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Chapter 16.04

General Provisions

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16.04.010 Short title.

This Title shall be known and may be cited as the "Subdivision Regulations of the Town of Castle Rock, Colorado." For purposes of this Title, *these regulations* shall mean the Subdivision Regulations. (Ord. 98-36 §1(part), 1998; Ord. 1.09 Art. I §1, 1978)

16.04.020 Purpose.

A. The subdivision of land is the first step in the process of urban development. The arrangement of land parcels for residential, commercial, industrial, recreational, utility and other public purposes will determine to a large degree the qualities of health, safety, convenience, environment and general welfare of the Town.

B. These regulations are designed, intended and should be administered in a manner to:

1. Implement the Town's Master Plan and community-developed vision statements, Planned Development (PD) ordinances and other development policies and ordinances, as such may be amended from time to time;
2. Establish adequate and accurate records of land subdivision;
3. Harmoniously relate the development of the various tracts of land to the existing community and facilitate the future development of appropriate adjoining tracts;
4. Provide for adequate, safe and efficient public utilities and improvements; and provide for other general community facilities and public places;
5. Provide for an adequate future water supply;
6. Provide for light, air, parks and other spaces for public use;
7. Provide for the preservation of important natural features, vegetation and viewsheds;

8. Provide for protection from fire, flood and other dangers; and provide for proper design of stormwater drainage and streets;

9. Provide that the cost of public improvements which primarily benefit the tract of land being developed be borne by the owners/developers of the tract, and the costs of improvements which primarily benefit the whole community be borne by the whole community. (Ord. 98-36 §1(part), 1998)

16.04.022 Preemption.

In adoption of these subdivision regulations the Town invokes its powers as a home rule municipality and preempts and supersedes any statutory provisions regulating the subdivision of land. (Ord. 98-36 §1(part), 1998)

16.04.024 Prohibitions.

A. Unless a final plat recognizing the land division is approved in accordance with these subdivision regulations and such final plat is recorded in the public records or the transaction is exempted under Section 16.04.025, it shall be unlawful to:

1. Further subdivide a lot or tract which has previously been made subject to a final plat;
2. Create by subdivision a parcel of land less than five (5) acres.

B. It shall be unlawful to record in the public records a conveyance or security instrument describing the property conveyed or encumbered by reference to an unrecorded final plat.

C. Both the grantor and grantee named in an instrument of conveyance prohibited under Subsections A and B shall be subject to the enforcement and sanctions of Section 16.04.026; provided, however, that it shall be an affirmative defense that the grantee in such transaction either had no knowledge of the transaction, or did not authorize, consent or acquiesce to the recordation of the instrument of conveyance. In a security instrument the party granting the security interest in a transaction prohibited under Subsections A and B shall be subject to such enforcement and sanctions.

D. The following transactions shall be specifically permitted notwithstanding the prohibitions of Subsection A:

1. Divisions of property by testamentary or intestate provisions;
2. Divisions of property upon court order, including but not limited to judgments of foreclosure;
3. Divisions of land created by a lien, mortgage, deed of trust or any other security instrument;
4. Divisions which create cemetery lots;
5. Divisions of land created by the granting, purchase, conveyance or separation of land for public purposes, including condemnation;

6. Easements or other conveyances of less than fee interest;
7. Street vacations (Section 16.36.040).

E. **Platting Waiver.** The Town Council may waive, by resolution, the requirement to plat for proposed divisions of less than five (5) acres subject to the following criteria:

1. No development permits (applications for zoning, subdivision or building) are being requested at this time;
2. The plat waiver request and accompanying legal description and drawing of the proposed division have been submitted to the Development Services Department; and
3. The division will not hinder the property's ability to comply with an existing development agreement, PD zone obligations and/or other Town plans and policies. (Ord. 2008-24 §1, 2008; Ord. 98-36 §1(part), 1998)

16.04.025 Restrictions prior to platting.

A. No building permits shall be issued for the construction or reconstruction of structures, or the addition to any building or structure, or other improvements requiring a permit, unless the improvements are located on a platted lot or publicly owned land.

B. No subdivision grading operations shall be undertaken until the final plat is recorded and construction plans for all public improvements are approved by the Town, or unless otherwise authorized and controlled by a grading permit issued pursuant to Chapter 15.12 of this Code.

C. All departments, officials and public employees of the Town vested with the duty or authority to issue permits shall conform to the conditions of these regulations and shall issue no permit, certificate or license for any purposes in conflict with the provisions of these regulations, and any permit, certificate or license so issued shall be null and void. (Ord. 2006-16 §3, 2006; Ord. 2000-37 §3, 2000; Ord. 98-36 §1(part), 1998)

16.04.026 Penalties for noncompliance.

A. Any person who violates any of the provisions of these regulations shall be punished by a fine of not more than one thousand dollars (\$1,000.00) per day.

B. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation is committed, continued or permitted by any such person.

C. The Town may enjoin any pending transaction which upon its recordation would violate Section 16.04.024 by action for injunction brought in any court of competent jurisdiction. (Ord. 98-36 §1(part), 1998)

16.04.040 Interpretation.

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

A. Provisions are minimum requirements. In their interpretation and application, the provisions of this Title shall be regarded as the minimum requirements for the protection of the public health, safety, comfort, morals, convenience, prosperity and welfare. This Title shall 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 of any other law, ordinance, resolution, rule or regulation of any kind contains any restrictions covering any of the same subject matter, whichever restrictions are more restrictive or impose higher standards or requirements shall govern.

C. Existing permits. This Title is not intended and shall not abrogate or annul any permits issued or agreements made before the effective date of the ordinance codified in this Title. (Ord. 98-36 §1(part), 1998)

16.04.042 Appeals.

The subdivision applicant may appeal any administrative decision of the Director of Development Services or Town Manager to the Town Council for reconsideration as provided for in Chapters 16.32 and 16.36 of this Title. Approval with conditions may be considered a denial for purposes of appeal. Such appeal must be made in writing to the Director of Development Services or Town Manager within fifteen (15) days of the Director of Development Services' or Town Manager's action. The Development Services Department shall schedule the appeal for public hearing before the Town Council. The public hearing must be noticed in accordance with the provisions of Section 16.28.050 of this Title. After public hearing, the Town Council may approve the subdivision plat, subdivision improvements agreement (SIA) or take other action consistent with the provisions of these regulations. (Ord. 2008-24 §2, 2008; Ord. 98-36 §1(part), 1998)

16.04.044 Variances.

In conjunction with a request for preliminary plat, a subdivider may request relief from these regulations in accordance with the following procedures:

A. The variance request must be submitted in writing to the Development Services Department for consideration by the Planning Commission and Town Council. The variance appeal shall indicate the nature and extent of the requested relief supported with reasons for the request. The variance request shall be noticed and heard concurrent with the preliminary plat request.

B. The Planning Commission shall recommend approval, approval with conditions or denial of the variance request to the Town Council. The Town Council shall take final action to approve, approve with conditions or deny the variance request at the time of its scheduled public hearing. Approval of variances shall be based fundamentally on finding that an unusual topographical or other exceptional condition not caused by action of the subdivider requires such variance or relief, and that granting thereof will not adversely affect the general public, nor have the effect of nullifying the intent and purpose of these regulations. In no case shall any variance be more than a minimum change in requirements; in no case shall it be in conflict with the existing zoning ordinance or objectives of the Town's Comprehensive Master Plan. In granting variances, the Planning Commission may recommend and the Town Council require such conditions which in its judgment will substantially secure the objectives of the standards and requirements affected.

C. Variances from the Town's adopted public works standards shall be processed in accordance with the procedures outlined in the Public Works Regulations. (Ord. 2008-24 §3, 2008; Ord. 98-36 §1(part), 1998)

16.04.046 Vested property rights.

The recorded final plat is designated as the site specific development plan for the purposes of vesting property rights, unless otherwise provided for in a separate development agreement for the property. A landowner seeking vested property rights must make a request of the Town at the time of subdivision application and follow the submittal, public notice and other procedures outlined in Chapter 15.24 of this Code. (Ord. 98-36 §1(part), 1998)

16.04.050 Severability.

It is the legislative intent of the Town Council that the several provisions of this Title shall be severable in accordance with the provisions set forth in this Section:

A. If any provision is declared invalid by a decision of any court of competent jurisdiction, it is declared to be the legislative intent that:

1. The effect of such decision shall be limited to that provision or provisions which are expressly stated in the decision to be invalid; and

2. Such decision shall not affect, impair or nullify this Title as a whole or any other part thereof, but the rest of this Title shall continue in full force and effect.

B. If the application of this Title to any tract of land is declared to be invalid by a decision of any court of competent jurisdiction, it is declared to be the legislative intent that:

1. The effect of such decision shall be limited to that tract of land immediately involved in the controversy, action or proceeding in which the judgment or decree of invalidity was rendered; and

2. Such decision shall not affect, impair or nullify this Title as a whole or the application of any provision thereof to any other tract of land. (Ord. 98-36 §1(part), 1998)

Chapter 16.08

Definitions

16.08.010 Generally

16.08.010 Generally.

For the purpose of this Title, the following definitions and explanations set out in this Section shall apply:

Alley means a strip of land dedicated to public use, located at the side or rear of lots and providing a secondary means of vehicular access to the property.

Block means one (1) or more lots or tracts bordered on all sides, at the time of platting, by public land, private open space, waterway, subdivision boundary, different zone district or different pattern of platting or development.

Construction plan means the maps or drawings accompanying a final plat submittal showing the specific location and design of public improvements to be installed within the boundaries of the subdivision in accordance with the requirements of the Town Council as a condition of plat approval. Construction plans must conform to the Town's adopted Public Works Regulations and are subject to a permitting process administered by the Public Works Department.

Conveyance means transfer of title to real property.

Cul-de-sac means a short street having only one (1) end open to traffic and being terminated at the other end by a vehicular turnaround.

Dedicated land means land transferred via the final plat to the Town or other public/quasi-public entity for ownership and maintenance.

Design standards and criteria means specific improvement requirements and performance-based criteria which are intended to guide the subdivision design process and to aid the Town in evaluating individual plat applications.

Development agreement, also referred to as *annexation and development agreement*, if concurrently annexed and zoned, means a contractual agreement between the Town and property owner (usually of a Planned Development), which governs the overall development rights and responsibilities of the property, including but not limited to development phasing, zoning entitlements, public improvements, water rights conveyances, environmental protections, vested property rights, etc.

Development Services Department means the Town of Castle Rock Department of Development Services which, under the direction of the Development Services Director, is charged with administering the Town's Subdivision Regulations.

Director/Director of Development Services means the Castle Rock Director of Development Services who, under the direction of the Town Manager, is charged with making all final administrative decisions relative to the Subdivision Regulations.

Easement means a right in the public of any person, firm or corporation to use the land of another for a special purpose not inconsistent with the general property rights retained by the owner.

FEMA (Federal Emergency Management Administration) means the federal agency responsible for administering the national flood insurance program and emergency response to natural disasters.

Final PD site plan means the final step in the Planned Development (PD) zoning approval process whereby a detailed site plan for a specific development proposal is submitted by the applicant for review and approval by the Town (Chapter 17.60 of the Town's zoning ordinance).

Floodplain means that land inundated by water in the case of a flood of one-hundred-year frequency as delineated by the flood insurance rate maps and the floodplain ordinance of the Town.

Land Dedication Fee Advisory Committee means an advisory committee appointed by the Town Council in accordance with Subsection 16.20.110.B for the purpose of recommending cash in lieu of land dedication fees on an annual basis.

Land Suitability Analysis Report (LSAR) means a report containing both mapped and written information, required to be submitted with the preliminary plat identifying the extent of and impact upon the property's natural features and environmental constraints and addresses proposed mitigating measures.

Letter of Map Revision (LOMR) means the document issued by FEMA which approves an altered location of the designated one-hundred-year floodplain as delineated on the flood insurance rate maps (FIRM).

Lot means the unit into which land is divided on a subdivision plat or deed with the intention of separate ownership or use. A *lot* is intended for development with habitable structures, residential or commercial, and is distinguished from a *tract* or *right-of-way*, separately defined herein.

Lot, double-frontage means a lot which runs through a block from street to street and which abuts two (2) or more streets.

Lot, reverse corner means a corner lot, the side street line of which is substantially a continuation of the front lot line of the first lot to its rear.

Master Plan means the Master Plan and amendments thereto for the Town which has been officially adopted to provide development policies for current and long-range development within the Town. Such plans include, but are not limited to: The Town of Castle Rock 2010 Comprehensive Master Plan; Castle Rock Town Wide Transportation Plan; Town of Castle Rock Parks, Recreation, Trails and Open Space Master Plan; Town of Castle Rock Water Resources Management Plan; Town of Castle Rock Water Facilities Plan; and Town of Castle Rock Sanitary Sewer Facilities Plan.

Off-site means any premises not located within the area of the property to be subdivided, whether or not in the common ownership of the subdivision applicant.

Planned Development (PD) means a property designated by the Town zoning ordinance (Chapter 17.60) as a Planned Development District.

Planning Commission means the Town of Castle Rock Planning Commission charged with making advisory recommendations to the Town Council regarding subdivision applications.

Plat, final means the map or maps of a proposed subdivision and specific supporting material drawn and submitted in accordance with the requirements of these regulations. When approved, the final plat will be recorded with the County Clerk and Recorder.

Plat, preliminary means the map or maps of a proposed subdivision and specified supporting materials, drawn and submitted in accordance with the requirements of these regulations.

Plat, resubdivision means the changing of any existing lot or lots or any subdivision plat previously recorded with the County Clerk and Recorder. Certain minor changes may be processed administratively; otherwise, resubdivision applications are treated as new plats for purposes of the Subdivision Regulations.

Plat, sketch means a map or maps of a proposed subdivision, drawn and submitted in accordance with the requirements of these regulations to evaluate feasibility and design characteristics at an early stage in the planning.

Platting is a term which refers to the legally required procedures established within these regulations governing the subdivision of land.

Public hearing means a meeting of the Planning Commission or the Town Council for the purpose of hearing comments, testimony, recommendations and other responses from the Town staff, the subdivider, interested parties and the general public regarding the subdivider's preliminary plat proposal or appeal and, after the public hearing, of taking action on the proposal or appeal.

Public improvements means any facility for which the Town may ultimately assume the responsibility for maintenance and operation, or which may effect an improvement for which Town responsibility is established.

Public meeting means a regularly scheduled or special meeting of the Planning Commission or the Town Council for the purpose of hearing comments, recommendations and other responses from the Town staff, the subdivider, other parties and the general public regarding certain types of subdivision actions.

Public Works Department means the Town of Castle Rock Public Works Department, along with the Engineering Division, that is charged with the administration of the Town's Public Works Regulations.

Public Works Regulations means the Town's adopted regulations, as such may be amended from time to time, governing the design, permitting and construction of public improvements, such as water, sewer, drainage and streets.

Regulations means the subdivision regulations of the Town as adopted by ordinance.

Reserve strip means a portion of property within a plat dedicated to the municipality, usually for the purpose of controlling access.

Right-of-way means all streets, roadways, sidewalks, alleys and all other areas reserved for present or future use by the public as a matter of right, for the purpose of vehicular or pedestrian travel.

SFE/Single-Family Equivalent means a numerical value assigned to a specific property based upon the relative size and capacity of the required potable water connection in accordance with a defined schedule adopted within this Code.

Street means a dedicated public right-of-way which provides vehicular and pedestrian access to adjacent properties. This definition includes the terms *road, lane, place, avenue, drive* and other similar designations.

Subdivider means any person, firm, 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 and who either owns the land or has written authorization from the owner of the land to proceed with the subdividing.

Subdivision means the division of a parcel of land into two (2) or more lots, tracts, parcels or other divisions of land, or the platting of a single unplatted parcel of land.

Subdivision improvements agreement (SIA) is a contractual agreement between the Town and subdivider entered into in conjunction with approval of a final plat.

Subdivision plat or plat means the documents that are created pursuant to these regulations which illustrate the new land divisions and ownerships. For purposes of defining and recording property boundaries and otherwise implementing these regulations, a subdivision plat may consist of one (1) lot.

Surety means a financial guarantee provided by the subdivider at the time of final plat approval and as stipulated in the subdivision improvements agreement (SIA) for the purpose of guaranteeing the provision of public improvements.

Town Council means the Town of Castle Rock Town Council.

Tract means a parcel of land which is created for the purposes of common ownership and use by two (2) or more property owners; ownership and use by an association or government entity; or an impermanent status where property intended for further division can be platted and transferred, but where no building permits can be issued. (Ord. 2008-24 §4, 2008; Ord. 98-36 §1(part), 1998)

Chapter 16.12

General Procedures

- 16.12.010 Generally**
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- 16.12.014 Preapplication conference**
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- 16.12.042 Streamlined processing**
- 16.12.050 Referral to appropriate agencies**

16.12.010 Generally.

The formally approved and recorded subdivision of land within the Town shall be accomplished prior to the sale or transfer of parcels, in accordance with the provisions of Section 16.04.024. Both

the Planning Commission and Town Council are charged with reviewing proposed subdivision applications. The function of the Commission is advisory to the Council. Only the Council has authority to approve a preliminary plat or other subdivision action for which it is charged herein. (Ord. 98-36 §1(part), 1998)

16.12.012 Relationship to Planned Development zoning.

If the property proposed for subdivision is zoned Planned Development (PD), then the plat shall conform with all applicable provisions of the preliminary PD site plan and zoning regulations and development agreement. A final PD site plan may be submitted concurrent with the preliminary plat as a single, combined document. A final PD site plan covering the platted area must be approved and recorded prior to building permit issuance. (Ord. 98-36 §1(part), 1998)

16.12.014 Preapplication conference.

Prior to the submission of any plat application, sketch, preliminary or final, the subdivider shall schedule and attend one (1) or more preapplication conferences with the Development Services Department and other relevant staff in order to become familiar with the Town's subdivision process and, in particular, the detailed submittal requirements applicable to his or her specific plat application. At the time of the preapplication conference, the Development Services Department staff will also provide the subdivider with an estimate of the length of the plat review and approval period based upon predefined review procedures and hearing requirements, the complexity of the proposal, departmental staff constraints and Town development priorities. (Ord. 2008-24 §5, 2008; Ord. 98-36 §1(part), 1998)

16.12.020 Sketch plat submittal.

The Director of Development Services may require a subdivider to submit a sketch plat for the Town's review, prior to the formal submittal of a preliminary plat. The sketch plat will be reviewed by the Town staff and may be submitted to the Planning Commission and Town Council for review and comment at a regular public meeting. (Ord. 2008-24 §6, 2008; Ord. 98-36 §1(part), 1998)

16.12.030 Preliminary plat submittal.

The next step is for the subdivider to submit the preliminary plat and all required supporting documents to the Development Services Department for review. After required notice is given to neighboring property owners, the Planning Commission will review the request at a public hearing. The Planning Commission shall then advise the Town Council of its recommendations for approval, conditional approval or disapproval. The Town Council, after proper notice is given, shall, in a public hearing, approve, conditionally approve or disapprove the preliminary plat. Preliminary plat approval shall be valid for a period no longer than twenty-four (24) months, except as provided in Section 16.28.100 of this Title. (Ord. 2008-24 §7, 2008; Ord. 98-36 §1(part), 1998)

16.12.040 Final plat submittal.

The last step is for the subdivider to submit the final plat to the Development Services Department for review by the Director of Development Services. The final plat must correspond in every significant respect with the preliminary plat as previously approved and must include the submission

of construction plans for all required public improvements. The Director of Development Services shall approve, approve with conditions or deny the final plat following review by Town staff and outside referral agencies. The Town Attorney shall prepare the subdivision improvements agreement to be executed by the Town Manager, on behalf of the Town, and by the subdivider. The final plat and all related legal documents shall be recorded with the County Clerk and Recorder within one hundred eighty (180) days of approval in accordance with Section 16.32.070 of this Title. (Ord. 2008-24 §8, 2008; Ord. 98-36 §1(part), 1998)

16.12.042 Streamlined processing.

Under certain circumstances, the submittal and review requirements for sketch, preliminary and final plats may be modified in accordance with Chapters 16.35 and 16.36. These chapters set the requirements for administrative approval of small plats and replats as well as minor plat modifications and corrections. (Ord. 98-36 §1(part), 1998)

16.12.050 Referral to appropriate agencies.

The Town shall refer copies of the preliminary and final plats for review and comment to all agencies required by law and other persons, departments and agencies as determined appropriate by the Director of Development Services. Failure of a reviewing agency to inform the Town of its comments within the specified review period, not to exceed fifteen (15) calendar days, may be interpreted to indicate there are no objections to the plat. (Ord. 2008-24 §9, 2008; Ord. 98-36 §1(part), 1998)

Chapter 16.20

Land Dedication

- 16.20.010 Generally**
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- 16.20.120 Use of land and cash fees**
- 16.20.130 Cash fees; when payable**

16.20.010 Generally.

The subdivider shall convey and plat all land and/or easements to the Town as are necessary to service the development with vehicular and pedestrian access and water, sewer and stormwater utility services. Such land shall be at the time of final plat recordation. In addition, all subdivisions shall comply with the school, park, water facilities, fire station, police station and Town administrative

facilities land dedication requirements contained herein. Dedicated land shall be free of all liens and encumbrances, including any private covenant declarations. (Ord. 98-36 §1(part), 1998)

16.20.020 Purpose and applicability.

The purpose of the Town's land dedication requirements is to ensure that adequate sites are provided to the Town to accommodate a variety of public facilities necessary to accommodate new growth. This Chapter contains the standards adopted by the Town for determining the land dedication needs for schools, parks, water facilities, fire stations, police stations and Town administrative office facilities. Where an "Open Space and Public Land Dedication Plan," including land dedication conveyance schedule, has been adopted for a Planned Development (PD) in accordance with Section 17.60.070.D of the Town's Zoning Ordinance, the provisions of that document shall replace and supersede the requirements herein for individual subdivision requests. For all other subdivision proposals, the requirements spelled out in the following sections regarding public land dedication and/or cash-in-lieu of land dedication shall apply. These dedication requirements shall apply to all new plat or replat applications. (Ord. 98-36 §1(part), 1998)

16.20.030 Park land dedication requirements.

A. Whenever land is proposed for residential, commercial, office or industrial use, the subdivider shall provide land or cash-in-lieu of land to meet the active recreational demands generated by the proposed development. These lands must be suitable for neighborhood and/or community parks and typical facilities in terms of topography, size and location. Where a subdivision is of such a residential density or commercial/office/industrial acreage as to not require the dedication of a full park site (based upon the minimum acreage requirements indicated in Subsections B and C as follows), the Town shall require a cash fee-in-lieu of on-site, or an appropriate off-site, park land dedication. Other factors may also trigger the requirement for cash-in-lieu of land dedication as provided in Section 16.20.110.

B. The following formula shall be used to calculate the minimum amount of land dedication required in residential developments as deemed necessary to provide adequate park areas. This formula is based on eight (8) acres/one thousand (1,000) population: two (2) acres/one thousand (1,000) population for neighborhood parks and six (6) acres/one thousand (1,000) population for community parks:

Single-Family Residential: Neighborhood Park =	Dedication or cash-in-lieu requirement: .002 acres/person or .006 ac/du (based on 3.0 persons/hh) *Minimum on-site dedication: 8-acre site up to 25-acre site (if combined with elementary school), 10–12 acre site is optimum.
Community Park =	Dedication or cash-in-lieu requirement: .006 acres/person or .018 ac/du (based on 3.0 persons/hh) *Minimum on-site dedication: 25-acre site up to 100-acre site (if combined with secondary school), 60–80 acre site is optimum.
TOTAL	Dedication or cash-in-lieu requirement: .008 acres/person or .024 ac/du
Multifamily Residential (eight [8] or greater du/acre gross residential density):	
Neighborhood Park =	Dedication or cash-in-lieu requirement: .002 acres/person or .0039 ac/du (based on 1.9 persons/hh). *Minimum on-site dedication: 8-acre site up to 25-acre site (if combined with elementary school), 10–12 acre site is optimum.
Community Park =	Dedication or cash-in-lieu requirement: .006 acres/person or .0117 ac/du (based on 1.9 persons/hh). *Minimum on-site dedication: 25-acre site up to 100-acre site (if combined with secondary school), 60–80 acre site is optimum.
TOTAL	Dedication or cash-in-lieu requirement: .008 acres/person or .015 ac/du.

**Where a subdivision does not generate the demand for a full neighborhood or community park, the Town shall require cash-in-lieu of park land dedication. Other factors may also trigger the requirement for cash-in-lieu of land dedication as provided in Section 16.20.110.*

C. In order to meet the active recreational demands generated by commercial, office and industrial uses, the subdivider shall provide land dedication per platted acre in accordance with the following schedule. Where the general land use is not specified or known at the time of platting, the most restrictive dedication requirement shall apply:

Retail/Shopping Center	Dedication or cash-in-lieu requirement: (including restaurant) .0056 acres/acre. *Minimum on-site dedication requirement: 8 acre site.
Offices/services	Dedication or cash-in-lieu requirement: .0420 acres/acre. *Minimum on-site dedication requirement: 8-acre site
Industrial and other	Dedication or cash-in-lieu requirement: commercial .0200 acres/acre. Minimum on-site dedication requirement: 8 acre site

**Lands to be dedicated must be suitable for employee-serving parks and facilities in terms of size (minimum acreage), topography and location. Where any or all of the required land dedication is deemed by the Town to be inappropriate or unsuitable within the proposed subdivision, the subdivider shall be required to provide cash-in-lieu of land to the Town in accordance with Section 16.20.110.*

D. The park land acreages identified in Subsections B and C above reflect minimum standards only. Additional standards related to service area, size, location and typical facilities/programs to be

accommodated are found within the 1995 Town of Castle Rock Parks, Recreation, Trails and Open Space Master Plan and shall be considered in the planning and siting of all proposed park areas. A referral shall be made to the Parks and Recreation Department for review and recommendation on any proposed park land dedication. All land which is dedicated shall be free of all liens and encumbrances, including private covenant declarations. Such land shall be required to be conveyed to the Town at the time of final plat recordation. (Ord. 98-36 §1(part), 1998)

16.20.040 Water facilities land dedication requirements.

A. All plat applications shall provide land dedication, or cash-in-lieu of land, for water facilities (wells, storage tanks and water treatment plants) in accordance with the following schedule:

Single-family residential	.0041 acres/du
Multifamily residential (greater than 8 du's/acre gross density)	.0027 acres/du
Retail, office, light industrial and other commercial	.0123 acres/du
Institutional, churches	.0082 acres/du
Institutional, other	.0082 acres/acre
Schools: elementary	.1928 acres/school
junior high	.4719 acres/school
senior high	.7667 acres/school
Parks, irrigated acres	.0205 acres/irrigated acre

B. Dedicated land must be suitable for specific water facilities in terms of elevation, topography, size and location as consistent with the Town's current water facilities master plan and facilities. Where land or any portion of the dedication requirement is deemed by the Town to be inappropriate or unsuitable within the proposed subdivision or at some acceptable off-site location, the subdivider shall be required to provide a cash fee-in-lieu of land to the Town in accordance with Section 16.20.110. (Ord. 98-36 §1(part), 1998)

16.20.050 Fire station land dedication requirements.

A. All plat applications shall provide land dedication, or cash-in-lieu of land, for fire station sites in accordance with the following schedule:

Residential	.00012 acres/du
Retail, office, light industrial and other commercial	.00183 acres/du

B. Dedicated public land must be suitable for fire station facilities in terms of topography, size and location as consistent with the Town's current fire safety master plan and related policies. Where land or any portion of the dedication requirement is deemed by the Town to be inappropriate or unsuitable within the proposed subdivision or at some acceptable off-site location, the subdivider shall be required to provide a cash fee-in-lieu of land to the Town in accordance with Section 16.20.110. (Ord. 98-36 §1(part), 1998)

16.20.060 Police station land dedication requirements.

A. All plat applications shall provide land dedication, or cash-in-lieu of land, for police station sites in accordance with the following schedule. Where the nonresidential land use cannot be determined at the time of platting, the most stringent standard shall apply:

Single-family residential	.000041 acres/du
Multifamily residential (8 du's/acre or greater gross density)	.000026 acres/du
Retail/shopping center (including restaurants)	.00049 acres/acre
Offices/services	.00035 acres/acre
Light industrial and other commercial	.00009 acres/acre

B. Dedicated public land must be suitable for police station facilities in terms of topography, size and location as consistent with the Town's current plans and policies for public facilities. Where land or any portion of the dedication requirement is deemed by the Town to be inappropriate or unsuitable within the proposed subdivision or at some acceptable off-site location, the subdivider shall be required to provide a cash fee-in-lieu of land to the Town in accordance with Section 16.20.110. (Ord. 98-36 §1(part), 1998)

16.20.070 Town administrative facilities land dedication requirements.

A. All plat applications shall provide land dedication, or cash-in-lieu of land, for Town administrative office sites in accordance with the following schedule. Where the nonresidential land use cannot be determined at the time of platting, the most stringent standard shall apply:

Single-family residential	.00015 acres/du
Multifamily residential (8 du's/acre or greater gross density)	.000093 acres/du
Retail/shopping center (including restaurants)	.001 acres/acre
Offices/services	.0018 acres/acre
Light industrial and other commercial	.0009 acres/acre

B. Dedicated public land must be suitable for Town administrative office sites in terms of topography, size and location as consistent with the Town's current plans and policies for public facilities. Where land or any portion of the dedication requirement is deemed by the Town to be inappropriate or unsuitable within the proposed subdivision or at some acceptable off-site location, the subdivider shall be required to provide a cash fee-in-lieu of land to the Town in accordance with Section 16.20.110. (Ord. 98-36 §1(part), 1998)

16.20.080 Trails.

Local trail linkages are considered part of the subdivision's overall circulation system. Trails may be required in addition to sidewalks where such access is needed to connect the subdivision to nearby schools and other similar facilities in a more safe and convenient manner. The Town may choose to credit regional trail right-of-way dedication towards a plat's park land dedication requirement, if such is not otherwise an existing property obligation. (Ord. 98-36 §1(part), 1998)

16.20.090 Credits for private park land and recreational facilities.

Where private open space for park and recreational purposes is provided in a proposed subdivision and such space is to be privately owned and maintained by the future residents of the subdivision for the mutual use and benefit of the residents, a portion of the land area not to exceed thirty-three percent (33%) of the land dedication requirement may be credited against the requirements set forth in Sections 16.20.030 provided that the Town Council finds that it is in the public interest to do so, and that the following standards are met:

1. That the private ownership and maintenance of the land is adequately provided for by written agreement;
2. That the proposed land area is reasonably adaptable for the use for park and recreation purposes;
3. That the facilities proposed for the land area are in substantial accordance with the provisions of this regulation and are approved by the Town Council;
4. That the facilities proposed conform to and/or complement the Town's Parks Recreation, Trail and Open Space Plan;
5. That any land dedicated under the provisions of this Section shall not be used to also satisfy the open space requirement of the PD zoning district.
6. That a referral has been made to the Parks and Recreation Department for review and recommendation to the Town Council on the proposed private facilities credit.
7. That the private facilities be credited only against the neighborhood park component of the park land dedication requirement. (Ord. 98-36 §1(part), 1998)

16.20.100 School land dedication requirements.

A. The Town shall require all residential subdivision proposals to provide land or cash-in-lieu for school facility needs as generated by the proposed development. Dedicated sites shall be a single parcel of a size, configuration and location suitable for the intended school use.

B. The following formulas, as adopted by the Douglas County School District and amended from time to time, are used to calculate the minimum amount of required school land dedication for a proposed residential subdivision:

- | | | |
|-----------------------|---|---|
| 1. Elementary | = | 0.014 acre per student generated* (year round) minimum site size:
10 acres |
| 2. Junior high school | = | 0.021 acre per student generated* (year round) minimum site size:
25 acres |
| 3. Senior high school | = | 0.025 acre per student generated* (traditional) minimum site size:
50 acres combined secondary: minimum 70 acres |

**Current student generation rates are available from the Douglas County School District and must be utilized to determine the number of students which will be generated by the proposed subdivision.*

C. The school site acreages identified above reflect minimum standards only. Additional standards related to size, topography, configuration, location and access for school facilities are found within the 1995 Town of Castle Rock Parks, Recreational Trails and Open Space Master Plan and the Town of Castle Rock 2010 Comprehensive Master Plan and shall be considered in the planning and siting of all proposed school areas. A referral shall be made to the Douglas County School District for review and recommendation on any proposed residential subdivision. All land which is dedicated shall be free of all liens and encumbrances, including private covenant declarations. Such land shall be required to be conveyed to the Town at the time of final plat recordation. Where a subdivision is of such a residential density as to not require the dedication of a full school site (based upon the minimum acreages requirements indicated), the Town shall require a cash fee-in-lieu of on-site, school land dedication. Other factors may also trigger the requirement for cash-in-lieu of land dedication as provided in Section 16.20.110. (Ord. 98-36 §1(part), 1998)

16.20.110 Cash fee-in-lieu of land dedication.

A. The Town may, at its sole discretion, require a cash fee-in-lieu of land dedication. In making such a determination, the Town shall consider the following criteria for each subdivision application:

1. The size of the development and its adequacy for accommodating a suitable public use site;
2. The Town's and School District's master plans for future development;
3. Existing parks and other public facilities in the area;
4. The topography, elevation, geology and location of land in the subdivision available for dedication;
5. The needs of the people in the area; and other appropriate factors.

B. In the event that the Town does not desire land as provided by Sections 16.20.020 — 16.20.070, and 16.20.100 in consideration of Subsection A above, the subdivider shall be required to pay a cash fee of eighty-seven thousand one hundred twenty dollars (\$87,120.00) per acre to the Town.

C. Such fees shall approximate, on a per dwelling unit or per commercial/office/industrial acre basis, the cost to acquire land sufficient to meet school, park, water facility, fire and police and administrative facility needs. (Ord. 2008-10 §1, 2008; Ord. 2000-36 §2, 2000; Ord. 98-36 §1(part), 1998)

16.20.120 Use of land and cash fees.

All land and cash fees dedicated or credited under the provisions of this Chapter shall be used for its intended public purpose (land for school, water, fire, police or administrative facilities) to the mutual benefit of the residents of the subdivision, Town and general public in accordance with the Town's adopted plans and policies for public uses and facilities. Cash will not be directly conveyed to the Douglas County School District, rather will be utilized by the Town to purchase land for

conveyance to the School District when requested to accommodate planned school construction. The Town may exchange land previously acquired under this provision for cash if in the opinion of the Town Council the public need for that specific public use would better be served at a different site. Only as provided in Section 16.20.090 may land be restricted in use for specific area residents. (Ord. 98-36 §1(part), 1998)

16.20.130 Cash fees; when payable.

All cash fees payable to the Town under this Chapter shall be due to the Town prior to the recording of the plat or as stipulated per separate agreement. They shall be placed in the appropriate land dedication fund of the Town for future disbursal by the Town Council. (Ord. 98-36 §1(part), 1998)

Chapter 16.24

Sketch Plat

16.24.010 Purpose

16.24.020 Submittal requirements and review process

16.24.010 Purpose.

Prior to preparing a preliminary plat, the Director of Development Services may require the subdivider to prepare a sketch plat of the proposed project for review by the Town. The Director of Development Services shall also consider any request on the part of the subdivider to go through the sketch plat review process. The purpose of this review is to identify potential issues and concerns and make known any additional or peculiar requirements that may affect the proposed development. (Ord. 2008-24 §10, 2008; Ord. 98-36 §1(part), 1998)

16.24.020 Submittal requirements and review process.

A. Following the mandatory preapplication conference, the Director of Development Services may require the subdivider to submit a sketch plat for review and comment by the Town staff. The Director of Development Services may refer the sketch plat to the Planning Commission and Town Council for consideration at a regular public meeting. The Town staff, Planning Commission and Town Council will comment on the plat and identify any significant issues to be addressed prior to preliminary plat submittal. Public notice and recording of the sketch plat are not required. Sketch plat format and other requirements are set forth in Chapter 16.52 of this Title.

B. The following items may be required to be submitted for a sketch plat review. Required quantities of all plats, reports and other submittal items shall be specified by the Development Services Department:

1. Land use application completed and signed.
2. Planning review fee.
3. Sketch plat.

4. Preliminary analysis of water demand, necessary water rights conveyances and required water facilities.

5. Written narrative explaining the overall development proposal as reflected in the sketch plat, including use, density, open space and land dedication areas, roadways and utilities. In addition, a narrative which relates the sketch plat to the applicable preliminary PD site plan and zoning regulations if zoned Planned Development shall be included. The project's relationship to the Town's Comprehensive Master Plan and other relevant Town policies and ordinances should be addressed.

6. Existing Phase I Drainage Report, as generally described below, or equivalent information:

Drainage Report, Phase I (or "Master Drainage Report"). Such report reviews and analyzes, at a conceptual level, the feasibility and design characteristics necessary to implement adequate storm drainage control for a large planning area. This report identifies all needed on- and off-site drainage facilities required to adequately convey storm flows. Phase I Drainage Reports are generally prepared at the Planned Development (PD) zoning stage of review and approval and address drainage control and facilities for the entire PD area.

7. Additional information as may be requested by the Town to facilitate the sketch plat review. (Ord. 2008-24 §11, 2008; Ord. 98-36 §1(part), 1998)

Chapter 16.28

Preliminary Plat

- 16.28.010 Purpose**
- 16.28.020 Submittal requirements**
- 16.28.022 Land Suitability Analysis Report (LSAR)**
- 16.28.024 Public works standards variances**
- 16.28.026 Submittal requirements for a combined preliminary plat/final PD site plan application**
- 16.28.030 Referral**
- 16.28.040 Review process**
- 16.28.050 Public notice**
- 16.28.060 Review and approval criteria**
- 16.28.090 Plat of record and signatures**
- 16.28.100 Approval; extension**

16.28.010 Purpose.

The purpose of the preliminary plat step is to allow the staff, Planning Commission and Town Council the opportunity to examine in detail all aspects of the proposed plat, including, but not limited to: compatibility with surrounding land uses and zoning; adequate water, utilities and other services; desirable open space areas; preservation of significant environmental features and viewsheds; protection from flooding and other geologic hazards; adequate land dedication for parks, schools and other public uses; and adequate streets and other types of access facilities for residents, businesses and emergency services. The preliminary plat must comply with the applicable PD or

other zone district regulations and requirements. Consistency with the Town's Comprehensive Master Plan and other relevant plans and policies is also considered. (Ord. 98-36 §1(part), 1998)

16.28.020 Submittal requirements.

Following the preapplication conference and optional sketch plat review, the subdivider shall submit a preliminary plat application to the Town. The format and other requirements for a preliminary plat are set forth in Chapter 16.52 of this Title. The following items are required to be submitted in order for the application to be considered complete. Required quantities of all plats, reports and other submittal items shall be specified by the Development Services Department.

- A. Land use application, completed and signed.
- B. Planning review fee.
- C. Title commitment showing current ownership, dated within one hundred eighty (180) days of the application.
- D. Preliminary plat (partial digital submittal required).
- E. Land Suitability Analysis Report (LSAR). See Section 16.28.022 below for description and requirements.
- F. Phasing plan, if any, including written summary and justification.
- G. Preliminary utility studies and plans as may be required to provide satisfactory proof that the property can be adequately served, including written information estimating sewer and water demand, existing capacity and new facility needs and timing.
- H. All proposed water rights conveyances relative to estimated water demand.
- I. Phase II Drainage Report (or "Preliminary Drainage Report"). Such report shall analyze, identify and further substantiate assumptions made in the Phase I Drainage Report as specifically related to the drainage improvements required for the proposed plat, including any necessary off-site improvements. Comprehensive analysis and calculations for all proposed drainage facilities are required to be included in the Phase II Report. Approximate location and size of rights-of-way and/or easements for drainage facilities should also be identified. The report must identify any proposed modifications to the designated one-hundred-year floodplain. Phase II Drainage Reports are generally prepared at the preliminary plat stage of review and approval.
- J. Traffic impact analysis, unless waived by the Director of Development Services following the required preapplication conference.
- K. Additional information, studies and plans as may be required by the Town in order to address the potential impacts of the project.
- L. As a consequence of the Planning Commission and Town Council public hearing and review process, additional information may also be requested by these bodies as part of their deliberations and/or as a condition of approval. (Ord. 2008-24 §12, 2008; Ord. 98-36 § 1(part), 1998)

16.28.022 Land Suitability Analysis Report (LSAR).

The Land Suitability Analysis Report (LSAR) provides the basic information about a subdivision site's physical characteristics and features needed to assess the impact of proposed development both on- and off-site. The report shall consist of both a written and graphic analysis of the physical/environmental factors which affect the subdivision site.

A. Applicability. An LSAR shall be required to be submitted in conjunction with each preliminary plat. As not all subdivision sites will contain all of the elements listed, or because some sites may have unique considerations, the Director of Development Services may waive certain elements of the LSAR or require additional analysis. The subdivision applicant shall submit in writing a letter stating the reason for any requested waiver and list all exceptions being sought.

B. LSAR components. All mapped inventory information shall be submitted at the same scale as the preliminary plat:

1. Slope analysis. Identification of slope ranges for parcels in order to assess the potential of sites for intensity of development and difficulty in provisions of infrastructure and emergency services. A mapped slope analysis shall be provided in the following increments and use a contour interval of two (2) feet:

0—8% – generally suitable for development.

8—12% – increased potential for engineering difficulties; moderate potential for activating site hazards.

12—15% – increased potential for engineering difficulties; moderately high potential for activating site hazards.

15—25% – higher potential for activating hazard potential.

25% + – very high potential for development difficulty; severe hazard potential.

2. Vegetation and wildlife. Native grasslands, gambel oak and similar shrubs, ponderosa pine and other coniferous tree cover are major site components. This analysis map shall show the physical location of major areas of vegetative cover by type, including individual trees of six-inch caliper or greater located outside of tree stands. The map shall also identify any known wildlife habitat areas or migration corridors as identified by the Colorado Fish and Wildlife Division. If the property contains any state or nationally designated threatened or endangered species, the subdivider must comply with all applicable permit requirements and other restrictions.

3. Geology, soils and natural features. This graphic shall identify significant natural features (e.g., drainage channels, bodies of water, rock outcroppings, ravines, ridge lines, buttes and bluffs) and geologic hazards (e.g., down slope creep, debris flow, flood hazards, rockfall hazards, underground mines, known areas of soil problems such as subsidence or shrink/swell, soil contamination) which may require unusual mitigation during design and construction of structures and/or infrastructure. All significant natural and man-made features shall be identified, including major views into and out of the subdivision site. The subdivider shall utilize USGS maps, FIRM

maps, Douglas County Geologic Hazards Maps, the Town's Comprehensive Master Plan and other relevant source material. Such information shall be supplemented by on-site inspection and analysis as necessary.

4. Composite and written analysis. The most significant of the various components of the LSAR shall be overlaid, resulting in a single composite opportunities and constraints map. The composite map shall be compared against the development characteristics of the proposed preliminary plat. A written analysis shall also be provided which summarizes the existing site features and constraints and addresses how the development of the site will occur in a manner which considers both the opportunities and constraints. The written analysis must address the site's physical constraints and hazards, along with proposed impact mitigation measures. (Ord. 2008-24 §13, 2008; Ord. 98-36 §1(part), 1998)

16.28.024 Public works standards variances.

If the preliminary plat involves any variation from the Town's adopted public works standards for proposed public improvements, the applicant must first apply for and obtain the requested variance in accordance with the procedures outlined in the Public Works Regulations before the Town shall further process the preliminary plat application. (Ord. 98-36 §1(part), 1998)

16.28.026 Submittal requirements for a combined preliminary plat/final PD site plan application.

At the option of the subdivider, for a property zoned Planned Development, a combined preliminary plat/final PD site plan document may be submitted in lieu of two (2) separate documents. The title of the document shall reflect both the preliminary plat and final PD site plan. The preliminary plat application must still be noticed in accordance with Section 16.28.050. As required as part of the final PD site plan application, the document must also be recorded with the Douglas County Clerk and Recorder. To prepare the combined document, the subdivider should follow the final PD site plan submittal, form and content requirements found in the Town's zoning ordinance - Chapter 17.60 (Planned Development District), Articles III and IV. If a use by special review (UBSR) application is also part of the requested action, the information required for the UBSR site plan (Chapter 17.72) may also be incorporated on the combined preliminary plat/final PD site plan document. (Ord. 98-36 §1(part), 1998)

16.28.030 Referral.

As set forth in Section 16.12.050 of this Title, the Development Services Department shall refer the preliminary plat to other agencies, governmental units, utilities, service companies or consultants, as deemed necessary by the Development Services Department, for comment. (Ord. 2008-24 §14, 2008; Ord. 98-36 §1(part), 1998)

16.28.040 Review process.

After complete submittal documentation for the preliminary plat has been properly received, reviewed by the Town staff and other referral agencies and a modified plat and other documents submitted, if required, the Development Services Department shall schedule the preliminary plat for a public hearing before the Planning Commission and Town Council. The Planning Commission shall

review the plat and send its recommendation to the Town Council. The Town Council shall approve, approve with conditions or deny the preliminary plat request in accordance with the criteria established in Section 16.28.060 below. (Ord. 2008-24 §15, 2008; Ord. 98-36 §1(part), 1998)

16.28.050 Public notice.

Written notice of the Planning Commission and Town Council hearings at which the preliminary plat is scheduled to be heard shall be given to the owners of all property (exclusive of streets, alleys and easements) adjacent to any portion of the proposed subdivision. The notice shall be given by the subdivider at least ten (10) days in advance of the scheduled Planning Commission and Town Council hearings using certified mail. Notice of both the scheduled Planning Commission and Town Council public hearings may be combined in a single notice and shall include reference to any variance request. A certificate of mailing shall be filed with the Development Services Department by the subdivider prior to the Planning Commission hearing. The subdivider may rely on the applicable records of the County to determine the proper recipients of the required public notice. The review of the public records upon which the certificate of mailing is based shall be completed not earlier than thirty (30) days prior to the date of the certificate of mailing. Substantial compliance with this Section shall be the standard to ascertain whether the affected property owners were properly noticed. The written notice shall specify that the preliminary plat may be inspected at a Town government office during normal working hours. Any appeal hearing scheduled before the Town Council in accordance with Section 16.04.042 of this Title, regarding a decision on a preliminary, final or administrative plat decision, shall meet the notice requirements of this Section. (Ord. 2008-24 §16, 2008; Ord. 98-36 §1(part), 1998)

16.28.060 Review and approval criteria.

The Town must be satisfied that the preliminary plat has adequately addressed the following criteria in a manner consistent with the general public interest, health, safety and welfare:

- A. The plat is in compliance with the Town's development standards for water, sewer, storm water drainage, streets and other public improvements.
- B. The plat is in substantial conformance with relevant development policies set forth in the comprehensive master plan and any amendments thereto.
- C. The plat is in compliance with all applicable preliminary PD site plan and zoning regulations.
- D. Utility demands can be met through adequate system capacity and treatment, storage and distribution facilities.
- E. Adequate water supply has or will be conveyed with the plat to accommodate the level of development proposed.
- F. Where applicable, adequate consideration has been given to the future extension of streets and utilities to adjacent properties.
- G. For local residential streets, through traffic potential has been limited through appropriate design. Emergency vehicle access is adequate.

H. All traffic impacts, on- and off-site, have been identified and appropriately mitigated.

I. Open space reservations and public land dedications are of an appropriate configuration and location within the plat and comply with any applicable requirements of the PD ordinance and/or Chapter 16.20 of these regulations.

J. The plat provides for safe and convenient pedestrian access in the form of sidewalks and/or trails.

K. The subdivision design and grading plan minimizes disturbance to significant natural land forms, vegetation and other areas of environmental and visual sensitivity as identified in the LSAR. Where such features and areas are present, the detailed design criteria set forth in Section 16.60.090 (Terrain and Vegetation Preservation) shall apply.

L. Subdivision design - including the placement of lots, streets and open areas - is compatible with surrounding development patterns, existing and planned.

M. If proposed, the plat's phasing plan provides for the logical extension of roadways, utilities and other urban services.

N. The plat is in substantial conformance with all other applicable design criteria and standards established in Chapter 16.60 of these regulations. (Ord. 98-36 §1(part), 1998)

16.28.090 Plat of record and signatures.

Following the approval of the preliminary plat by the Town Council, the subdivider shall submit to the Development Services Department the approved preliminary plat on twenty-four-by-thirty-six-inch Mylar sheets appropriate for Town record. Such Mylar sheets shall bear the required surveyor's and civil engineer's statements and signatures as required by Section 16.56.020 of this Title. The Mylar sheets shall then be signed by the Mayor and attested by the Town Clerk. Each sheet shall be signed by the Development Services Department to ensure that the plat of record conforms in all its elements to that approved by the Town Council. No final plat application may be submitted until the preliminary plat Mylars have been submitted to and approved by the Development Services Department. (Ord. 2008-24 §17, 2008; Ord. 98-36 §1(part), 1998)

16.28.100 Approval; extension.

A. Approval, extensions and lapses. Upon approval by the Town Council, the applicant shall have two (2) years to submit a final plat application. The applicant may apply to the Director of Development Services for a single one-hundred-eighty-day extension at least thirty (30) days prior to the end of the two-year time period. The extension application shall be on a form approved by the Director of Development Services and shall be accompanied by a fee as set forth and published in the Development Services' fee schedule, as amended from time to time. The extension shall be granted automatically to any applicant who submits a timely and complete application along with the full application fee. After the one-hundred-eighty-day or extended time period, the approval of the preliminary plat shall lapse and be of no further force or effect. In computing any period prescribed in this Section, the last day of the period so computed shall be included, unless it is a Saturday, a

Sunday or a legal holiday; in which event, the period runs until the end of the next day which is not a Saturday, a Sunday or a legal holiday.

B. Partial final plats. In the case of partial final plat submittal, the approval of the remaining portion of the preliminary plat shall automatically result in an extension of one hundred eighty (180) days before another final plat must be submitted. This provision shall also remain in effect in the case that an extension has been granted under Section 16.28.100.A. (Ord. 2008-24 §18, 2008; Ord. 2002-21 §§8, 9, 2002; Ord. 2001-25 §5, 2001; Ord. 98-36 §1(part), 1998)

Chapter 16.32

Final Plat

- 16.32.010 Purpose**
- 16.32.020 Submittal requirements**
- 16.32.030 Referral**
- 16.32.040 Review process**
- 16.32.050 Review and approval criteria**
- 16.32.060 Requirements prior to plat recordation**
- 16.32.070 Recording, approval period, extensions and lapses**

16.32.010 Purpose.

The final plat is the final step in the platting process and serves as the document of record. It establishes legally described lot lines and conveys necessary easements and land to the Town and other public agencies. The final plat is accompanied by a subdivision improvements agreement (SIA), a contract between the Town and subdivider which generally establishes the subdivider's commitment to provide public improvements for the plat. The final plat is required to substantially conform to all elements of the approved preliminary plat. (Ord. 98-36 §1(part), 1998)

16.32.020 Submittal requirements.

Following approval of a preliminary plat, the subdivider may submit a final plat following the mandatory preapplication meeting with the Development Services Department. The final plat may reflect the entire preliminary plat or any logical part thereof. Format and other requirements for a final plat are set forth in Chapter 16.52 of this Title. The following items are required to be submitted in order for the application to be considered complete. Required quantities of all plats, reports and other submittal items shall be specified by the Development Services Department.

- A. Land use application, completed and signed.
- B. Planning review fee.
- C. Title commitment showing current ownership, dated within one hundred eighty (180) days of the application.
- D. Final plat (digital submittal required).

E. Final utility and traffic reports and plans as may be required by the Town.

F. Phase III Drainage Report. Such report shall update and refine the analysis and facilities identified in the Phase II Report. The Phase III Report shall include all specific design details necessary to prepare construction plans, including the identification of specific rights-of-way and easements for such facilities. The report must include the result of a detailed floodplain analysis if modifications are proposed. The Phase III Report is generally prepared at the final plat stage of review and approval.

G. A Letter of Map Revision (LOMR) application for any proposed modifications to the FEMA-designated one-hundred-year floodplain.

H. Construction plans and cost estimates for all public improvements, including plan review fees as required by the Public Works Regulations.

I. Legal instrument conveying required water rights, if not previously conveyed. (Ord. 2008-24 §19, 2008; Ord. 98-36 §1(part), 1998)

16.32.030 Referral.

As set forth in Section 16.12.050 of this Title, the Development Services Department shall refer the final plat submittal to other governmental units or agencies, utilities, service companies or consultants, as it deems appropriate for review and comment. (Ord. 2008-24 §20, 2008; Ord. 98-36 §1(part), 1998)

16.32.040 Review process.

After complete submittal documentation for the final plat has been properly received by the Development Services Department, it shall be reviewed by appropriate Town staff and other referral agencies. Based upon the comments provided to the subdivider following this review, a revised final plat shall be submitted if required. The Director of Development Services shall review the revised final plat and approve, approve with conditions or deny the final plat in accordance with the criteria set forth in Section 16.32.050 below. Concurrent with this review, the Town Attorney shall prepare the subdivision improvements agreement (SIA). The Town Manager shall have the authority to finally execute the SIA on behalf of the Town. The subdivider has the right to appeal the decision of the Director of Development Services and any terms of the proposed SIA to the Town Council in accordance with the procedures set forth in Section 16.04.042 of this Title. The Town Council has the right to request Council review of the proposed final plat at any point in the application and approval process. The Director of Development Services shall make a report to the Planning Commission and Town Council regarding the final disposition of final plat applications. (Ord. 2008-24 §21, 2008; Ord. 98-36 §1(part), 1998)

16.32.050 Review and approval criteria.

The Town must be satisfied that the final plat has adequately addressed the following criteria in a manner consistent with the general public interest, health, safety and welfare:

A. The final plat is consistent in every significant respect to all elements of the approved preliminary plat.

B. All final engineering reports, studies and plans have been submitted and approved.

C. A lot conveyance restriction will be placed upon the final plat until such time as any required Letter of Map Revision (LOMR) is approved by FEMA (Federal Emergency Management Agency) (Title 18, Floodplain Regulations).

D. All easements are correct as shown on the plat.

E. The final plat meets all the technical requirements of the subdivision regulations. (Ord. 98-36 §1(part), 1998)

16.32.060 Requirements prior to plat recordation.

The following must be accomplished relative to the final plat prior to recordation with the Douglas County Clerk and Recorder:

A. The final plat document has been submitted in the required form and with all required signatures as specified in Section 16.32.070.

B. An address plat has been submitted to the Town.

C. Construction plans for all public improvements have been approved in accordance with the Public Works Regulations.

D. Any required lot conveyance restriction relative to an existing one-hundred-year floodplain has been submitted for concurrent recording.

E. The subdivision improvements agreement has been executed and will be concurrently recorded. (Ord. 98-36 §1(part), 1998)

16.32.070 Recording, approval period, extensions and lapses.

Upon approval of the final plat, the applicant shall have one hundred eighty (180) days to submit to the Town the approved amended final plat in a format appropriate for recording, including all required signatures and recordation fees. Any other document approved in conjunction with the final plat must be recorded simultaneously. The applicant may apply to the Director of Development Services for a single one-hundred-eighty-day extension of the recordation period at least thirty (30) days prior to the end of the one-hundred-eighty-day time period. The extension application shall be on a form approved by the Director of Development Services and shall be accompanied by a fee as set forth and published in the Development Services' fee schedule, as amended from time to time. After the one-hundred-eighty-day or extended time period, the approval of the final plat shall lapse and be of no further force or effect. In computing any period prescribed in this Section, the last day of the period so computed shall be included, unless it is a Saturday, a Sunday or a legal holiday; in which event, the period runs until the end of the next day which is not a Saturday, a Sunday or a legal holiday. (Ord. 2008-24 §22, 2008; Ord. 2002-21 §10, 2002; Ord. 2001-25 §6, 2001; Ord. 98-36 §1(part), 1998)

Chapter 16.35

Resubdivisions

16.35.010 Resubdivisions/replats

16.35.010 Resubdivisions/replats.

A. A resubdivision/replat resulting in eight (8) or fewer lots may request administrative review in accordance with Section 16.36.010.

B. Any resubdivision/replat not qualifying under Subsection A above shall be subject to the submittal and review procedures outlined in Chapters 16.24 (Sketch Plat), 16.28 (Preliminary Plat) and 16.32 (Final Plat). Such requests are considered, for purposes of these regulations, to be new subdivision applications.

C. A preliminary plat or final plat, the approval for which has lapsed in accordance with either Section 16.28.100 or 16.32.070, shall be resubmitted as a new subdivision application. (Ord. 98-36 §1(part), 1998)

Chapter 16.36

Administrative Plat Review, Minor Modifications and Vacations

16.36.010 Administrative plat review

16.36.020 Minor modifications and corrections

16.36.030 Vacation of plats

16.36.040 Vacation of streets and easements

16.36.010 Administrative plat review.

A. Eligibility. The subdivider must attend a preapplication conference with the Development Services Department before the request for administrative review will be considered.

B. Administrative plat review. The Director of Development Services shall have the authority to review and approve any new plat or replat resulting in eight (8) or fewer lots and which also meets the following criteria:

1. All lots abut a dedicated, improved and accepted Town street.
2. All water dedication requirements have been met.
3. Water and sewer facilities adequate to supply the proposed plat are in place adjacent to the plat.
4. There are no off-site public improvements required, or where the total public improvements required are valued at an amount not requiring a formal subdivision improvements agreement (SIA) as established by Town regulation or policy.

C. Submittal requirements. The subdivider shall concurrently submit to the Development Services Department a preliminary plat and final plat of the proposed subdivision. These plats shall meet all the form and content requirements as set forth for preliminary and final plats in Chapter 16.52 of this Title. Following the required preapplication conference, the Director of Development Services may waive the submittal of certain plans, studies and reports, as are normally required for all preliminary plat applications, if such are determined to be inapplicable given the nature of the development proposal.

D. Review process. Following referral to appropriate departments and outside agencies, the Director of Development Services shall review the preliminary plat and final plat submittal and approve, approve with conditions or deny the request. If public improvements are proposed, the subdivider may be required to enter into a subdivision improvements agreement (SIA) with the Town. Construction plans for all public improvements must be submitted, reviewed and approved in accordance with the Town's Public Works Regulations prior to final plat recordation. If the Director of Development Services denies the preliminary or final plat request, or approves with conditions unacceptable to the subdivider, the subdivider may appeal the decision to the Town Council as provided for in Section 16.04.042 of this Title.

E. Public notice. The preliminary plat shall be noticed in accordance with Section 16.28.050 of this Title, except that the notice shall refer comments to the Development Services Department.

F. Recordation. Following the approval of the final plat, any required SIA and construction plans for public improvements, the final plat shall be signed by the Director of Development Services and Town Manager and attested by the Town Clerk. The Town shall then record the final plat with the County Clerk and Recorder. (Ord. 2008-24 §23, 2008; Ord. 98-3 6 § 1(part), 1998)

16.36.020 Minor modifications and corrections.

A. Applicability. The Director of Development Services may administratively approve the following minor changes to an approved final plat, following referral to appropriate departments and outside agencies:

1. Consolidation of two (2) or more lots for purposes of creating a single development lot, where all individual lots are held in common ownership.
2. A minor adjustment or vacation of a lot line, where no easements are involved and no new lots are created.
3. Changes due to minor errors or omissions.
4. Minor reconfiguration of an easement.

B. Submittal requirements. The subdivider requesting the minor modification or correction must submit the revision in the form requested by the Development Services Department as most appropriate for recordation. (Ord. 2008-24 §24, 2008; Ord. 98-36 §1(part), 1998)

16.36.030 Vacation of plats.

The Town Council is authorized to vacate plats in accordance with the following procedures:

A. If there are no dedicated public streets or alleys or public easements within the proposed vacation plat, the vacation plat may be approved by resolution at a regular Town Council meeting.

B. If the proposed vacation plat contains dedicated public streets or alleys or public easements, the Town Council must approve the vacation by ordinance and comply with the procedures outlined in Chapter 14 of this Code.

C. Submittal requirements. The party seeking the plat vacation must submit appropriate information as requested by the Development Services Department. (Ord. 2008-24 §25, 2008; Ord. 98-36 §1(part), 1998)

16.36.040 Vacation of streets and easements.

The Town Council is authorized to vacate dedicated streets and other public rights-of-way and public easements in accordance with Title 14 of this Code. Such requests must be approved by ordinance. The party seeking the vacation must submit appropriate information as requested by the Development Services Department. (Ord. 2008-24 §26, 2008; Ord. 98-36 §1(part), 1998)

Chapter 16.48

Improvement Requirements

- 16.48.010 Disclaimer**
- 16.48.020 Public improvements description**
- 16.48.030 Construction plans**
- 16.48.040 Subdivision improvements agreement**
- 16.48.050 Public improvements security**
- 16.48.060 Regional facilities**
- 16.48.070 Restriction on development approvals**
- 16.48.080 Private improvements**

16.48.010 Disclaimer.

Although these regulations and the Public Works Regulations mandate the construction of public improvements and that the subdivider furnish financial guarantees to secure such construction, the Town does not warrant that the required public improvements will be completed, in the event of the subdivider's default. The Town, in its discretion, will determine which, if any, public improvements are to be completed, considering the availability of funds from the financial guarantees, the status of completion and the need to mitigate public health and safety hazards. These regulations do not require the posting of financial guarantee to secure construction of nonmunicipal facilities, such as electrical, natural gas and telephone. (Ord. 98-36 §1(part), 1998)

16.48.020 Public improvements description.

Public improvements are defined as the water, wastewater, stormwater drainage, transportation, park and recreation facilities, and public area landscaping and any other infrastructure systems and facilities, whether on- or off-site, required to accommodate the proposed subdivision, and which upon their completion by the subdivider are to be dedicated to the Town for operation and maintenance. (Ord. 98-36 §1(part), 1998)

16.48.030 Construction plans.

At the time of final plat submittal, the subdivider shall submit construction plans and specifications for all required public improvements to the Town for review and approval prior to final plat recordation. Construction of public improvements shall not commence until the appropriate plan approvals and construction permits have been obtained from the Public Works Department in accordance with the requirements of the Public Works Regulations. Cost estimates to be used for purposes of the required public improvements security (Section 16.48.050) shall be based upon finally approved construction plans. (Ord. 98-36 §1(part), 1998)

16.48.040 Subdivision improvements agreement.

As a condition to final subdivision plat approval, the subdivider and Town shall enter into a subdivision improvements agreement (the "SIA"). The SIA shall identify the public improvements (including regional facilities as defined in Section 16.48.060) required to be constructed to support the provision of municipal and public utility services to the subdivision, and shall provide assurances that the necessary public improvements will be constructed to established standards in a timely manner. With its approval of a final plat, the Town Council may waive the public improvements security required by Section 16.48.050 if it determines that only minimal public improvements are required. All mortgagees shall be required to subordinate their lien and interest in the property to the real covenants and restrictions of the SIA. (Ord. 98-36 §1(part), 1998)

16.48.050 Public improvements security.

The subdivision improvements agreement (SIA) shall require the subdivider to submit financial security for the required public improvements in accordance with the provisions of the Public Works Regulations. The security must be provided to the Town prior to and as a condition of final plat recordation. (Ord. 98-36 §1(part), 1998)

16.48.060 Regional facilities.

In the event the subdivision will impact or utilize public improvements which benefit other developed or developing areas ("regional facilities"), the SIA shall provide that:

A. In the event the applicable regional facilities are constructed at the time of approval of the SIA, or the Town has received a commitment from a third party securing construction of such facilities, the subdivider may be required to pay a pro rata portion of the cost of the regional facilities; or

B. In all other instances, the cost of the regional facilities is initially borne by the subdivider, preserving the subdivider's right to recoupment in accordance with applicable Town ordinances and applicable recoupment agreements.

The Subdivider's obligation to construct or participate in the cost of development of regional facilities must be secured as provided in Section 16.48.060A, or as otherwise provided in a regional facilities development agreement approved by the Town. (Ord. 98-36 §1(part), 1998)

16.48.070 Restriction on development approvals.

Until all public improvements as required under Section 16.48.040 are substantially completed, the Town shall not be obligated to issue any building permit for private improvements within the subdivision. No certificate of occupancy for any habitable structure shall be issued until all required public improvements have been completed and formally accepted for maintenance and ownership by the Town. (Ord. 98-36 §1(part), 1998)

16.48.080 Private improvements.

In the event that the subdivision, or associated final PD site plan, is proposed to contain property or facilities to be held in common ownership for private use and maintenance, and where the Town has determined that a significant public interest in the facility's construction exists, the Town may exercise its option to review the private facility construction plans, inspect construction activities and require improvement guarantees as part of the required SIA. Where deemed appropriate, the Town may require that the private facility conform to the specifications for the corresponding public facility as outlined in the Public Works Regulations. Such private facilities may include landscape areas and associated irrigation systems, recreational facilities, access drives, roadways and other types of common-use improvements. (Ord. 98-36 §1(part), 1998)

Chapter 16.52

Plat Requirements: Form and Content

16.52.010 Requirements

16.52.020 Digital file submittal

16.52.010 Requirements.

The plats submitted shall conform to the table of requirements found on the following pages, "Town of Castle Rock, Colorado: Plat Map Requirements." The Development Services Department may, from time to time, administratively update these requirements. The most current tables shall be incorporated in the publicly distributed copy of the subdivision regulations with the latest revision date noted. (Ord. 2008-24 §27, 2008; Ord. 98-36 §1(part), 1998)

16.52.020 Digital file submittal.

To aid the expediency of plat review, the Town requires the subdivider to submit the following platted information in digital format:

1. Sketch plat: none.
2. Preliminary plat: plat boundary, utility locations, proposed topographic contours.
3. Final plat: all information contained on the plat.

The subdivider must submit to the Development Services Department a digital drawing file in AutoCAD 12 or 13 DWG, 14 DWG or DXF format. The data layering and format should be consistent with the Town's current layering prototype which will be supplied on a three-and-one-half-inch disk at no charge. A final plat shall not be recorded until such time as the subdivider has submitted the final approved version of the plat to the Town in the required digital format. (Ord. 2008-24 §28, 2008; Ord. 98-36 §1(part), 1998)

**TOWN OF CASTLE ROCK, COLORADO
PLAT MAP REQUIREMENTS**

Page 1 of 2

	SKETCH PLAT	PRELIMINARY PLAT	FINAL PLAT	ADMINISTRATIVE PLAT & REPLAT	MINOR MODIFICATIONS & CORRECTIONS
1. FORMAT. <input type="checkbox"/> 24"x 36" blue or black line prints showing all required information accurately & neatly. Draw at a scale requiring the fewest number of sheets & where all information is readily discernible. Minimum font size of 0.08" (Recommended scales: 20', 50', 100') Digital file submittal required.	•	•	•		
2. PREPARER. <input type="checkbox"/> Must be prepared by Colorado-registered Land surveyor and P.E., accordingly.		•	•		
3. TITLE. <input type="checkbox"/> Project or plat name with type (e.g., Final plat) and brief legal preamble in large letters at top center of sheet. Project name and type of application to also be provided in smaller letters in the lower right-hand corner. Plat name to be consistent with previous platted area name. (example: Meadows Filing #__ ; Founders Village Filing #__ 1st Amendment)	•	•	•		
4. NAMES AND ADDRESSES. <input type="checkbox"/> All Owners, Land Planner/Engineer.	•	•	•		
<input type="checkbox"/> Mortgagees, Lienholders.		•	•		
<input type="checkbox"/> Subdivider(s) (if different than owner).	•	•	•		
<input type="checkbox"/> Land Surveyor (PLS) registered in Colorado.	•	•	•		
5. SIGNATURE BLOCKS AND DEDICATIONS IN TOWN FORMAT. (See Chapter 16.56)			•		
<input type="checkbox"/> Property owner(s); All Mortgagee(s) and Lienholder(s), if any.			•		
<input type="checkbox"/> Legal Description.		•	•		
<input type="checkbox"/> Title Certificate.			•		
<input type="checkbox"/> Engineer's Statement.		•			
<input type="checkbox"/> Registered Land Surveyor.		•	•		
<input type="checkbox"/> Town Manager.			•		
<input type="checkbox"/> Town Director of Development Services (For Administrative plat reviews only).			•		
<input type="checkbox"/> Clerk and Recorder.			•		
<input type="checkbox"/> Statements covering but not limited to: public lands, rights-of-way, easement, etc.			•		
6. SHEET INDEX. <input type="checkbox"/> Sheet Index on first sheet (if more than one sheet) & key map on sheets as needed.	•	•	•		
7. VICINITY MAP. <input type="checkbox"/> Including site, north arrow, bar and graphic scales and nearest major roads.	•	•	•		
8. FULL WRITTEN LEGAL DESCRIPTION. <input type="checkbox"/>	•	•	•		
9. NORTH ARROW, GRAPHIC SCALE AND WRITTEN SCALE. <input type="checkbox"/>	•	•	•		
10. PROPERTY SURVEY INFORMATION Per State Statutes.		•	•		
<input type="checkbox"/> Show all dimensions, bearings or angles, curve data and vertical data.			•		
<input type="checkbox"/> Location and description of all aliquot corners and permanent survey monuments in or near the tract, the subdivision shall be referenced to at least one aliquot corner having State Plane coordinates. Basis of bearings <input type="checkbox"/> Legend of symbols <input type="checkbox"/> Show all adjacent and underlying deeds with book and page and reception numbers.			•		
<input type="checkbox"/> Closure calcs for each of public tracts, ROW and exterior boundary. (Minimum error of closure, after geometric adjustment, must be 1:50,000)			•		
11. PROPERTY LINES. <input type="checkbox"/> Show the boundary line of the site in phantom type. Show lot lines in thinner solid line.	•	•	•		
<input type="checkbox"/> For all lots, tracts, blocks: dimensions, angles or bearings, purpose, I.D. numbers. Show square footage on each lot and tract if such are <1 acre; show acreage for lots and tracts >1 acre.			•		
<input type="checkbox"/> Dashed lines showing connecting subdivision boundary lines and adjoining subdivision names.		•	•		
12. STREETS. Show all adjoining and internal streets & rights-of-way (ROWs). Label street names and ROW widths. <input type="checkbox"/> Existing (PP) <input type="checkbox"/> Proposed (PP & FP) <input type="checkbox"/> Read grades nearest 0.10' (PP)		•	•		
SAME REQUIREMENTS AS APPLY TO PRELIMINARY & FINAL PLATS					
TO BE DETERMINED BY DIRECTOR OF DEVELOPMENT SERVICES					
NOTE: •Required ○May be required					

**TOWN OF CASTLE ROCK, COLORADO
PLAT MAP REQUIREMENTS**

Page 2 of 2

TOWN OF CASTLE ROCK, COLORADO PLAT MAP REQUIREMENTS Page 2 of 2	SKETCH PLAT	PRELIMINARY PLAT	FINAL PLAT	ADMINISTRATIVE PLAT & REPLAT	MINOR MODIFICATIONS & CORRECTIONS
13. PHASING. <input type="checkbox"/> If applicable, show phase lines, label & describe phased or interim improvements.	•	•			
14. ZONING & LAND USE. <input type="checkbox"/> Show proposed major land use divisions & zoning classifications. <input type="checkbox"/> Show existing zoning and existing land use for project and for adjacent properties.	•	•			
15. BUILDING & STRUCTURES.					
<input type="checkbox"/> Existing building footprints; required setbacks; proposed building separations. (For multi-lot residential projects, may indicate by note)		•			
<input type="checkbox"/> Building envelopes.		○	○		
<input type="checkbox"/> Building elevations, front and side.					
<input type="checkbox"/> On surrounding properties, building footprints within 100' of project boundary line, within 50' for plats of less than 20 acres.					
<input type="checkbox"/> Other major structures, including signs.		•			
16. VEHICLE & PEDESTRIAN. <input type="checkbox"/> Location & dimensions for all existing & proposed curb cuts (onsite & within 200' if abutting an arterial, 100' if abutting a collector and 50' if abutting a local street and including cross streets), driveways, parking spaces, loading areas, adjacent and onsite sidewalks/trails. (Preliminary Plat – existing information only)		•			
17. EASEMENTS. <input type="checkbox"/> Show, identify, dimension all existing & proposed easements (or note if none).		•	•		
18. UTILITIES. <input type="checkbox"/> Location & size of all existing and proposed utility lines & appurtenances (water, hydrant, sanitary, storm, gas, electric, phone, cable). Note distance to hydrants off plan (if applicable).		•			
<input type="checkbox"/> Proposed fire hydrants and water, sanitary and storm lines and equipment. Show proposed water service connections for domestic & irrigation uses & proposed sewer service connections. Note backflow interceptors are required.		•			
<input type="checkbox"/> Location of proposed streetlights.		•			
19. GRADING. <input type="checkbox"/> Existing contours, 2' C.I. (extending 100' beyond property).		•			
<input type="checkbox"/> Proposed overlot grading, 2' C.I. (5' if >20 acres).		•			
<input type="checkbox"/> USGS Topography @ 10' or 20' contour interval, extending 100' beyond property.	•				
<input type="checkbox"/> Show cut/fill/slopes and any retaining walls.		•			
20. DRAINAGE & FLOODPLAIN. <input type="checkbox"/> Boundary of the 100-year floodplain (or note stating floodplain is not within the area of the project or subdivision) and dashed lines showing modifications to drainage channels and floodplains. Show detention facilities. (Preliminary Plat only)	•	•	•		
<input type="checkbox"/> Boundary of existing & proposed amended 100-year floodplain if property has not yet obtained a LOMR.	•	•	•		
21. SUMMARY TABLE. <input type="checkbox"/> Total acres for the project or subdivision.	•	•	•		
<input type="checkbox"/> Break down platted area into major land use classifications; net and gross densities.	•	•			
<input type="checkbox"/> Break down platted area into: building lots, ROWs, dedicated public areas, private open space.	•	•	•		
<input type="checkbox"/> Lot size: average, minimum, maximum. Total number of lots.		•			
<input type="checkbox"/> SFEs.			•		
22. LAND SUITABILITY ANALYSIS REPORT (LSAR). See Section 16.28.022, on separate maps at the same scale as preliminary plat:					
<input type="checkbox"/> Slope analysis.	○	•			
<input type="checkbox"/> Vegetation and wildlife.	○	•			
<input type="checkbox"/> Geology, soils and natural features.	○	•			
<input type="checkbox"/> Compost graphic.	○	•			
<input type="checkbox"/> Written report.	○	•			
SAME REQUIREMENTS AS APPLY TO PRELIMINARY & FINAL PLATS					
TO BE DETERMINED BY DIRECTOR OF DEVELOPMENT SERVICES					
NOTE: •Required ○May be required					

Chapter 16.56

Certificates

Castle Rock Development
Services Department

Date

(Ord. 2008-24 §29, 2008)

16.56.030 Final plat certificates and statements.

A. Certificate of Dedication and Ownership.

CERTIFICATE OF DEDICATION AND OWNERSHIP

The undersigned, being all of the owner(s), mortgagee(s) and lienholder(s) of certain lands in the Town of Castle Rock, Douglas County, Colorado, described herein, have laid out, platted and subdivided the same into lots, blocks, tracts, streets and easements as shown on this plat, under the name and style of _____. The undersigned hereby dedicate to the Town of Castle Rock for purposes of ownership and maintenance all streets as platted, tracts _____ and all utility easements as described and shown hereon. Tracts _____ are hereby dedicated to the _____ (examples: the Town, metropolitan district or homeowners association) for: _____ (examples: open space, drainage and utility easements, public access, emergency and maintenance ingress and egress).

The undersigned hereby further dedicate to the public utilities and cablevision the right to install, maintain and operate mains, transmission lines, service lines, cable television lines and appurtenances to provide such utility, communication and cable television services within this subdivision, or property contiguous thereto, under, along and across public roads as shown on this plat and also under, along and across these utility easements as described and identified for specific uses hereon.

Executed this ___ day of _____, ____ (year).

Owner(s): _____ Mortgagee(s) and
Lienholder(s)

Subscribed and sworn to before me this ___ day of _____, ____ (year), by _____.

Witness my hand and official seal. My commission expires: _____.

Notary Public

B. Property's Legal Description.

PROPERTY DESCRIPTION

Insert full legal description for the property.

C. Surveying Certificate.

SURVEYOR'S STATEMENT

I, _____, a duly registered professional land surveyor in the State of Colorado, do hereby certify that this plat truly and correctly represents the results of a survey made on (date of survey), by me or under my direct supervision and that all monuments exist as shown hereon; that mathematical closure errors are less than 1:50,000 (second order); and that said plat has been prepared in full compliance with all applicable laws of the State of Colorado dealing with monuments, subdivisions or surveying of land and all provisions, within my control, of the Town of Castle Rock Subdivision Regulations.

Registered Land Surveyor Date

Surveyor's seal shall appear with this certificate.

D. Title Certificate.

TITLE CERTIFICATE

I, _____, being an authorized representative of _____, a title insurance company licensed to do business in the State of Colorado, have made an examination of the public records and state that all owners, mortgagees and lienholders of the property are listed in the certificate of ownership and dedication.

Signed this ____ day of _____, ____ (year).

Authorized Representative

Title Insurance Company

E. Town Manager's Certificate:

STATEMENT OF TOWN APPROVAL AND ACCEPTANCE

On behalf of the Town Council of the Town of Castle Rock, Colorado, I hereby certify that this plat was approved in accordance with all applicable regulations and that the dedications on this plat are hereby accepted by the Town.

TOWN OF CASTLE ROCK

ATTEST: _____
Mayor

Town Clerk

F. Director of Development Services' Certificate.

STATEMENT OF DIRECTOR OF DEVELOPMENT SERVICES' APPROVAL

This plat was approved by the Director of Development Services of the Town of Castle Rock, Colorado the ____ day of _____, ____ (year).

Director of Development Services

G. Water Rights Dedication Agreement Certificate (where required/applicable).

WATER RIGHTS DEDICATION AGREEMENT

The provision of municipal water to this subdivision is subject to the terms and conditions of the _____ dedication agreement, recorded on the ____ day of _____, ____ (year) at reception no. _____.

H. Recorder's Certificate.

DOUGLAS COUNTY CLERK AND RECORDER'S CERTIFICATE

This Plat was filed for record in the office of the County Clerk and Recorder of Douglas County at ____ _M. on the ____ day of _____, ____ (year), in book __, page __, map __, reception no. ____.

By: _____
Deputy

(Ord. 2008-24 §30, 2008; Ord. 98-36 §1(part), 1998)

Chapter 16.60

Design Criteria and Standards

- 16.60.010 Applicability**
- 16.60.020 General design and approval criteria**
- 16.60.030 Streets and traffic patterns**
- 16.60.040 Overlot grading**
- 16.60.050 Drainage**
- 16.60.060 Utilities**
- 16.60.070 Water supply and conveyance requirements**
- 16.60.080 Lot access standards**
- 16.60.090 Terrain and vegetation preservation**

16.60.010 Applicability.

In order to achieve the intent and purpose of these regulations, a proposed subdivision shall substantially conform to all relevant design criteria and standards contained within this Chapter. Minimum standards for development are contained in the Town's zoning ordinance, Public Works Regulations, building code and in these regulations. However, the Town's adopted Comprehensive Master Plan expresses policies designed to achieve an optimum quality of development. If only the minimum standards are followed, as expressed by the various ordinances and codes regulating land development, a standardization of development will occur. Subdivision design shall be of a quality to carry out the purpose and spirit of the goals, policies and implementation strategies expressed in the Master Plan, and amendments thereto, and in these regulations. (Ord. 98-36 §1(part), 1998)

16.60.020 General design and approval criteria.

A. The layout of lots and blocks should provide desirable settings for structures by making use of natural contours and maintaining existing views, affording privacy for the residents and protection from adverse noise and vehicular traffic. Natural features and vegetation of the area should be preserved to the greatest extent possible.

B. The Town has adopted several design criteria as part of its final PD site plan regulations which have a bearing upon subdivision layout and design. These criteria address lot configuration, building design and orientation, vehicular and pedestrian circulation, open space, landscaping, off-street parking and other types of design elements. For plats zoned PD/Planned Development, refer to Section 17.60.170 of the Town zoning ordinance to ensure compliance with these additional criteria.

C. In order for the Town Council to approve a proposed subdivision, it must be demonstrated that the subdivision can be served by proper access roads, utilities and other basic needs of the future

residents. The subdivider must also convey an adequate water supply for the level of development proposed by the plat in accordance with adopted Town ordinances and policies.

D. Tracts of land or portions thereof lying within the one-hundred-year floodplain shall not be subdivided except for undeveloped open space until the subdivider has complied with requirements of the floodplain ordinance of the Town.

E. Lots and tracts shall be entirely within one (1) zone or use area. (Ord. 98-36 §1(part), 1998)

16.60.030 Streets and traffic patterns.

A. The general location and alignment of collector and arterial streets and interchanges shall generally conform to the Castle Rock Town Wide Transportation Plan and any amendments thereto.

B. If the proposed plat is located within a Planned Development, the street layout and design shall conform with the approved preliminary PD site plan and any accompanying PD transportation study.

C. Streets shall be located with appropriate regard for topography, creeks, wooded areas and other natural features which would enhance attractive development.

D. Existing streets, including streets shown on a valid preliminary plat, which adjoin a proposed plat shall be continued at equal or greater width and in similar alignment to streets proposed in the subdivision, unless variations are approved in accordance with the Town's Public Works Regulations.

E. Local and collector streets shall be laid out so that their use by major through traffic will be discouraged. Expected volumes on proposed streets should not exceed the range acceptable for their assigned classification as established by the Public Works Regulations.

F. The provision of combined access points, to serve two (2) or more lots/business uses, is encouraged in commercial areas in order to minimize disruptions to traffic flow along the adjacent collector or arterial roadway.

G. Where a subdivision borders or contains a state or federal highway right-of-way, the Town shall require adequate provisions for reduction of noise. A parallel street, landscaping, screening, sound wall, easement, greater lot depth, increased rear yard setbacks and fencing, among others, are some appropriate measures for mitigating undesired noise and other highway impacts.

H. Streets shall intersect as nearly at right angles as possible, but not greater than specified by the Public Works Regulations.

I. When a tract is subdivided into larger than normal building lot(s) or parcel(s), such lot(s) or parcel(s) shall be so arranged as to permit the logical location and opening of future streets and appropriate resubdivision, with provision for adequate utility easements and connectors for such resubdivision.

J. Where a street will eventually be extended beyond the plat, but is temporarily dead-ended, an interim turnaround shall be required.

K. Dedication of half-streets shall be prohibited except where essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations, and provided that the Town Council finds it will be practical to obtain the dedication of the other half of the street right-of-way. However, a minimum right-of-way to accommodate two (2) paved travel lanes plus any required turning lanes must be dedicated for all streets. Wherever a half-street dedication is adjacent to a tract to be subdivided in the future, the other half of the street shall be platted when such tract is presented to the Town for subdivision.

L. No street names shall be used which will duplicate or be confused with the names of existing streets. All street naming shall be subject to approval by the Town.

M. All subdivision streets shall have such curbs, gutters, sidewalks, culverts and pavements as may be required by the Town's Public Works Regulations or approved through the variance process established therein. All streets and other roadway improvements, both on- and off-site, shall be constructed to the applicable specifications as set forth in the Public Works Regulations.

N. Street name signs must be in accordance with Town specifications and shall be furnished and installed at the cost of the subdivider.

O. The local roadway system should not detract from the efficiency of the arterial roadway system. Collector and local streets shall not intersect the same side of an arterial street at intervals of less than that allowed by the Town Public Works Regulations, except as may be otherwise specified by an adopted access management plan for the arterial street. Ideally, local streets should not directly access arterial facilities.

P. When a subdivision abuts and controls access to public lands or existing streets, access shall be provided in the form required by the public agency involved. When a subdivision abuts private lands, the Town may require the subdivider to provide street access thereto.

Q. Reserve strips controlling access to public streets shall be prohibited.

R. Where proposed, alleys must be open at both ends of a block.

S. Where railroad crossings are proposed or are affected, provisions for grade separations, buffer strips and safety protection devices shall be provided by the applicant or railroad as required. Obtaining approval from the affected railroad company and the Colorado Public Utilities Commission where applicable shall be the applicant's responsibility.

T. Where curbs with separated sidewalk are to be provided, the planting area or that unpaved portion of the right-of-way between the curb and the sidewalk shall be landscaped and maintained by the abutting property owners. Landscaping shall normally be limited to sodding or seeding, except that trees, shrubs or other plant materials may be used subject to Town approval of the location and species of planting materials to be installed.

U. The Town's functional street classification and design criteria, including design speeds and traffic volumes, right-of-way requirements, access conditions, planning characteristics, curb and gutter design, sidewalk width, street widths, travel lanes, parking lanes, street grades and other geometric parameters, are provided in the Public Works Regulations. (Ord. 98-36 §1(part), 1998)

16.60.040 Overlot grading.

Overlot grading plans shall be submitted in accordance with the specifications and procedures outlined in the Public Works Regulations and the GESC Manual adopted by the Town. General grading design principles include:

A. Grading should complement the natural topography, land forms and vegetation of the site. Grading should be accomplished so as to leave a natural appearance to the land, rather than creating sharp breaks between grading planes.

B. Subdivision grading should maintain minimum slopes of two percent (2%) and maximum slopes of three (3) to one (1). Retaining walls of a height greater than four (4) feet shall require design by a structural engineer. Areas of fill must be adequately compacted to ensure public safety.

C. Dust and erosion shall be adequately mitigated during the grading operation in accordance with Town and other governmental regulations. (Ord. 2006-16 §4, 2006; Ord. 98-36 §1(part), 1998)

16.60.050 Drainage.

Drainage improvements shall be provided which protect public and private property and allow public and private improvements to function as intended. Drainage improvements shall be designed so that developed flows shall not exceed historic flows for the one-hundred-year storm event.

A. Standards and criteria. The Drainage Criteria Manual, available through the Urban Drainage and Flood Control District or the Denver Regional Council of Governments, should be used as an authoritative reference supplementing the requirements contained in adopted Town standards and requirements contained in the Public Works Regulations and these regulations, subject to the approval of the Director of Public Works. Drainage studies, plans and improvements shall be consistent with the approved Master Drainage Plan for the property/Planned Development. Basin transfers will only be allowed with prior approval from the Town.

B. Land within an adopted one-hundred-year floodplain zone or land which is subject to inundation by a one-hundred-year flood shall not be platted for occupancy unless the flooding condition is alleviated in conformance with the Town's zoning and floodplain regulations.

C. Historical flow patterns and runoff amounts shall be maintained in such a manner that would preserve the natural character of the area and prevent property damage of the type generally attributed to runoff rate and velocity increases, diversion concentrations and/or unplanned ponding of storm runoff.

D. Surface drainage shall utilize, wherever possible and practical, natural swales and retention/detention ponds.

E. Where possible, the bottoms of swales shall be lined with natural materials such as grass, rock, stones, sand or coarse gravel.

F. Perimeter boundaries of retention/detention areas shall follow a configuration of natural land contours wherever possible to create a natural look to such areas.

G. All storm sewers and drainage facilities such as gutters, catchbasins, bridges and culverts shall be installed and the land graded for adequate drainage as shown on plans submitted and approved and shall be inspected and checked for adequacy by the Department of Public Works.

H. Erosion and sediment control. In addition to permanent provisions, temporary erosion and sediment control measures are also required during construction operations in accordance with the requirements of the GESD Manual, the Public Works Regulations and the Urban Drainage and Flood Control District's Drainage Criteria Manual, Volume III. The subdivider shall be immediately responsible for the protection and maintenance of all existing drainage facilities, including streets, until the improvements are completed and accepted by the Town. Construction schedules are to be programmed to permit installation of required permanent sediment and erosion control structures as soon as possible. Finished slopes are to be protected with a vegetative cover, riprap or other suitable means. The performance guarantee shall include provisions for enforcement of both the permanent and temporary erosion and sediment control facilities. (Ord. 2006-16 §5, 2006)

16.60.060 Utilities.

A. Water, sewer and reuse improvements shall be designed and constructed in accordance with the preliminary PD site plan and accompanying utilities plan, the Town's overall utility plans adopted as part of its Comprehensive Master Plan and the Public Works Regulations. Title 13 (Public Services) of this Code also contains requirements relative to the extension of the public utility system.

B. Utilities such as telephone, television cable, electric and gas services shall be installed in accordance with the standards of the servicing company, and all locations within public rights-of-way shall be approved by the Department of Public Works. These utilities shall be installed underground and shall be in place prior to street surfacing. Electric transmission lines of 16KV or greater capacity are exempt from this requirement due to the prohibitive cost of undergrounding such facilities.

C. Water and sewer lines shall be designed to permit the extension to all adjacent properties which may develop at a later time. (Ord. 98-36 §1(part), 1998)

16.60.070 Water supply and conveyance requirements.

A. Water rights conveyance requirements are governed by this Code. If water rights failed to be conveyed at the time of annexation and zoning, such rights shall be conveyed with the final plat as required to serve the level of development proposed within the subdivision.

B. The provision of Town water to the plat shall be subject to the terms and conditions of the relevant annexation and/or development agreement for the property. The water demand for the subdivision, expressed in terms of "Single Family Equivalents" (SFE's), shall be calculated by the Town and included in the subdivision improvements agreement as a debit from the property's total water supply credit. (Ord. 98-36 §1(part), 1998)

16.60.080 Lot access standards.

A. Lots should front only on local streets; however, lots designated to face a collector street shall provide adequate means for automobile turnaround within the lot.

B. Side lot lines should be approximately at right angles or radial to street lines.

C. Double frontage and reverse frontage lots should be avoided except where they are needed to provide for the separation of residential development from major streets or to overcome specific disadvantages or topography or orientation. An appropriate landscaped or fenced buffer shall be provided along the portion of the lots abutting such a traffic artery or other use where screening is required. There shall be no right of access across a planting and screening easement. The Town may require a permanent ornamental fence of a height and architectural design that will appropriately screen and be harmonious with the neighborhood and residential character.

D. The developed portion of a lot should not face directly into the oncoming traffic of an intersecting street of a "T" intersection. (Ord. 98-36 §1(part), 1998)

16.60.090 Terrain and vegetation preservation.

The Town's Comprehensive Master Plan defines several categories of environmentally sensitive lands. Goals and policies require that these areas be protected, preserved and/or enhanced as part of the Town's consideration of any plat application or other development proposal. These lands include: one-hundred-year floodplains, areas of geologic hazard, steep slopes, ridgelines, significant vegetation, significant wildlife habitat areas and riparian/stream corridors. As part of the Land Suitability Analysis Report (LSAR) (Section 16.28.022) for proposed plats with significant areas of environmental sensitivity, the analysis shall incorporate the design principles and criteria listed below in order to mitigate disruption to the natural land form:

A. In the site planning and layout of any lot, consideration shall be given to the relationship of roads, lots and buildings to existing slopes, grades, natural vegetation and drainageways. All structures and roadways shall achieve a fit with the landscape that is not intrusive.

B. Significant natural drainageways shall not be disturbed or re-routed except where of general benefit to the overall development and shall be subject to the review and approval of the Town.

C. Unique site features, whether topographic or vegetative, shall receive special consideration in any plat design, site planning or development proposal. Such features shall be left undisturbed wherever practical in lot development.

D. Lots and structures in sloping areas shall be designed to conform to the slope by means of stepped foundations or similar methods that will keep grading and site preparation to a minimum. In principle, structures shall accommodate slope in design rather than cause slope to accommodate structures.

E. Grading shall be shaped to complement the natural land forms.

F. Roads in steeply sloping or heavily vegetated areas shall be designed to minimize the area of disturbance. Clearing of vegetation within the right-of-way shall be feathered to create more natural appearing edges and to accommodate snow stacking.

G. Visual impacts upon off-site areas shall be avoided or reasonably mitigated. For hillside development (in areas of steep slope), visual impacts shall be mitigated through the appropriate siting

of lots and structures so that there is a mountain or hillside backdrop where the lot/structure is visible. For ridgeline development (on top of or adjacent to a significant ridge or bluff), the plat shall be laid out in such a manner as to ensure that the ridgeline remains the visually dominant landscape feature. As part of the final PD site plan process and/or building permit review process, building envelopes shall be defined to restrict the siting of improvements relative to major public views of hillside and ridgeline areas. Building envelopes may also be required on the recorded final plat.

H. Consideration shall be given to wildlife impacts in the layout of open space areas within the plat. All subdivision proposals involving sensitive lands should be referred to the State Division of Fish and Wildlife for information and comment on animal habitat preservation. Where designated threatened or endangered species are present, the subdivider must conform to all applicable state and federal restrictions and permitting requirements. (Ord. 98-36 §1(part), 1998)

Chapter 16.64

Recognition of County Subdivision Plats

- 16.64.010 Purpose and intent**
- 16.64.020 Review process**
- 16.64.030 Review and approval criteria**
- 16.64.040 Approval certificate**

16.64.010 Purpose and intent.

The Town occasionally annexes property that has been subdivided in another jurisdiction. The purpose and intent of this Chapter is to provide a method by which the Town may accept subdivision plats approved by another jurisdiction, provided that the approved plats are consistent with the standards and policies in the equivalent subdivision regulations of the Town. (Ord. 2011-09 §1, 2011)

16.64.020 Review process.

The Director of Development Services may administratively review any subdivision plat that has been approved by another jurisdiction. The plat may be reviewed concurrently with an annexation or after the area of the plat has been annexed by the Town. After finding the plat to be in general conformance with the review and approval criteria set forth below, the Director of Development Services shall cause an approval certificate to be filed with the Douglas County Clerk and Recorder. If the Director of Development Services finds that the plat is not in general conformance with the review and approval criteria set forth below, the Director may refuse to accept the plat as approved by another jurisdiction. The Director shall send a letter to the property owner informing them of the decision. A property owner may appeal the decision to Town Council by submitting an appeal within thirty (30) days of the Director's letter. (Ord. 2011-09 §1, 2011)

16.64.030 Review and approval criteria.

The Town must be satisfied that the subdivision approved by another jurisdiction has adequately addressed the following criteria in a manner consistent with the general public interest, health, safety and welfare:

A. The subdivision is in substantial compliance with the Town's current development standards and relevant master plans for water, sewer, storm water drainage, streets and other public improvements.

B. The subdivision is in substantial conformance with relevant development policies set forth in the comprehensive master plan and any amendments thereto.

C. Utility demands can be met through adequate system capacity and treatment, storage and distribution facilities.

D. Where applicable, adequate consideration has been given to the future extension of streets and utilities to adjacent properties.

E. For local residential streets, through traffic potential has been limited through appropriate design. Emergency vehicle access is adequate.

F. Open space reservation and public land dedications are of an appropriate configuration and location within the subdivision.

G. Subdivision design – including the placement of lots, streets and open areas – is compatible with surrounding development patterns, existing and planned.

H. The subdivision generally meets the Town subdivision requirements, including Section 16.52.010 and Chapter 16.60 of this Code. (Ord. 2011-09 §1, 2011)

16.64.040 Approval certificate.

The Town approval certificate shall include the following information:

A. Legal description;

B. A statement that the plat generally meets the review and approval criteria;

C. A statement that the plat is accepted by the Town; and

D. Development Services Director (or designee's) signature. (Ord. 2011-09 §1, 2011)