

# Chapter 17 Subdivisions

## ARTICLE I Purpose

### Sec. 17-1. Intent.

The regulations contained in this Chapter shall be held to be minimum requirements enacted to promote the health, safety and general welfare of the Town. To these ends, such regulations are intended to assure efficient circulation, adequate improvements, sufficient open space and basic order in subdivision design by providing for the proper arrangement of streets in relation to other existing or planned streets pursuant to the Comprehensive Development Plan; for adequate and convenient open spaces for traffic circulation, utilities, emergency access, recreation and light and air; for the avoidance of population congestion; and for the establishment of standards for the design and construction of improvements herein required.

Secs. 17-2—17-10. Reserved.

## ARTICLE II Definitions

### Sec. 17-11. Words and terms defined.

As used in this Chapter, the following terms shall have the meaning indicated:

1. *Block* means a parcel of land bounded on all sides by a street or streets.
2. *Camper* means any temporary shelter with wheels and includes motorhomes, recreational vehicles (RVs), camping trailers and slide-in campers whether on a truck or not.
3. *Comprehensive development plan* means a plan for guiding and controlling the physical development of land use and circulation facilities in the Town and any amendment or extension of such plan.
4. *Dedication* means a grant by the owner of a right to use land to the public in general, involving a transfer of property rights and an acceptance of the dedicated property by the appropriate public agency.
5. *Easement* means a dedication of land for a specified use such as providing access for maintenance of utilities.
6. *Lot* means a parcel of land intended for transfer of ownership or building development having its full frontage on a public street.
7. *Plat* means a map, drawing or chart upon which the subdivider presents proposals for the physical development of a subdivision, and which he or she submits for approval and intends to record in final form.
8. *Reservation* means a legal obligation to keep property free from development for a stated period of time not involving any transfer of property rights.

9. *Right-of-way* means the width between property lines of a street.
10. *Street* means a way for vehicular traffic, further classified and defined as follows:
- a. *Arterial streets*: Those which permit the relatively rapid and unimpeded movement of large volumes of traffic from part of the community to another.
  - b. *Collector streets*: Those which collect traffic from minor streets and carry it to arterial streets or to traffic generators, such as neighborhood shopping centers and schools. Collector streets include the principal entrance streets to a residential development, those linking such adjacent developments and those streets providing circulation within such developments.
  - c. *Minor streets*: Those used primarily for direct access to properties abutting the right-of-way. Minor streets carry traffic having an origin or destination within the development and do not carry through traffic.
11. *Sub divider* means any person, individual, firm, partnership, association, corporation, estate, trust or any other group or combination acting as a unit, dividing or proposing to provide land so as to constitute a subdivision as herein defined, including the agent of the sub divider.
12. *Subdivision, major* means
- a. The future division or reconfiguration of a parcel of land into six (6) or more parcels, sites or lots for the purpose, whether immediate or future, of transfer of ownership or building development.
  - b. The future division of a parcel of land which is zoned AE into six (6) or more parcels, sites or lots, to be zoned AE, for the purpose, whether immediate or future, of transfer of ownership or building development.
13. *Subdivision, minor* means
- a. The division of a parcel of land which is zoned AE and permitted uses where single-family dwelling units are a permitted use by right, into two (2) to five (5) parcels, sites or lots for the purpose, whether immediate or future, of transfer of ownership.
  - b. To change lot lines in an existing subdivision where no new lots are being created, no utilities are being extended, no new easements or rights-of-way are necessary and all requirements of the Subdivision and Zoning Ordinances are maintained.

Secs. 17-12--17-20. Reserved.

## ARTICLE III Applicability of Regulations

### Sec. 17-21. Minimum requirements; applicability.

In their interpretation and application, the provisions of this Chapter shall be regarded as minimum requirements for the protection of the public health, safety, comfort, morals, convenience, prosperity and welfare.

### Sec. 17-22. Territorial scope

The territory within which these regulations are applicable shall include all land located within the legal boundaries of the Town and all land located within three (3) miles of the corporate limits of the Town and not located in any other municipality for purposes of control with reference to the plan for major streets only.

secs. 17-23—17-30. Reserved.

## ARTICLE IV Major Subdivision

### Sec. 17-31. Purpose.

The purposes of the major subdivision procedure are:

1. To divide or reconfigure a parcel or parcels of land into six (6) or more parcels, sites or lots for the purpose, whether immediate or future, of transfer of ownership or building development.
2. To divide a parcel of land which is zoned AE into six (6) or more parcels, sites or lots for the purpose, whether immediate or future, of transfer of ownership or building development.
3. To change an existing subdivision when the change involves rights-of-way or major easements.

### Sec. 17-32. Subdivision procedure.

1. The sub divider is responsible for having a representative at all meetings where the subdivision request is reviewed. Failure to have a representative present will be cause to have the item withdrawn from the agenda of that meeting.
2. No major subdivision plat shall become effective until after a public hearing thereon, at which parties in interest and citizens shall have an opportunity to be heard.
3. Upon the filing of an application, petition or other document, the designated hearing authority shall set a date for a public hearing, which date shall be not more than sixty (60) days from the date of filing such petition, application or document.
4. Not less than fifteen (15) days prior to the date set for the hearing, the hearing authority shall cause a notice stating the time, place and purpose of such hearing to be posted on the property and published once in a newspaper in general circulation in the County.
5. Preliminary plat.
  - a. Procedure. The sub divider shall submit to the Town Board a minimum of Ten (10) copies of the preliminary plat, along with a review fee set by resolution of the Board of Trustees and all required supportive information as forth in this Section. Such submission shall allow the Town Board to schedule consideration of the preliminary plat by Planning and Zoning.
    - i. Upon the filing of the preliminary plat, the applicant or applicant's representative shall distribute copies of the preliminary plat to the following agencies and offices for review and comments (additional agencies or offices may be added to this list of referrals at the sole discretion of the Town Board):
      1. Atmos of Colorado
      2. Charter Communications
      3. Florence Fire Protection District
      4. Spectrum Cable Services
      5. Black Hills Energy
      6. Fremont County RE-2 School District

7. Those utilities and interests currently operating within the boundaries of Williamsburg
- ii. The preliminary plat shall be accompanied by written notice to the agencies and offices, and this written notice shall state that any comments or objections must be received by the Board of Trustees within ten (10) days of the receipt of this notice. Unless otherwise indicated on the "Developer's Referral Checklist" or later required by the Board of Trustees, the referral agency or office will not be contacted for comments or objections concerning the final plat. It shall be the responsibility of the applicant or the applicant's representative to provide documentation to the Board of Trustees confirming that the preliminary plats and respective notices were distributed and received by the referral agencies in a timely manner.
- iii. The sub divider shall meet with the Board of Trustees to review the recommendations of the referral agencies.
- iv. The preliminary plat and recommendations shall be reviewed by Planning & Zoning as provided by planning policy.
- v. Planning & Zoning shall either approve or disapprove the preliminary plat. If the preliminary plat is approved, it shall be valid for a period of one (1) year from the date of approval.
- b. Plats and data. All preliminary plats shall be made at a scale of either one (1) inch represents fifty (50) feet, with the exception of subdivisions which propose a minimum lot size of one (1) acre or greater which shall be made at a scale of one (1) inch represents one hundred (100) feet, shall be on a reproducible medium of one (1) or more sheets with outer dimensions of twenty-four by thirty-six (24 x 36) inches and shall contain the following information:
  - i. The date of preparation, the scale, a symbol designating the zoning and a symbol designating true North.
  - ii. The proposed name of the subdivision.
  - iii. The legal description (section, township, range).
  - iv. The names, boundaries and zoning of adjacent subdivisions, and property owners.
  - v. The names, addresses, phone numbers and fax numbers of the sub divider and firms or persons responsible for preparing the plat.
  - vi. The location and dimensions of all existing utilities, streets, alleys, easements, rights-of-way, watercourses and drainages within and adjacent to the subdivision and the names of all such streets.
  - vii. The location and dimensions of all proposed utilities, streets, alleys, easements, rights-of-way, watercourses and drainages within and adjacent to the subdivision and names of all such streets, alleys, easements, rights-of-way and watercourses.
  - viii. The lot numbers, approximate dimensions and the total lots devoted to each zone on the plat.

- ix. The total acreage of the parcel with a designation of the specific acreage dedicated to each zone included in the parcel, the acreage of streets, public areas and other uses.
  - x. Designation of any area subject to flooding and adequate easements for flood control.
  - xi. Traffic control plan.
  - xii. Vicinity map.
  - xiii. Revisions block. An information block entitled "Revisions" shall be included on all preliminary plats, and all such blocks for revisions shall include entry blocks for
    - 1. the date of each revision
    - 2. the initials of the person who made the revision, and
    - 3. a brief description of the revision. The applicant or applicant's representative shall be responsible for making entries in each of respective blocks each time a revision has been made to the preliminary plat.
- c. Supportive information. The following supportive information shall be submitted with the preliminary plat:
- i. A Town application form, provided by the Town Board, with original signature of the property owner or the owner's authorized representative plus ten (10) copies. If signed by the authorized representative, written evidence of such authorization signed by the property owner shall be submitted as well.
  - ii. Ten (10) copies of a Town general application overview form provided by the Town Board.
  - iii. One (1) copy of a deed or legal instrument identifying the applicant's interest in the property.
  - iv. All copies shall be collated into complete application packets. With the exception of utility drawings which contain more than ten (10) sheets per set, all maps, plats and plans are to be folded and included with each individual packet.
  - v. Three (3) complete sets of preliminary utility drawings. Such utility drawings shall include, but shall not be limited to, existing and proposed facilities and utility lines, sizes and storm drainage facilities, etc . Appurtenances shall include valves, fire hydrants, manholes, etc. If each set contains ten (10) or fewer sheets, these shall be folded; if each set contains more than ten (10) sheets, rolled utility drawings are acceptable.
  - vi. Three (3) copies of traffic study prepared by a licensed engineer.
  - vii. Three (3) copies of traffic control plan prepared by a licensed engineer.
  - viii. One (1) copy of any proposed deed restrictions.
  - ix. Three (3) copies of soil types and limitations if not submitted when the area was annexed.

- x. Three (3) copies of description and location of any hazardous areas (i.e. floodplain, geological, topographic, etc.) on the subject property and proposed remedial features.
- xi. Three (3) copies of preliminary drainage plan and report.
- xii. Three (3) copies of topographical map with two-foot contour intervals.
- xiii. One (1) original and two (2) copies of preferred method of water rights dedication: total acreage, lot-by-lot or by phase.
- xiv. Five (5) copies of a landscaping plan for any public right-of-way adjacent to any arterial street.
- xv. Five (5) copies of a written narrative description of special considerations requested by the developer including but not limited to:
  - 1. Phasing plan (also to include five [5] 24" x 36" phasing plan plats).
  - 2. Landscaping proposal for all areas other than and in addition to the landscaping plan required for arterial streets in 5.c.xv., above (also to be delineated on all twenty [20] copies of preliminary plat).
  - 3. Infrastructure over sizing requirements.
  - 4. Park land dedication (also to be delineated on all ten [10] copies of preliminary plat).
  - 5. Design variations of required public improvements.
  - 6. Any variations to subdivision regulations proposed in accordance with the Planned Unit Development (PUD) overlay approved by the Board of Trustees.
- xvi. At least one (1) copy of the preliminary plat shall be signed by the sub divider and included in the preliminary submittal to the Town Board.

6. Final plat.

- a. Procedure. The sub divider shall submit to the Town Board a minimum of ten (10) folded copies of the final plat and three (3) copies of the complete construction utility drawings, along with a fee set by ordinance of the Board of Trustees and all required supportive information as set forth in this Section. Such submission shall allow the Town Board to schedule consideration of the final plat by Planning & Zoning.
  - i. Upon receipt of the final plat, the applicant or the applicant's representative shall distribute copies thereof along with accompanying notices to the agencies and offices set forth in 5.a.i., above, in a manner consistent with the requirements of this section.
  - ii. The sub divider shall meet with the Board of Trustees to review the recommendations of the referral agencies and offices.
  - iii. The final plat and recommendations shall be reviewed by Planning & Zoning as provided by planning policy.
  - iv. Planning & Zoning shall either recommend approval, conditional approval or disapproval of the final plat and shall submit a written recommendation to the Board of Trustees.
  - v. The Board of Trustees shall prepare a memorandum of agreement for public improvements which shall be signed by the applicant.

- vi. The final plat, recommendation of Planning & Zoning, and memorandum of agreement shall be reviewed by the Board of Trustees as provided by planning policy, which shall either approve or disapprove the final plat or refer the same back to Planning & Zoning for further study.
  - vii. Upon final approval of the Board of Trustees, the sub divider shall submit to the Board of Trustees either two (2) translucent original Mylars of final plats to be recorded in the office of the Fremont County Clerk and Recorder or three (3) translucent original Mylars of final plats to be recorded in the office of the Fremont County Clerk and Recorder and one (1) translucent original Mylar of complete utility drawings. Final plat Mylars shall include signatures on the appropriate certification blocks as provided in the Planning Procedures Manual. Reproduction Mylars, dark colored or ünted Mylars and sepias will not be accepted.
  - viii. The Town Clerk shall cause the approved final plat to be recorded in the office of the Fremont County Clerk and Recorder and collect such fees as appropriate to cover recording costs and related expenses.
- b. Plats and data. All final plats shall be made at a scale of either one (1) inch represents fifty (50) feet, with the exception of subdivisions which propose a minimum lot size of one (1) acre or greater which shall be made at a scale of one (1) inch represents one hundred (100) feet, shall be on a reproducible medium of one (1) or more sheets with outer dimensions of twenty-four by thirty-six (24 x 36) inches and shall conform to the preliminary plat as approved, except that the final plat may constitute only a portion of the territory covered by the preliminary plat.
- i. The final plat shall contain the following information:
    - 1. The date of preparation, the scale, a symbol designating the zoning and a symbol designating due North.
    - 2. The name of the subdivision.
    - 3. The legal description (section, township, range).
    - 4. The names, boundaries and zoning of adjacent subdivisions, streets and property owners.
    - 5. The names, addresses, phone numbers and fax numbers of the sub divider and the firms or persons responsible for preparing the plat.
    - 6. A complete description of primary control points to which all dimensions, angles, bearings and similar data on the plat shall be referred.
    - 7. All bearings, distances, chords, radii, central angles and tangent lengths for all lots, blocks, perimeters, easements and rights-of-way.
      - a. The location and physical description of all monuments of each lot or site by a number and designation of the area of each lot in square feet.
      - b. Vicinity map.



8. Revisions block. An information block entitled "Revisions" shall be included on all final plats, and all such blocks for revisions shall include entry blocks for
  - a. the date of each revision,
  - b. the initials of the person who made the revision, and
  - c. a brief description of the revision. The applicant or applicant's representative shall be responsible for making entries in each of these respective blocks each time a revision has been made to the final plat.
- ii. Appropriate certification blocks, as provided in the Planning Procedures Manual, shall appear on the final plat.
- c. Supportive information. The following supportive information shall be submitted with the final plat:
  - i. Three (3) sets of complete improvement plans prepared by a registered professional engineer a scale no smaller than one (1) inch fifty (50) feet to include the following:
    1. Complete street plans and profiles.
    2. Complete storm drainage plans and profiles.
    3. Complete sanitary sewer plans and profiles, and water main plans with grades and sizes indicated.
    4. Complete over lot and final grading plans.
  - ii. Three (3) copies of the final drainage plan and report.
  - iii. Three (3) copies of design soil test results and the corresponding location map.
  - iv. One (1) copy of the final subdivision plat reduced to no larger than eleven by seventeen (11 x 17) inches on vellum or white bond paper.
  - v. One (1) copy of the final boundary closure calculations for the exterior boundary of the subdivision and for each individual lot prepared by a licensed civil engineer or land surveyor.
- d. Three (3) copies of the street lighting plan shall be reviewed and approved by the Town prior to construction of electrical utilities.

Secs. 17-33—17-50. Reserved.

## ARTICLE V Minor Subdivision

### Sec. 17-51. Purpose.

The purposes of the minor subdivision are:

1. To divide a parcel of land which is zoned AE where single-family dwelling units are a permitted use by right, into two (2) to five (5) parcels, sites or lots for the purpose, whether immediate or future, of transfer of ownership.
2. To establish lot lines for an area being site planned when no rights-of-way or easements need to be dedicated.
3. To change lot lines in an existing subdivision where no new lots are being created, no utilities are being extended, no new easements or rights-of-way are necessary and all requirements of the Subdivision and Zoning Ordinances are maintained.

### Sec. 17-52. Subdivision procedure.

1. Initial submittal.
  - a. Procedure. The sub divider shall consult with the Board of Trustees in regard to the requirements of this Article and any special consideration pertaining to the site.
    - i. The sub divider shall submit a review fee set by ordinance of the Board of Trustees, a minimum often (10) folded copies of the minor subdivision plat and all required supportive information as set forth in this Section to the Board of Trustees.
    - ii. Upon the filing of the minor subdivision plat, the applicant or applicant's representative shall distribute copies of the minor subdivision plat to the following agencies and offices for their review and comments (additional agencies or offices may be added to this list of referrals at the sole discretion of the Board of Trustees):
      1. Atmos Energy of Colorado.
      2. Charter Communications.
      3. Florence Fire Protection District.
      4. Spectrum Cable Services.
      5. Fremont County RE-2 School District.
      6. Those utilities and interests operating within the boundaries of Williamsburg.
    - iii. The minor subdivision plat shall be accompanied by written notice to the agencies and the offices, and this written notice shall state that any comments or objections must be received by the Board of Trustees within ten (10) days of the receipt of this notice. Unless otherwise indicated on the "Developer's Referral Checklist" or later required by the Board of Trustees, the referral agency or office will not be contacted for comments or objections concerning the minor subdivision plat. It shall be the responsibility of the applicant or applicant's representative to provide

documentation to the Board of Trustees confirming that the minor subdivision plats and respective notices were distributed and received by the referral agencies in a timely manner.

- b. Plats and data. All minor subdivision plats shall be made at a scale of either one (1) inch represents fifty (50) feet or one (1) inch represents one hundred (100) feet, shall be on a reproducible medium of one (1) or more sheets with outer dimensions of twenty-four by thirty-six (24 x 36) inches and shall contain the following information:
- i. The date of preparation, the scale, a symbol designating the zoning and a symbol designating due North.
  - ii. The proposed name of the subdivision.  
The legal description (section, township, range).
  - iii. The names, boundaries and zoning of adjacent subdivisions, streets and property owners.
  - iv. The names, addresses, phone numbers and fax numbers of the subdivider and firms or persons responsible for preparing the plat.
  - v. The location and dimensions of all existing utilities, waterways, rights-of-way, easements and streets within and adjacent to the subdivision and the names of all such streets and watercourses.
  - vi. The location and dimensions of all proposed utilities, watercourses, drainages, rights-of-way, easements and streets within and adjacent to the subdivision and names of all such streets and watercourse.
  - vii. The lot numbers, approximate dimensions and the total lots devoted to each zone district on the plat.
  - viii. The total acreage of the parcel with a designation of the specific acreage dedicated to each zone district included in the parcel, the acreage of streets, public areas and the other uses.
  - ix. The location and dimensions of all existing and proposed features on the site, including buildings, easements, rights-of-way, watercourses and drainages.
  - x. Designation of any area subject to flooding and adequate easements for flood control.
  - xi. Traffic control plan.
  - xii. Vicinity map.
  - xiii. All bearings, distances, chords, radii, central angles and tangent lengths for all lots, blocks, perimeters, easements and rights-of-way.
  - xiv. A complete description of primary control points to which all dimensions, angles, bearings and similar data on the plat shall be referred.
  - xv. The location and physical description of all monuments.
  - xvi. Identification of each lot or site by a number and of the area of each lot in square feet.
  - xvii. Appropriate certification blocks, as provided in the Planning Procedures Manual.

- xviii. Revisions block. An information block entitled "Revisions" shall be included on all minor subdivision plats. The applicant or applicant's representative shall be responsible for making entries in each of respective blocks each time a revision has been made to the minor subdivision plat. All such blocks for revisions shall include entry blocks for
1. the date of each revision,
  2. the initials of the person who made the revision, and
  3. a brief description of the revision.
- c. Supportive information. The following supportive information shall be submitted with the minor subdivision plat:
- i. A Town application form, provided by the Board of Trustees, with original signature of the property owner or the owner's authorized representative plus ten (10) copies. If signed by the authorized representative, written evidence of such authorization signed by the property owner shall be submitted as well.
  - ii. Ten (10) copies of a Town general application overview form provided by the Board of Trustees.
  - iii. One (1) copy of a deed or legal instrument identifying the applicant's interest in the property.
  - iv. All copies shall be collated into complete application packets. With the exception of utility drawings which contain more than ten (10) sheets per set, all maps, plats and plans are to be folded and included with each individual packet.
  - v. Three (3) complete sets of utility drawings. Such utility drawings shall include, but shall not be limited to, existing and proposed facilities and lines, sizes and appurtenances, storm drainage facilities, etc. Appurtenances shall include valves, fire hydrants, manholes, etc. If each set contains ten (10) or fewer sheets, these shall be folded; if each set contains more than ten (10) sheets, rolled utility drawings are acceptable.
  - vi. Three (3) copies of topographical map with two-foot contour intervals.
  - vii. Three (3) sets of complete improvement plans prepared by a registered professional engineer at a scale no smaller than one (1) inch represents fifty (50) feet to include the following:
    1. Complete street plans and profiles.
    2. Complete storm drainage plans and profiles.
    3. Complete over lot and final grading plans.
  - viii. Three (3) copies of the drainage plan and report.
  - ix. Three (3) copies of design soil test results and a corresponding location map.
  - x. One (1) original and two (2) copies of preferred method of water rights dedication: total acreage, lot-by-lot or phase.
  - xi. Five (5) copies of a landscaping plan for any public right-of-way adjacent to any arterial street.

- xii. Five (5) copies of a written narrative description of special considerations requested by the developer including but not limited to:
    - 1. Phasing plan (also to include five [5] 24" x 36" phasing plan plats).
    - 2. Landscaping proposal for all areas other than and in addition to the landscaping plan required for arterial streets in 1.c.11., above (also to be delineated on all ten [10] copies of minor subdivision plat).
    - 3. Infrastructure oversizing requirements.
    - 4. Park land dedication (also to be delineated on all ten [10] copies of minor subdivision plat).
    - 5. Design variations of required public improvements.
    - 6. Any variations to subdivision regulations proposed in accordance with the Planned Unit Development (PUD) overlay.
  - xiii. At least six (6) copies of the minor subdivision plat shall be signed by the sub divider and included in the submittal.
2. Submittal of corrections and plat recording.
- a. The sub divider shall meet with the Board of Trustees to review the recommendations of the referral agencies.
  - b. The sub divider shall make any changes and corrections that may be required. Such changes and corrections shall be reviewed by the Town Board.
  - c. The Board of Trustees shall prepare a memorandum of agreement for public improvements which shall be signed by the sub divider.
  - d. The sub divider shall submit to the Board of Trustees a minimum of four (4) copies of the corrected minor subdivision plat.
  - e. Upon final staff approval, the sub divider shall submit to the Board of Trustees either two (2) translucent original Mylars of minor subdivision plats to be recorded in the office of the Fremont County Clerk and Recorder or three (3) translucent original Mylars of minor subdivision plats to be recorded in the office of the Fremont County Clerk and Recorder and one (1) translucent original Mylar of the complete construction utility drawings. The plat Mylars shall include signatures as provided in the Planning Procedures Manual. Reproduction Mylars, dark colored or tinted Mylars and sepias will not be accepted.
  - f. The Town Clerk shall cause the approved final plat to be recorded in the office of the Fremont County Clerk and Recorder and collect such fees as appropriate to cover recording costs and related expenses.

Secs. 17-53-17-60. Reserved.

## ARTICLE VI Lot Line Adjustments

### Sec. 17-61. Applicability.

1. The lot line adjustment procedure as established herein shall apply only to existing, legally subdivided residential lots located in a zone wherein single-family dwelling units are designated as a use by right. The lot line adjustment procedure established hereby shall not be applicable where an adjustment would affect more than two (2) adjoining lots.
2. In addition to the procedural requirements hereinafter set forth, all lot line adjustments pursuant to this Section shall comply with all requirements of this Code including, but not limited to, building and fire codes and minimum lot size setback and offset requirements.
3. No lot line adjustments pursuant to this Section shall have the effect of creating or relocating any easements or rights-of-way and shall not affect the extension of utilities.

### Sec. 17-62. Purpose.

The purpose of the lot line adjustment procedure established herein shall be as follows:

1. To allow the removal of a common line between two (2) lots in order to create a single lot.
2. To provide for minor adjustments to be made to lot lines, including:
  - a. Adjusting a property line to coincide with the correction of a legal description.
  - b. Adjusting a property line to coincide with the correction of a property survey.
  - c. Adjusting a common property line for the purpose of transferring or conveying real property between adjoining landowners.

### Sec. 17-63. Procedure.

1. Initial determination.
  - a. An application shall be submitted to Planning & Zoning requesting an initial determination of whether or not the property in question is subject to lot line adjustment pursuant to this Section. This application shall be completed in a form designated by Planning & Zoning and shall contain sufficient information to allow Planning & Zoning to make an initial determination as aforesaid. The Board of Trustees shall establish a fee for an initial determination, which may from time to time be modified by ordinance of the Board & Trustees.
  - b. A favorable determination of this application shall not vest any rights under this Section in the applicant, and any benefits afforded to the applicant under this Section shall be subject to and conditioned upon the applicant's submission of full and complete additional data as hereinafter required and compliance with all additional procedural requirements hereinafter set forth.
  - c. In the event an initial application is rejected, the applicant shall have a right of appeal to Planning & Zoning.

2. Procedure upon acceptance. In the event a favorable determination is made by Planning & Zoning pursuant to this Section, the applicant shall thereafter submit to the Board of Trustees the following documentation:
  - a. Ten (10) folded copies of the lot line adjustment plat. All plats shall be drawn to a minimum scale of one (1) inch representing fifty (50) feet and shall be on a reproducible medium of one (1) or more sheets with outer dimensions of twenty-four (24) inches by thirty-six (36) inches and shall contain the following information:
    - i. The date of preparation, the scale, a notation stating the zoning of the property and a symbol designating true North.
    - ii. The proposed name of the plat, which shall include the name of the subdivision in which the subject lots is located.
    - iii. The legal description.
    - iv. The names, addresses, phone numbers and fax numbers of the subdivider and firms or persons responsible for preparing the plat.
    - v. The location and dimensions of all existing utilities, watercourses, rights-of-way, easements and streets within and adjacent to the subject lots, and the names of all such streets and watercourses.
    - vi. Vicinity map.
    - vii. All bearings, distances, chords, radii, central angles and tangent lengths for all lots, blocks, perimeters, easements and rights-of-way.
    - viii. A complete description of primary control points to which all dimensions, angles, bearings and similar data on the plat shall be referred.
    - ix. The location and physical description of all monuments.
    - x. Identification of each of the lots by a number and a designation of the area of each of the lots in square feet.
    - xi. Appropriate certification blocks, as provided for in the Planning Procedures Manual.
    - xii. An information block entitled, "Revisions" shall be included on all lot line adjustment plats, and the applicant or applicant's representative shall be responsible for making entries in each of these respective blocks each a revision has been made to the lot line adjustment plat. All such revision blocks shall include entry blocks for
      1. the date of each revision,
      2. the initials of the person who made the revision, and
      3. a brief description of the revision.
  - b. Supportive documentation including:
    - i. Ten (10) copies of a completed application on a form provided by the Board of Trustees, together with any attachments that may be required by the Board. Said application shall be signed by the landowner.
    - ii. Ten (10) copies of a plot plan drawn to a minimum scale of one (1) inch representing thirty (30) feet, which shall be on a legal-size sheet with outer dimensions of fourteen (14) inches by eight and one-half (8 ½) inches and shall show the location and dimensions of all existing and

proposed features on the site including, but not limited to, buildings and other structures, easements, rights-of-way and watercourses.

3. Final approval.

- a. Upon final approval, the sub divider shall submit to the Board of Trustees two (2) translucent original Mylars of the lot line adjustment plat to be recorded in the office of the Fremont County Clerk and Recorder. The lot line adjustment plat Mylars shall include signatures as provided for in the certification block section of the Planning Procedures Manual.
- b. The Town Clerk shall cause the approved final Mylar drawings to be recorded in the office of the Fremont County Clerk and Recorder and collect such fees as appropriate to cover recording costs and related expenses.

Secs. 17-64--17-70. Reserved.



## ARTICLE VII Site Plans

### Sec. 17-71. Intent.

Each zoning district is primarily intended for a predominant type of land use with specific physical requirements which regulate structure size and placement on the site. A site plan or administrative site plan is used to review the impact of proposed land uses on the adjacent properties, neighborhood, street systems and existing and planned infrastructure, and to determine the need for additional dedication and design criteria, environmental impact upon the surrounding area or would have a major community land use impact.

### Sec. 17-72. Purpose

The purpose of the site plan procedure is to:

1. Develop land as a unit development.
2. Develop land zoned for multifamily, approved for that zoning.
3. Develop land which, in the opinion of the Board of Trustees could have an adverse environmental impact upon the surrounding area or would have a major community land use impact.
4. To amend an approved site plan when the change involves additional land use, including but not limited to:
  - a. Additional buildings.
  - b. Outside storage and/or display.
  - c. Landscaping.
  - d. Parking.
  - e. Traffic flows.
  - f. A change from the originally approved use or intensity of such use, as determined by Planning & Zoning.

### Sec. 17-73. Responsibilities of applicant.

1. The applicant is responsible for having a representative at all meetings where the request is reviewed. Failure to have a representative present will be cause to have the item withdrawn from the agenda of that meeting.
2. The applicant shall consult with the Board of Trustees for general information regarding requirements for site plans and any special considerations pertaining to the site.

### Sec. 17-74. Preliminary site plan.

1. Procedure. The applicant shall submit to the Board of Trustees the review fee set by ordinance of the Board of Trustees, ten (10) folded copies of the preliminary site plan and all required supportive information as set forth in this Section. Such submission shall allow the Board of Trustees to schedule consideration of the proposal by Planning & Zoning.

- a. Upon the filing of the preliminary site plan, the applicant or the applicant's representative shall distribute copies of the preliminary site plan to the following agencies and offices for their review and comments (additional agencies or offices may be added to this list of referrals at the sole discretion of the Town Board):

- i. Atmos Energy of Colorado.
- ii. Charter Communications.
- iii. Florence Fire Protection District.
- iv. Spectrum Cable Services.
- v. Fremont County RE-2 School District.
- vi. Those utilities and interests operating within the boundaries of Williamsburg.

The preliminary site plan shall be accompanied by written notice to the agencies and offices, and this written notice shall state that any comments or objections must be received by the Board of Trustees within ten (10) days of the receipt of this notice. Unless otherwise indicated on the "Developer's Referral Checklist" or later required by the Board of Trustees, the referral agency or office will not be contacted for comments or objections concerning the final site plan. It shall be the responsibility of the applicant or the applicant's representative to provide documentation to the Board of Trustees confirming that the preliminary site plans and respective notices were distributed and received by the referral agencies in a timely manner.

- b. The applicant shall meet with the Board of Trustees to review the recommendations of the referral agencies or offices.
  - c. The Board of Trustees shall submit the preliminary site plan and recommendations of the referral agencies to Planning & Zoning. The preliminary site plan and recommendations shall be reviewed by Planning & Zoning as provided by planning policy.
  - d. Planning & Zoning shall approve, conditionally approve or disapprove the preliminary site plan. If the preliminary site plan is approved, it shall be valid for a period of one (1) year from the date of approval.
2. Plans and data. All preliminary site plans shall be made with an engineer's minimum scale to be one (1) inch represents forty (40) feet, shall be on a reproducible medium of one (1) or more sheets with outer dimensions of twenty-four by thirty-six (24 x 36) inches and shall contain the following information:
    - a. The date of preparation, the scale, a symbol designating the zoning and a symbol designating true North.
    - b. The proposed name of the project.
    - c. The legal description (lot, block, subdivision, section, township, range).
    - d. The names, addresses, phone numbers and fax numbers of the applicant and the firms or persons responsible for preparing the site plan.
    - e. Adjacent street improvements, including rights-of-way, curb cuts, paved areas, landscape areas, two foot contours, structures and their use.

- f. The location and dimensions of all existing and proposed on-site easements, rights-of-way, curb cuts, paved areas, landscape areas, two-foot contours, structures and their use and facilities for water, and storm drainage.
  - g. The distances from proposed and existing structures to the property line.
  - h. Building height.
  - i. Vicinity map.
  - j. Revisions block. An information block entitled "Revisions" shall be included on all preliminary site plans, and applicant or applicant's representative shall be responsible for making entries in each of these respective blocks each time a revision has been made to the preliminary site plan. All such blocks for revisions shall include entry blocks for
    - i. the date of each revision,
    - ii. the initials of the person who made the revision, and
    - iii. a brief description of the revision.
3. Supportive information. The following supportive information shall be submitted with the preliminary site plan:
- a. A Town application form, provided by the Board of Trustees, with original signature of the property owner or the owner's authorized representative plus ten (10) copies and applicable fees as set by ordinance of the Board of Trustees. If signed by the authorized representative, written evidence of such authorization signed by the property owner shall be submitted as well.
  - b. Ten (10) copies of a Town general application overview form provided by the Board of Trustees..
  - c. One (1) copy of a deed or legal instrument identifying the applicant's interest in the property.
  - d. All copies shall be collated into complete application packets. With the exception of utility drawings which contain more than ten (10) sheets per set, all maps, plats and plans are to be folded and included with each individual packet.
  - e. Five (5) copies of a detailed narrative description of the proposed use including number of employees, type of activity, phases of development, etc. (if applicable).
  - f. If The use is residential, the type of units and the number of each unit to be built shall be specified.
  - g. Five (5) copies of a narrative description of all structures to be built on the site, including size, quantity, use and the number of units per structure.
  - h. Three (3) copies of square footage and percentage of land devoted to:
    - i. Buildings, including amount of floor space for each floor,
    - ii. Parking.
    - iii. Private drives.
    - iv. Public streets.
    - v. Sidewalks and pathways.
    - vi. Open space.
  - i. A block scale model within and adjacent to the site will be required for planned unit developments and for site plans having more than one (1) building of a height of thirty-five (35) feet or more, to show space relationship.

- j. Three (3) copies of preliminary drainage plan and report.
- k. Ten (10) copies of architectural elevations and specifications of all four (4) building elevations and all structures, signs and lighting to be included with the site plans.
- l. Five (5) copies of architectural elevations of the site as it is to be developed.
- m. Ten (10) copies of landscaping plans to be included with site plans.

## Sec. 17-75. Final site plan.

1. Procedure. The applicant shall submit to the Town Board Ten (10) folded copies of the final site plan and all required supportive information as set forth in this Section, a minimum of twenty-one (21) days prior to a regularly scheduled meeting of Planning & Zoning.

- a. Upon the filing of the final site plan, the applicant or applicant's representative shall distribute copies of the final site plan to the following agencies and offices for their review and comments (additional agencies or offices may be added to this list of referrals at the sole discretion of the Town Board):

- i. Atmos Energy of Colorado.
- ii. Charter Communications.
- iii. Florence Fire Protection District.
- iv. Spectrum Cable Services.
- v. Fremont County RE-2 School District.
- vi. Those utilities and interests operating within the boundaries of Williamsburg.

The final site plan shall be accompanied by written notice to the agencies and offices, and this written notice shall state that any comments or objections must be received by the Board of Trustees within ten (10) days of the receipt of this notice. Unless otherwise indicated on the "Developer's Referral Checklist" or later required by the Board of Trustees, the referral agency or office will not be contacted for comments or objections concerning the final site plan. It shall be the responsibility of the applicant or the applicant's representative to provide documentation to the Board of Trustees confirming that the preliminary site plans and respective notices were distributed and received by the referral agencies in a timely manner.

- b. The applicant shall meet with the Board of Trustees to review the recommendations of the referral agencies or offices.
- c. The final site plan and recommendations shall be reviewed by Planning & Zoning as provided by planning policy.
- d. Planning & Zoning shall either recommend approval, conditional approval or disapproval of the final site plan and shall submit a written recommendation to the Board of Trustees.
- e. The Board of Trustees shall prepare a memorandum of agreement for public improvements which shall be signed by the applicant.
- f. The final site plan and recommendations of Planning and Zoning shall be reviewed by the Board of Trustees as provided by planning policy. The Board of

- Trustees shall either approve the final site plan by resolution, disapprove it or refer the same back to Planning & Zoning for further study.
- g. Upon approval by the Board of Trustees, the applicant shall submit to the Board of Trustees one (1) translucent original Mylar of the final site plan. The Mylar shall include signatures as provided in the Planning Procedures Manual. Reproduction Mylars, dark colored or tinted Mylars and sepias will not be accepted.
  - h. If construction has not commenced within one (1) year after approval, the approved site plan shall become void.
2. Plans and data. All final plans shall be made with an engineer's scale, minimum scale to be one (1) inch represents forty (40) feet, shall be on a reproducible medium of one (1) or more sheets with outer dimensions of twenty-four by thirty-six (24 x 36) inches, and shall conform to the preliminary site plan, as approved.
- a. The final site plan shall contain the following information, in addition to the information on the preliminary site plan:
    - i. The location and dimensions of all existing and proposed traffic controls, trash disposal areas and enclosures, electric transformers, a complete submittal of all landscaping materials shown at mature sizes and the maintenance system for landscaping as per Williamsburg Landscaping Guidelines provided by the Town Board.
    - ii. Vicinity map.
    - iii. Revisions block. An information block entitled "Revisions" shall be included on all final site plans, and the applicant or applicant's representative shall be responsible for making entries in each respective blocks each time a revision has been made to the final site plan. All such blocks for revisions shall include entry blocks for
      - 1. the date of each revision,
      - 2. the initials of the person who made the revision, and
      - 3. a brief description of the revision..
  - b. Certification blocks. Appropriate certification blocks, as provided in the Planning Procedures Manual, shall appear on the final site plan.
3. Supportive information. The following supportive information shall be submitted with the final site plan:
- a. Two (2) copies of permits from the Colorado Department of Transportation for curb cuts on state highways. Such permits must be cosigned by Planning & Zoning or Designee.
  - b. One (1) copy of a survey of the lot lines if they are not the same as originally platted.
  - c. Three (3) complete sets of final utility plans. Such utility plans shall include, but shall not be limited to, existing and proposed facilities and utility lines, sizes and appurtenances, storm drainage facilities, etc. Appurtenances shall include valves, fire hydrants, manholes, etc. If each set contains ten (10) or fewer sheets, these shall be folded; if each set contains more than ten (10) sheets, rolled utility drawings are acceptable.

- d. Three (3) copies of grading plan with site elevations and finished floor elevations.

Secs. 17-76-17-90. Reserved.

## ARTICLE VIII Required Improvements

### Sec. 17-91. General regulations for subdivisions.

1. The sub divider or developer shall enter into an agreement with the Town to guarantee construction of all required improvements, including streets, curbs and gutters, driveways, sidewalks, and potable water system.
2. Under such agreement, the sub divider shall post a performance bond, certified check, letter of credit or cash escrow drawn in favor of the Town in an amount equal to twenty-five percent (25%) of the estimated cost of the construction of improvements.
3. Sixty percent (60%) of the performance bond, certified check, letter of credit or cash escrow posted by the sub divider shall be released upon complete construction acceptance of all public improvements by the Town. The balance of the performance bond, certified check, letter of credit or cash escrow shall not be released until final construction of improvements has been completed and the Town has given its final acceptance of maintenance and repair of the improvements.
4. Dedication of land within a subdivision shall be required where easements for storm drainage, sanitary sewerage or other public utilities are necessary to permit agencies and utility companies to maintain utilities and render services to the subdivision.
5. The improvements required by the following sections shall be provided in each subdivision or development as appropriate to the particular type of development proposed and to the extent determined by Planning & Zoning. Required improvements shall be constructed in accordance with the detailed design standards and specifications of Planning & Zoning and shall be constructed in accordance with approved plans and profiles and the construction requirements and specifications of the Town

### Sec. 17-92. Street improvements in subdivisions.

1. Grading. Street rights-of-way shall be graded as necessary to provide adequate surface drainage and convenient access to lots or sites.
2. Pavement base. The pavement base shall be properly drained and constructed of suitable materials so as to support the contemplated traffic load.
3. Pavement. Pavement shall be constructed of asphalt or concrete of sufficient thickness to support the contemplated traffic load. Streets shall be paved to the widths required by Planning & Zoning.
4. Driveways and access ways. Where appropriate to the type of development proposed, driveways or access ways shall be provided for vehicular access to each structure or parking or loading area. Driveways and access ways provided shall be of adequate width and constructed with suitable sub-grade, base, drainage and surfacing to be durable under the use

### Sec. 17-93. Utilities improvements in subdivisions.

1. Storm drainage system.

- a. The storm drainage system shall consist of surface drainage structures and, where appropriate to the type of development proposed, catch basins and other underground drainage structures. The storm drainage system shall be of sufficient size and design to carry off all predictable surface water runoff within the subdivision or development and storm water drainage which enters the development from adjacent areas.
  - b. Where deemed necessary by Planning & Zoning, catch basins shall be provided at all low points, at street intersections and at intermediate locations as necessary to prevent overloading of the street gutters. Catch basins provided shall be connected to collection mains of adequate size with outfalls approved by Planning & Zoning
  - c. Storm drainage shall not be permitted to empty into any sanitary sewerage system.
2. Potable water system. The potable water system provided shall connect to an existing public water system and shall consist of water mains directly connected to using structures by means of lateral branches. The water system shall be of sufficient size and design to supply potable water to each structure or lot upon which a structure is to be built.
3. Fire hydrants. Fire hydrants shall be installed at street intersections and at other points as necessary to assume that no building is located more than five hundred (500) feet from the nearest fire hydrant.
4. Location of water lines. All water service lines shall be extended by the developer from the existing main onto each lot. Curb stops for all water lines shall be located at the property line.

#### Sec. 17-94. Reference monuments in subdivisions.

Permanent reference monuments shall be located and placed within the subdivision or development as required by state law. Iron pin monuments at least twenty-four (24) inches long and flush with the surface shall be placed at all points on boundary lines where there is a change in direction, at all block and lot corners and at other points as required by Planning & Zoning.

#### Sec. 17-95. Maintenance of required improvements.

Adequate provision for the satisfactory maintenance of streets and utilities improvements, including easements, shall be made by dedication of such improvements to the Town. Prior to acceptance by the Town, the improvements to be dedicated shall be inspected and approved by Planning & Zoning.

#### Secs. 17-96 – 17-120. Reserved.



## ARTICLE IX Variances and Modifications

### Sec. 17-121. Procedure.

Application for variances or modifications of these regulations shall be submitted to Planning & Zoning. Such application shall include a statement setting forth the nature and extent of the requested variance or modification, together with evidence supporting the need for such variance. At the time of the filing of the application the applicant shall pay to the Town a fee to be set by ordinance of the Board of Trustees.

### Sec. 17-122. Guiding considerations.

1. Hardship. Where Planning and Zoning finds that extraordinary hardships may result from strict compliance with these regulations, it may carry the regulations so that individual and public interests are secured, provided that such variance is based on a finding that unusual topography or other exceptional conditions not caused by the sub divider made such variance necessary and that the granting thereof will not have the effect of nullifying the intent and purpose of these regulations.
2. Planned development. The requirements and standards of these regulations may be modified by Planning & Zoning in the case of the plan and program for a planned development which, in the judgment of Planning & Zoning, provides adequate public spaces and improvements for the circulation, recreation, light, air and service needs of the tract when fully developed and populated and which also provides such covenants or other legal provisions as will assure conformity to and achievement of the plan

### Sec. 17-123. Conditions.

Planning & Zoning may require such conditions, upon the granting of variances and modifications, as will, in its judgment, secure substantial compliance with the objectives of the requirements and standards so varied or modified.

### Secs. 17-124-17-150. Reserved.