submitted in accordance with section 16-20-040 along with a review of the city's master plan. (Ord. 724 §1, 1987; Ord. 908 §1, 1991)

16-32-030 Reimbursements and participations.

Whenever any of the improvements required by section 16-32-020 shall have been installed by the city or by some third party, reimbursement to the city or to such third party shall be required for the subdivision's pro rata share of such improvements. Such pro rata share shall be determined by a combination of the benefits derived and the impacts created by the subdivision while taking into consideration the date on which the improvements were installed, replacement costs, original construction costs, and interest rates. If the improvements have not been constructed, the subdivider shall be required to participate in or pay for part or all of the cost of such improvements. After the construction of the improvements, the subdivider may be entitled to a reimbursement from other benefitting properties. Notwithstanding the above, the city may fund a portion or all of the improvements. (Ord. 724 §1, 1987; Ord. 908 §1, 1991)

16-32-040 Utilities.

All telephone lines, electric distribution lines, street lighting circuits, gas lines, telecommunication service lines, and cable television lines shall be placed underground. The subdivider shall be responsible for complying with the requirements of this section, and he or she shall make the necessary arrangements, including any construction or installation charges, with each of the serving utilities for the installation of such facilities, and shall be subject to all applicable laws and regulations for the construction of same. Transformers, switching boxes, terminal boxes, meter cabinets, pedestals, ducts, electric transmission and distribution feeder lines, communication long-distance trunk and feeder lines, and other facilities necessarily appurtenant to such underground utilities may be placed within easements or public rights-of-way provided for particular facilities. The provisions of this subsection shall not apply to existing utility facilities. (Ord. 724 §1, 1987; Ord. 1515 §4, 2000)

16-32-050 Subdivision agreement; terms.

No final plat shall be recorded or be effective until the owner of the property has entered into a subdivision agreement with the city in a form and content satisfactory to the city council, obliging the owner to make and install within the period of time determined by the city council all improvements required in this chapter and such other improvements as may be determined to be necessary by the city engineer. The subdivision agreement shall also include any other provisions which the city deems necessary to protect the public's health, safety, and welfare. (Ord. 724 §1, 1987)

Chapter 16-36

Variances

16-36-010 Granting when; conditions to be in writing.

The land use review commission and city council may authorize variances from these regulations in cases where, due to exceptional topographical conditions or other conditions peculiar to the site, an unnecessary hardship is placed on the subdivider. Such variances shall not be granted if it would be detrimental to the public good or impair the intent and purposes of this title. The conditions of any variance authorized shall be stated in writing. The variance shall be in keeping with the intent of the master plan for the city. (Ord. 724 §1, 1987; Ord. 1111 §16, 1995)

Chapter 16-40

Vested Property Rights

16-40-010 Short title.

This chapter is known and may be cited as the "Broomfield Vested Property Rights Ordinance." (Ord. 1026 §1, 1994)

16-40-020 Purpose.

The purpose of this chapter is to provide the procedures necessary to implement the provisions of article 68 of title 24, C.R.S., which article establishes a vested property right to undertake and complete the development and use of real property under the terms and conditions of a site specific development plan. (Ord. 1026 §1, 1994)

16-40-030 Definitions.

When not clearly otherwise indicated by context, the following words and phrases as used in this article shall have the following meanings:

(A) *Landowner* means the owner of any legal or equitable interest in real property, and includes any heirs, successors, and assigns of such ownership interests.

(B) *Development agreement* means those terms and conditions of a development agreement that effect the right to undertake and complete the development and use of property.

(C) *Site specific development plan* means a plan describing with reasonable certainty the type and intensity of use proposed for a specific parcel or parcels of property. Upon compliance with the requirements of this chapter, such plan shall establish a vested property right. At the election of the landowner, the final plat as described in chapter 16-20, B.M.C., or the site development plan as described in article III of chapter 17-38, B.M.C., the development agreement as described in titles 16 and 17 of the B.M.C., and/or the PUD plan as described in article II of chapter 17-38, B.M.C., shall be submitted to city council for consideration of the designation of site specific development plan. In addition to all applicable terms and conditions set forth in the approving ordinance or in other chapters of the code or as the code is modified in accordance with subsection 17-38-020(C), B.M.C., each site specific development plan shall be expressly contingent upon the property owner complying with all requirements of such site specific development plan and any other applicable city documents, including, without limitation, paying and/or reimbursing the city for any and all publications, recording and dedication fees, including but not limited to cash in lieu of dedication fees, and the conveyance or dedication of property, easement, rights-of-way, tributary and nontributary groundwater and other property rights and interests which are needed as a result of the direct impacts and burdens resulting from the site specific development plan and complying with the terms of the vesting agreement for the site specific development plan. Failure to abide by such terms and conditions shall result in a forfeiture of the vested property right.

(D) *Vested property right* means the right to undertake and complete the development and use of property under the terms and conditions of a site specific development plan. (Ord. 1026 §1, 1994; Ord. 1902 §1, 2008; Ord. 1911 §1, 2009)

16-40-040 Approval by ordinance.

(A) As part of the application for a final plat, a site development plan, a development agreement, or a PUD plan, a landowner may submit a written request to the city for a vested property right and to designate the final plat, the site development plan, development agreement, or PUD plan as the site specific development plan. An application for a final plat, site development plan and PUD plan to be designated as the site specific development plan shall require review by the land use review commission prior to being placed on the city council agenda for its consideration as a site specific development plan. The site specific development plan shall be submitted to the city council with an ordinance for consideration and decision regarding designating a vested property right in the site specific development plan.

(B) No final site specific development plan shall be placed on the city council agenda until the submission is complete and all agreements necessary for the development have been executed by all nongovernmental parties, all land use review commission conditions have been completed, all third party approvals have been received, and all fees tendered by the landowner. (Ord. 1026 §1, 1994; Ord. 1111 §17, 1995; Ord. 1902 §2, 2008; Ord. 1911 §2, 2009)

16-40-050 Plat and plan language.

The site specific development plan shall include the following words: "Approval of this site specific development plan creates a vested property right pursuant to section 24-68-103, C.R.S., for a period of three years from the effective date of the ordinance approving this site specific development plan. This site specific development plan is subject to all conditions of approval imposed by the Broomfield City Council." (Ord. 1026 §1, 1994)

16-40-060 Date of approval.

A site specific development plan shall be deemed approved upon the effective date of the ordinance adopted by city council. No property rights shall vest prior to such date. (Ord. 1026 §1, 1994)

16-40-070 Duration.

(A) A vested property right shall be vested for a period of three years from the effective date of the ordinance approving a site specific development plan. An amendment to a site specific development plan will not extend the time period for a vested property right, unless such extension is approved by an ordinance of the city council. Any such extension shall not exceed three years from the effective date of the ordinance.

(B) A vested property right may exceed three years when a development agreement with a landowner is approved by the city council in accordance with section 24-68-104(2), C.R.S. (Ord. 1026 §1, 1994)

16-40-080 Waiver.

A landowner may waive a vested property right by a separate document recorded in the county where the property is located. Unless otherwise agreed to by the city, any landowners requesting annexation to the city shall waive in writing any pre-existing vested property rights as a condition of such annexation. (Ord. 1026 §1, 1994)

16-40-090 Other provisions unaffected.

Approval of a site specific development plan ordinance by the city council shall not exempt or waive any other provision of the B.M.C. pertaining to the annexation, development, or use of property. (Ord. 1026 §1, 1994)

16-40-100 Notice.

Hearings to consider the approval of a vested property right shall be subject to the public notice requirements of chapter 17-52, B.M.C. Notice of approval of a vested property right shall be published in accordance with section 24-68-103(1)(c), C.R.S. (Ord. 1026 §1, 1994; Ord. 1902 §3, 2008)

16-40-110 Fee.

Upon submission of an application for a site specific development plan, the applicant shall pay to the city an application fee of \$650.00 for a site specific development plan of ten acres or more of land and \$250.00 for a site specific development plan of less than ten acres of land. (Ord. 1026 §1, 1994; Ord. 1691 §2, 2002)

**APPENDIX A
APPROVED STREET TREES IN ACCORDANCE WITH SECTION 16-32-020(G)**

Common Name	Scientific Name	Characteristic
1. Trees with Seasonal Characteristics		
A. Fall Characteristics - Foliage Color		
Norway Maple	<i>Acer platanoides</i>	Deep green foliage - fall color
Crimson King Maple	<i>Acer platanoides schwedleri nigra</i>	Foliage deep red throughout summer, darker in fall
Faassen's Redleaf Maple	<i>Acer platanoides faassen</i>	Foliage red throughout summer
Schwedler Maple	<i>Acer platanoides schwedleri</i>	Foliage red in spring turning green in summer
Red or Scarlet Maple	<i>Acer rubrum</i>	Excellent red fall color
Hard Sugar Maple	<i>Acer saccharum</i>	Foliage bright orange in fall
Green Ash	<i>Fraxinus lanceolata</i>	Foliage bright yellow in fall
Green Ash	<i>Fraxinus lanceolata</i> Var: Marshall seedless	Same as common Ash except is seedless
Rosehill Ash	<i>Fraxinus lanceolata</i> Var: Rosehill	Foliage bronze-red fall color
Autumn Purple Ash	<i>Fraxinus lanceolata</i> Var: Autumn Purple	Foliage deep purple fall color
Flame Ash	<i>Fraxinus</i> Var: Flame	Fall color red - new variety
White Oak	<i>Quercus alba</i>	Foliage deep red fall color

Northern Red Oak	<i>Quercus borealis</i>	Foliage deep red fall color
Scarlet Oak	<i>Quercus coccinea</i>	Foliage brilliant scarlet fall color
Burr Oak	<i>Quercus macrocarpa</i>	Deep green foliage - no fall color
Pin Oak	<i>Quercus palustris</i>	Foliage orange-scarlet fall color
Mountain Ash	<i>Sorbus aucuparia</i>	Attractive orange-red berries in fall - white flowers late spring
Ginko	<i>Ginko biloba</i> Var: Autumn Gold	Artistic fan-shaped leaves – golden yellow fall color
B. Spring Characteristics - Blossom Color		
Washington Hawthorne	<i>Crataegus phaenopyrum</i>	Cream white flowers - coral-red fruit fall color
Western Catalpa	<i>Catalpa speciosa</i>	Large clusters snowy white flowers
Golden Rain Tree	<i>Koelreuteria paniculata</i>	Fern-like leaves - yellow flowers lantern-like seed pods in fall
Newport Plum	<i>Prunus Newport</i>	Foliage reddish-purple throughout season
Crabapple		
Almey Crab	<i>Malus almey</i>	Red blossoms
Dolgo Crab	<i>Malus dolgo</i>	White blossoms
Eleyecrab	<i>Malus eleyi</i>	Purple-maroon foliage – carmine blossoms
Flame Crab	<i>Malus flame</i>	White blossoms resistant to fire blight
Hopa Crab	<i>Malus hopa</i>	Deep pink blossoms
Klehm's Bechtel Crab	<i>Malus bechtel</i> (improved)	Deep double pink blossoms subject to fire blight
Radiant Crab	<i>Malus radiant</i>	Red blossoms
2. Trees with Good General Characteristics		
European Linden	<i>Tilia europa</i>	Dense-headed tree – large leaves
American Linden	<i>Tilia americana</i>	Large open-headed tree – large heart-shaped leaves
Redmond Linden	<i>Tilia redmond</i>	Large tree, dark glossy green leaves – red buds and twigs
Littleleaf Linden	<i>Tilia cordata</i>	Dense symmetrical tree, small glossy foliage disease-resistant
Ascending Elm	<i>Ulmus americana ascendens</i>	Large dark green leaves – disease-resistant
Christine Buisman Elm	<i>Ulmus Christine buisman</i>	Dense dark green foliage – highly resistant to both phloem necrosis and Dutch elm disease
Sycamore	<i>Platanus occidentalis</i>	Large trees, large smooth-textured leaves. White creamy bark
Honey Locust	<i>Gleditsia trizicanthose inermis</i>	Open-headed tree, fine foliage, thornless, resistant to disease and insects, seedless
Moraine Locust	<i>Gleditsia morzine</i>	Large tree, fine foliage, deep rooted, resistant to drought, disease, and insect pests
Shade Master Locust	<i>Gleditsia shademaster</i>	Fine-textured foliage, strong trunk, ascending branches
Skyline Locust	<i>Gleditsia skyline</i>	Fern-like dark green foliage
Sunburst Locust	<i>Gleditsia sunburst</i>	Distinct-type branching habit, tip foliage on branches, bright gold
Ruby Lace Locust	<i>Gleditsia rubylace</i>	New variety – red foliage
Ohio Buckeye	<i>Aesculus glabra</i>	Broad round-top tree, creamish yellow spiked flowers, deep roots, hard to transplant
Horsechestnut	<i>Aesculus hippocastanum</i>	Large stately tree, dense head, large white flowers, large leaves, hard to transplant

Hackberry

Celtis occidentalis

Growth similar to American Elm; very strong and durable; free from insects and disease

3. Trees Prohibited from Use as Street Trees

All trees of the willow family:

Salicaceae

Genus *Salix* & *Populus*

Willow

Cottonwood

Poplar

Some are beautiful trees in proper situation; however, all are rank feeders, requiring large amounts of water & space; trees are fast-growing, short-lived, easily broken, clog sewers, many have suckering root, highly subject to disease and insects

Russian Olive

Elaeagnus angustifolia

Useful in proper location, but in a street tree situation the material gets straggly with age, drops leaves, twigs and fruit

All Fruit Trees
(except Crabapple)

Trees drop fruits onto streets and sidewalks creating safety hazard; many are highly subject to insect and disease problem, require special maintenance practices