

**GRAND COUNTY MINOR SUBDIVISION
REGULATIONS**



Adopted May 11, 2021

GRAND COUNTY MINOR SUBDIVISION REGULATIONS PROCESS

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ARTICLE I - APPLICATION OF THE MINOR SUBDIVISION REGULATIONS

1.1 TITLE

These Regulations shall be known as the Grand County Minor Subdivision Regulations.

1.2 AUTHORITY

The Grand County Minor Subdivision Regulations are authorized by the following sections of the Colorado Revised Statutes (C.R.S.), as amended, and are hereby declared to be in accordance with all provisions of these Statutes.

- (1) Title 16, Article 13, Part 3, C.R.S., Restraint and Abatement of Nuisances;
- (2) Title 24, Article 65.1, C.R.S., Areas and Activities of State Interest (1041 Regulations);
- (3) Title 24, Article 67, C.R.S., Planned Unit Development Act;
- (4) Title 24, Article 68, C.R.S., Vested Property Rights Act;
- (5) Title 29, Article 20, C.R.S., Local Government Land Use Control Enabling Act;
- (6) Title 30, Article 11, C.R.S., County Powers and Functions;
- (7) Title 30, Article 15, C.R.S., County Regulations Under Police Powers;
- (8) Title 30, Article 28, C.R.S., County Planning Act;
- (9) Title 34, Article 1 Part 3, C.R.S., Preservation of Commercial Mineral Deposits;
- (10) Title 38, Article 30.5, C.R.S., Conservation Easements; and
- (11) Title 43, Article 2, C.R.S., State, County, Municipal and Public Roads.

1.3 PURPOSE

The creation of new parcels through this process is intended to infill within existing neighborhoods with public water and sewer service. These Regulations are designed and enacted for the purpose of promoting the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Grand County, Colorado. Grand County Minor Subdivision Regulations provide for divisions of land on a small scale under circumstances in which the need to comply with Grand County Subdivision Regulations would cause undue hardships, administrative complexity and the impact of the proposed division does not bring the division within the purpose and intent of the Grand County Subdivision Regulations.

The abbreviated procedure set forth in these regulations permit an applicant to process a proposed land division with a minimum of time and expense, while encouraging the proper arrangement and construction of streets in relation to existing or planned streets; providing for adequate light and air; avoiding congested population; providing for proper traffic circulation; insuring adequate provisions for water, sewage, recreation, wildlife and environmental protection; and regulating such other matters as the Planning Commission and Board of County Commissioners may deem necessary in order to protect the best interests of the public.

1.4 JURISDICTION

These Regulations shall apply to the division of lands within the unincorporated areas of Grand County which also is located within an Urban Growth Area as defined in the Master Plan and served by Public Water and Sanitary Sewer:

- (1) Any re-subdivision or re-platting of a lot or lots, into a minor subdivision as defined in Section 1.5(4) of these Regulations into a maximum of three (3) single-family residence lots with one (1) single-family residential unit per lot and accessory uses and structures as permissible in the Grand County Zoning Regulations.

1.5 DEFINITIONS

- (1) Streets and Alleys:
 - (a) The terms "street" and "road" mean a way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, thorough way, road, avenue, boulevard, land, place or however otherwise designated.
 - (b) "Arterial Highways" are those rights-of-way which are used primarily for fast or heavy traffic volumes for long distances and usually are or would be designated as State Highways.
 - (c) "Major Roads" are those rights-of-way which carry traffic from homes to arterial highways and major roads and to schools and shopping centers.
 - (d) "Local Streets" are those rights-of-way which are used primarily for access to the abutting properties.
 - (e) "Alleys" are minor ways which are used primarily for vehicular service access to the back side of properties otherwise abutting on a street.
 - (f) "Drives" are minor ways used primarily for vehicular access to residential or business properties not otherwise abutting on a publicly dedicated or traveled street or road, and may be private easement rights-of-way.
- (2) Subdivider: The terms "subdivider" or "developer" mean any person, partnership, joint venture, association, trust, syndicate or corporation who shall participate as owner, promoter, developer, sales agent or leasing agent in the planning, platting, development, promotion, sale or lease of a Minor Subdivision.
- (3) Subdivision or subdivided land:
 - (a) "Subdivision" or "subdivided land" means any parcel of land in the State which is to be used for multiple-dwelling units, unless such land when previously subdivided was accompanied by a filing which complied with the provisions of the Subdivision Regulations with substantially the same density, or which is divided into two (2) or more parcels, separate interests, or interests in common, unless exempted under Paragraph (b), (c), or (d) of this sub-section, "interests" includes any and all interests in the surface of land but excludes any and all sub-surface interests.
 - (b) Unless the method of disposition is adopted for the purpose of evading these Regulations, the terms "subdivision" and "subdivided land", as defined in paragraph (a) of this sub-section (4), shall not apply to any division of land:
 - i) Which creates parcels of land, such that the land area of each of the parcels, when divided by the number of interests in any such parcel, results in thirty-five (35) or more acres per interest;
 - ii) Which could be created by any court in this State pursuant to the law of eminent domain, or by operation of law, or by order of any court in this State if the Board of County Commissioners of the County in which the property is situated is given timely notice of any such pending action by the court and given opportunity to join as a party in interest in such proceeding for the purpose of raising the issue of evasion of these Regulations prior to entry of the court order, and if the Board does not file an appropriate pleading within twenty (20) days after receipt of such notice by the court, then such action may proceed before the court;
 - iii) Which is created by a lien, mortgage, deed of trust, or any other security instrument;
 - iv) Which is created by a security or unit of interest in any investment trust regulated under the laws of this State or any other interest in an investment entity;
 - v) Which creates cemetery lots;
 - vi) Which creates an interest in oil, gas, minerals, or water which is severed from the surface ownership of real property;
 - vii) Which is created by the acquisition of an interest in land in name of a husband and wife or other persons in joint tenancy, or as tenants in common, and any such interest shall be deemed for purposes of this sub-section (4) as only one interest; or
 - viii) Which is created by the combination of continuous parcels of land into one larger parcel. If the resulting parcel is less than thirty-five (35) acres of land area, only one interest in such land shall be allowed. If the resulting parcel is greater than thirty-five (35) acres in land area, such land area, divided by the number of interests in the resulting parcel, must result in thirty-five (35) or more acres per interest. Easements and rights-of-way shall not be considered interests for purposes of this sub-paragraph (viii).

- (c) The Board of County Commissioners may, pursuant to rules and regulations or resolution, exempt from this definition of the terms "subdivision" and "subdivided land", any division of land if the Board of County Commissioners determines that such division is not within the purpose of these Regulations.
- (4) Planning Commission: The Grand County Planning Commission.
- (5) The Department: The Grand County Community Development Department, Planning and Zoning or Building.
- (6) Subdivision Improvements Agreement: One (1) or more security arrangements which a County shall accept to secure the actual cost of construction of such public improvements plus an additional ten percent (10%) held as warranty security as required by County Minor Subdivision Regulations within the subdivision. The "Subdivision Improvements Agreement" may include any one or a combination of the types of security or collateral listed in this sub-section (8) and the subdivider may substitute security in order to release portions of the subdivision for sale. The types of collateral which may be used as security under the "Subdivision Improvements Agreement" are as follows: restrictions on the conveyance, sale, or transfer of any lot, lots, tract, or tracts of land within the subdivision as set forth on the plat or as recorded by separate instrument; performance bond; private or public escrow agreements; letters of credit; deposit of certified funds; or other similar surety agreements. Security other than plat restrictions, required under the "Subdivision Improvements Agreement" shall equal in value the cost of improvements to be completed plus an additional ten percent (10%) held as warranty security but shall not be required on the portion of the subdivision subject to plat restriction. The County shall not require security arrangements with collateral arrangements in excess of the actual cost of construction plus an additional ten percent (10%) held as warranty security of the public improvements. The amount of security may be incrementally reduced as subdivision improvements are completed.
- (7) Sketch Plan: A map of proposed subdivision drawn and submitted in accordance with the requirements of these adopted regulations, to evaluate feasibility and design characteristics at an early stage in the planning.
- (8) Preliminary Plan: The map or maps of a proposed subdivision which includes a Preliminary Plat and specified supporting materials drawn and submitted in accordance with the requirements of adopted regulations, to permit the evaluation of the proposal prior to detailed engineering and design.
- (9) Preliminary Plat: a map defined by Title 38, Article 51, created pursuant to CRS 38-51-106, and supporting materials of certain described land prepared in accordance with these Minor Subdivision Regulations, drafted for review, as an instrument for recording of real estate interests with the Grand County Clerk and Recorder.
- (10) Final Plat: A map defined by Title 38, Article 51 and created pursuant to CRS 38-51-106 and supporting materials of certain described land prepared in accordance with these Minor Subdivision Regulations as an instrument for recording of real estate interests with the Grand County Clerk and Recorder.
- (11) Evidence: Any map, table, chart, contract, or any other document or testimony prepared or certified by a qualified person to attest to a specific claim or condition, which evidence must be relevant and competent and must support the position maintained by the subdivider.
- (12) Disposition: A contract of sale resulting in the transfer of equitable title to an interest in subdivided land; an option to purchase an interest in subdivided land; a lease or any assignment of an interest in subdivided land; or any other conveyance of an interest in subdivided land which is not made pursuant to one of the foregoing.
- (13) Dwelling: means any building or portion thereof which is used as the private residence or sleeping place of one (1) or more human beings.
- (14) Dwelling Unit: As used herein means one (1) or more rooms in a dwelling designed for occupancy by one (1) family for living purposes and having not more than one (1) kitchen.
- (15) Parking Space: The area occupied by an automobile when not in use and for purposes of these Regulations is a rectangular area for which dimensions are defined by the Grand County Zoning Regulations and Road and Bridge Standards.
- (16) Parking Area: The parking space plus that contiguous driving surface adjacent to each parking space necessary to provide ingress and egress to the parking space.
- (17) Special Flood Hazard Area (SFHA): Special Flood Hazard Area (SFHA) means the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given

year, i.e., the 100-year floodplain.

- (18) Central Sewage Facility: An integrated system of pipes, conduit, treatment plants and other necessary equipment to transport and treat raw sewage. All central sewage facilities must conform to the Grand County Administrative Regulations for Major Extensions of Existing Domestic Water and Sewage Treatment Systems. Conventional Septic Systems are not considered a central sewage facility (1041 Regulations).
- (19) Sewer Main: The principal artery of a system to convey sewage to which laterals are connected.
- (20) Sewer Lateral: That part of the horizontal piping of a drainage system which extends from the end of the building drain and which receives the discharge of the building drain and conveys it to a sewer main.
- (21) Central Water System: An integrated system of wells, pipes, storage tanks, treatment plants, diversion structures and other necessary equipment used to supply pressurized potable water. All central water systems must conform to the Grand County Administrative Regulations for Major Extensions of Existing Domestic Water and Sewage Treatment Systems (1041 Regulations).
- (22) Water Main: The principal artery of a central water system used to convey pressurized water, from a central source to junctions where laterals are connected.
- (23) Water Lateral: That part of the horizontal piping of a central water system, which extends from the water main to the building served.
- (24) Net Density: The dwelling unit density calculated in a Minor Subdivision excluding acreage allotted to open space, roads and other common areas.

1.6 INTERPRETATION

In the interpretation and application of the provisions of these regulations, the following criteria shall govern:

- (1) Rules of Construction of Language:
 - (a) The particular controls the general.
 - (b) In case of any difference of meaning or implication between the text of these regulations and the captions for each section, the text shall control.
 - (c) The word "shall" is always mandatory and not directory.
 - (d) The word "may" is permissive.
 - (e) Words used in the present tense include the future, unless the context clearly indicates the contrary.
 - (f) Words used in the singular number include the plural, and words used in the plural number include the singular unless the context clearly indicates the contrary.
 - (g) Provisions are Minimum Requirements: In their interpretation and application, the provisions of these regulations shall be regarded as the minimum requirements for the protection of the public health, safety, comfort, morals, convenience, prosperity and welfare, and shall therefore be regarded as remedial, and shall be liberally construed to further their underlying purposes.
- (2) Application of Overlapping Regulations: Whenever both a provision of these Regulations and any other provisions of these Regulations, or any provision in any other law, ordinance, resolution, rule or regulation of any kind except for Grand County Subdivision Regulations which shall not apply to exempt tracts, contain any restrictions covering any of the same subject matter, whichever restrictions are more restrictive or impose higher standards or requirements shall govern.
- (3) Existing Permits and Private Agreements: These Regulations are not intended to abrogate or annul any permits issued before the effective date of these Regulations or any applicable amendment thereto, or any easement, covenant or other private agreement.
- (4) The Grand County Road and Bridge Standards and the Grand County Storm Drainage Design and Criteria Manual have been integrated into the Minor Subdivision Regulations wherever applicable. Standards may be waived or a variance considered according to density impacts at the discretion of the Board of County Commissioners.

1.7 VIOLATIONS, PENALTIES AND ENFORCEMENT

- (1) Any subdivider, or agent of a subdivider, who transfers legal or equitable title or sells any subdivided or exempted land before a final plat for such subdivided land or Minor Subdivision has been approved by the Board of County Commissioners and recorded or filed in the office of the Grand County Clerk and Recorder is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars (\$1,000.00) nor less than five hundred dollars (\$500.00) for each parcel or interest in subdivided or exempted land which is sold. All fines collected under this paragraph shall be credited to the general fund of the County. No person shall be prosecuted, tried or

punished under this paragraph unless the indictment, information, complaint, or action for the same is instituted prior to the expiration of eighteen (18) months after the recordation or filing in the office of the county clerk and recorder of the instrument transferring or selling such subdivided or exempted land. The Board of County Commissioners may provide for the enforcement of Minor Subdivision Regulations by means of withholding building permits. No plat for subdivided or exempted land shall be approved by the Board of County Commissioners unless at the time of approval of platting the subdivider provides the certification of the county treasurer's office that all ad valorem taxes applicable to such subdivided or exempted land, for years prior to that year in which approval is granted, have been paid.

- (2) The Board of County Commissioners of the County in which the subdivided or exempted land is located has the power to bring an action to enjoin any subdivider from selling subdivided or exempted land before a final plat for such subdivided or exempted land has been approved by the Board of County Commissioners. In addition, the Board of County Commissioners may take such other legal action as may be authorized by the laws of the State of Colorado.
- (3) Any violation of paragraph one (1) of this subsection (1.7) is prima facie evidence of a fraudulent land transaction and shall be grounds for the purchaser to void the transfer or sale.

ARTICLE II - REVIEW PROCEDURE

Any proposed division of land pursuant to these Regulations shall be subject to approval by the Grand County Board of County Commissioners. Approval shall be based on compliance with the standards and conditions herein set forth.

When a division of land under these Regulations is contemplated, the applicant shall first engage in a preliminary application conference with a member of the Department. The purpose of this meeting is to consider whether or not a proposed division of land qualifies under the Minor Subdivision Regulations, and to inform the applicant of the requirements and procedures for processing a proposed land division under these Regulations.

If the applicant feels they are qualified to process an application under these Regulations, they shall prepare and submit a sketch plan as provided in 2.2 (1) below for consideration by the Department as to the general layout and density of the proposed division of land. Review of the sketch plan is to insure that the proposed division of land qualifies under the Minor Subdivision Regulations, that adequate utilities and access are available, that it is in accordance with the Grand County Master Plan, and to insure that the property on which the division is proposed is at least apparently suitable for division in the manner contemplated by the applicant.

When a preliminary plan submission is made, the Department and any identified referral agencies shall review and comment on compliance with these regulations and the Grand County Master Plan. A statement of approval, conditional approval or disapproval will be conveyed to the applicant. The applicant shall, if he/she wishes to divide their land, submit a final plat in accordance with Section 3.3 below. If deemed complete, a final plat together with required supplemental material shall be scheduled with the Planning Commission for review. If the Final Plat is recommended for approval, conditional approval, or disapproval, it shall be scheduled for review by the Board of County Commissioners. Any required supplementary material received for review and evaluation by the Department will be thoroughly checked for compliance with design standards, improvements required, and other standards set forth in these Regulations, as well as additional conditions imposed by the Grand County Board of County Commissioners. Execution of an improvements agreement to guarantee the completion of required improvements may be necessary before the plat will receive final approval and be recorded, and before any lots may be sold.

2.1 SKETCH PLAN CONFERENCE

The applicant is required to confer with a member of the Department prior to submission of a Preliminary Plan as outlined in Section 4.1 for a proposed division of land pursuant to these Regulations. This Pre-application conference and administrative sketch plan review will be to discuss whether the proposed division of land is permissible under the Regulations.

(1) The pre-application conference shall be completed as follows:

- (a) The applicant shall make a request for a pre-application conference and provide details related to parking, traffic, water sanitation and environmental conditions in a narrative document.

In addition, shall prepare a Sketch Plan according to Section 2.2 of these regulations and provide these materials to the Department at least 14 calendar days prior to the scheduled development review team meeting.

- (b) In addition to the Department staff, if the Department feels that the proposal raises potential issues for roads, access, parking, traffic, water supply, sanitation and/or natural resource protection, the appropriate agency staff shall be included in the pre-application conference. The applicant may also provide any correspondence from these agencies before the meeting to avoid any delay.
 - (c) After approval of the Sketch Plan by the Department, applicant may proceed with development of the Preliminary Plan and Final Plat.
- (2) The sketch plan shall contain or be accompanied by the following information:
- (a) Proposed name of the Minor Subdivision.
 - (b) A correct legal description of the entire property to be divided.
 - (c) The names, addresses, and telephone numbers of the applicant(s), and the land surveyor, engineer, and/or designer of the proposed division, if any (who shall be licensed by the Colorado State Board of Examiners for Engineers and Land surveyors).
 - (d) Date of preparation, scale and North sign (designated as true North).
 - (e) Location and approximate dimensions for all proposed street rights-of-way, easements and lot lines.
 - (f) Location and principal dimensions for all existing streets (including their names), alleys, easements, water courses, and other important features within and adjacent to the tract to be divided.
 - (g) The names of abutting subdivisions and the names of the owners of abutting unplatted properties, if existing.
 - (h) Approximate acreage and square footage of all lots to be created by the proposed division of land.
 - (i) Relevant site characteristics including the existence of any special natural or man-made hazards.
 - (j) A title insurance commitment or attorney's title opinion, issued within six (6) months of the application date, showing that the applicant is the owner of all the land to be platted and that all roads, streets, easements and other rights-of-way and all lots, tracts or sites dedicated or to be conveyed for public use, or for common use by all lot owners are free and clear from all liens and encumbrances except patent reservations and except liens and encumbrances which cannot be extinguished, released, or purchased by the developer. If such land is mortgaged by the developer it shall be sufficient if the mortgagee joins in the dedication.
 - (k) Following this meeting a preliminary plan shall be submitted to the Department including the materials deemed necessary for review of the proposed development.

2.3 POSTING AND MAILING NOTIFICATION REQUIREMENTS FOR PRELIMINARY PLAN APPLICATIONS

(1) MAILING

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- (a) Written notice shall be mailed, first-class postage to adjacent property owners of the proposed development within seven (7) working days of the Applicants submission of the Preliminary Plat.
- (b) All fees and costs will be the responsibility of the applicant. The applicant will be billed and the payment must be received prior to the Preliminary Plan Planning Commission meeting.

(2) POSTING

- (a) A sign shall be posted on the property using signs furnished by the Applicant at least fifteen (15) days prior to the Planning Commission Meeting for the Preliminary Plan. The sign shall remain on the property for the duration of the project until Final Plat is recorded. Signs shall be set back no more than twenty five (25) feet from the street and shall be erected in full view of the public on each street side of the land subject to the application. Once posted, if anything would happen to the sign, (ex. large amounts of snow), the occurrence shall not be deemed a failure to comply with the standards or be grounds to challenge the validity of any

decisions made on the application.

(3) SIGN SIZE

- (a) The size of the sign shall be 24”x 30”. Proof of sign placement by way of photograph will be delivered to staff electronically or service mail.
- (b) All costs and placement of the signs will be the responsibility of the applicant.

(4) SIGN FORMAT

The Sign shall follow the format:

NOTICE OF (DEVELOPMENT NAME, DATE)

APPLICANT NAME: _____

APPLICANT PHONE: _____

APPLICANT EMAIL: _____

PROPOSED PROJECT: _____

LEGAL DESCRIPTION AND ADDRESS

Contact the Community Development Department, Planning and Zoning Division at 970-725-3255 or email planning@co.grand.co.us with questions or concerns. The Planning Commission Agenda’s and Board of County Commissioner Agenda’s are available online at www.co.grand.co.us

2.4 PRELIMINARY PLAN AND FINAL PLAT

(1) The Preliminary Plan shall be processed as follows:

- (a) The Preliminary Plan, proposed Final Plat, a Traffic Impact Analysis (TIA) as defined in the Grand County Road and Bridge Standards, if necessary any roadway design and construction documents compliant with the Grand County Road and Bridge Standards shall be submitted in the appropriate hard copy quantities determined by the Department and supplied in a duplicate universally usable digital format to the Department to be distributed to referral agencies for review.
- (b) The Preliminary Plan, together with required supplemental material, and a processing fee according to the current fee schedule to cover the cost of review, shall be presented by the applicant to the Department at least thirty five (35) calendar days prior to the Planning Commission meeting at which the subdivider wishes their Final Plat to be considered. In addition, sufficient copies of the plat and supplemental material shall be delivered to the Department so as to provide all necessary material for the review agencies as specified by the Department at the time of the review of the sketch plan, or if not so specified, as specified by the Department.
- (c) Referral and review requirements. Upon receipt of a complete Preliminary Plan submission, the Department or their authorized representatives shall distribute copies of the plan to the agencies specified by the Department at the time of the pre-application sketch plan or as the Director of the Department may specify. Said agencies may include the following:
 - i) Cities, towns, or adjoining counties located within two (2) miles of the area to be subdivided.
 - ii) School district serving the area.
 - iii) Private utility companies (such as electric, gas, cable, ditch companies and telephone companies) serving the area.
 - iv) Special districts (such as water, sanitation and fire districts) serving the area.
 - v) The County Assessor.
 - vi) The Grand County Consulting Engineer.
 - vii) To the Colorado Geological Society for an evaluation of those geologic factors which would have a significant impact on the proposed use of the land.
 - viii) The local Water and Sewer District for review of water availability and physical

system capacity information.

- (d) The agencies named in this Section shall make recommendations within twenty-one (21) calendar days after the mailing by the County or its authorized representative of such plans unless a necessary extension of not more than a total review period of thirty (30) calendar days has been consented to by the subdivider. The failure of any agency to respond within twenty-one (21) calendar days or within the period to request an extension shall, for the purposes of the hearing on the plan, be deemed an approval of such plan; recommendations shall be made conditions of approval for the Final Plat unless thrown out by the Board.
- (e) Within twenty-one (21) calendar days after the Preliminary Plan is submitted, the Department shall complete its review and convey the Preliminary Plan conditions, Final Plat and a certificate of recommendation to the Planning Commission for a recommendation of approval, approval subject to specified conditions, or disapproval of the proposed land division, which will then be presented, to the Board.
- (f) Following Planning Commission review granting a recommendation of approval, approval subject to specified conditions, or disapproval, the recommendations of the Planning Commission and the Department shall be submitted to the Board for consideration at the next regularly scheduled meeting of not more than thirty (30) days following Planning Commission review. The applicant shall be advised of the date when the final plat shall be presented to the Board. The Board shall review the final plat, especially with regard to required improvements and the acceptance of areas dedicated for public use, if any, and shall approve or disapprove the final plat. A decision by the Board may be delayed until a subsequent meeting date only with the consent of the applicant. Provided, however, the Board may withhold approval of the plat in order to await necessary rezoning, the submission of technical data or other information requested by the Board, or the accomplishment of any other essential requirements. If the Board of County Commissioners shall disapprove the final plat, it shall prepare a written statement of defects setting forth all of its reasons for disapproval. At such meeting, any required improvements agreement shall be provided by the applicant.
- (g) No changes, erasures, modifications or revisions shall be made in a Final Plat after approval has been given by the Board of County Commissioners, except upon further consideration by the Board of County Commissioners and its permission being given.
- (h) Following approval of the final plat by the Board and the completion of the required improvements or execution of an improvements agreement, the final plat shall be recorded in the office of the Clerk and Recorder of Grand County. Approval of any Final Plat shall expire after one (1) year if not recorded in the Office of the Grand County Clerk and Recorder following the date of the Board Final Plat approval. One (1) year extensions may be requested in writing by the developer and will be considered by the Board of County Commissioners.
- (i) Upon final approval of the final plat, the County shall require the payment of an emergency services impact fee, pursuant to Section 3.3 of the Subdivision Regulations of Grand County. Any final plat not recorded within one (1) year after approval by the Board of County Commissioners shall not be recorded and the approval by the Board of County Commissioners shall become null and void. The applicant must reapply for a Minor Subdivision if he wishes to divide his land pursuant to these Regulations.

ARTICLE III - DESIGN STANDARDS

Each new division of land in Grand County will, to some degree, affect the character and environmental appeal of the land, the cost of services and maintenance to the purchasers and the county government, and the interests of investors in the land and surrounding areas. New developments shall provide safe, convenient travel routes to, from and within the development. Each lot must provide a desirable setting for construction so that natural features of the land may be preserved, views protected, privacy permitted and screening from trafficways made possible. Provisions must be made to meet area needs for flood and fire protection, sewage disposal, and water. Although Article VI of these regulations provides for variances under certain circumstances, the following design standards shall be followed wherever possible.

3.1 SPECIAL SITE CONSIDERATIONS

- (1) Steep, unstable or swampy land, and land subject to inadequate drainage, avalanche or rock slides, and geological hazards shall be identified and unless acceptable provisions are made for eliminating or controlling problems which may endanger health, life or property, such sites shall not be platted for residential occupancy.
- (2) Any land subject to flooding or located in a natural drainage channel shall not be platted for occupancy until adequate provisions to eliminate or control hazards are made and approved by the Board of County Commissioners.
- (3) Where a residential division of land borders a railroad or highway right-of-way, the Board of County Commissioners may require a buffer strip of such an extent and type as may be practical, or other adequate protection against the hazards and undesirable effects of the railroad or highway.
- (4) Provisions shall be made to preserve natural features of the site which would enhance the residential lots such as unusual rock formations, lakes, rivers, streams, and trees.
- (5) The Board of County Commissioners may require the applicant to furnish appropriate technical data and other information necessary to determine the extent to which a proposed division of land is subject to flooding, located in a natural drainage channel, or subject to geological, fire or other natural hazards. Technical data and other information requested by the Board of County Commissioners will be prepared and certified by a professional qualified in the appropriate field of expertise. If it is determined that a proposed division of land or a portion thereof lies within a natural hazard area, the Board of County Commissioners may set forth certain conditions, stipulations, standards, and prohibitions which must be observed if a Minor Subdivision Regulations division of land is to be permitted.
- (6) Once submittal of a sketch plan has been made to the Department for review of a Minor Subdivision, no disturbance of the site, nor installation of any improvements associated with the proposed subdivision is allowed until after approval of the final plat by the Board of County Commissioners, or prior approval of any site disturbance or installation of required improvements has been authorized by the Board of County Commissioners. The developer will be allowed to do any soils and geologic testing, soils borings, surveying, etc. that are needed to provide the technical reports required for review of the Minor Subdivision.

3.2 DRIVEWAYS, ROADS, STREETS AND EASEMENTS

- (1) Street rights-of-way shall be designed to bear a logical relationship to the topography.
- (2) The Board of County Commissioners may require street rights-of-way to be aligned with planned or existing streets on adjacent lands, whether or not such adjacent lands have been subdivided, and to provide direct, continuous routes to such adjacent lands where no other legal access exists. Temporary cul-de-sacs shall be provided at the end of any street giving access to adjacent lands until connecting streets on the adjacent lands have been constructed.
- (3) Intersections shall be as nearly at right angles as possible. Refer to the Grand County Road and Bridge Standards.
- (4) All street rights-of-way shall have a minimum width of sixty (60) feet.
- (5) All street rights-of-way shall be designed to accommodate a constructed road with a maximum grade of seven percent (7%).
- (6) Driveway requirements. Refer to the Grand County Road and Bridge Standards.
- (7) Easements of not less than twenty (20) feet in width shall be provided along rear or side lot lines for utilities. Such easements may be provided by ten (10) foot easements on each of adjoining lots. Utility easements at different locations may be provided upon recommendation by the affected utility

companies and approval of the Board of County Commissioners.

- (8) All roads created to serve the Minor Subdivision shall be assigned county road numbers. The applicant shall be required to meet with the Department to determine proper county road number designations that are compatible with the area.
- (9) The Grand County Road and Bridge Standards and the Grand County Storm Drainage Design and Criteria Manual have been integrated into the Minor Subdivision Regulations wherever applicable and at the discretion of the Board of County Commissioners. Standards may be reduced according to density impacts.

3.3 LOTS/PARCELS/TRACTS

- (1) As a minimum requirement, lot dimensions shall conform to applicable zoning minimum requirements or other land use requirements.
- (2) Each lot shall have access to a public street Right-Of-Way.
- (3) Lots with double frontage shall be avoided, except where essential to provide separation from major arterials or incompatible land uses.
- (4) Side lot lines shall be substantially at right angles or radial to street lines.
- (5) Prior to approval of the final plat, the applicant will confer with the Department to determine proper addresses, depicting each lot or tract according to a formula provided by the Department. The Planning Commission may require the applicant to consult with a specific local fire protection or emergency management district. The cost of said consultation will be the responsibility of the applicant. The approved and accepted addressing will be placed on the Final Plat Mylar for reference.
- (6) Corner lots or tracts are to be given an address off of each road adjacent to said lot or tract.

3.4 DEDICATIONS

- (1) Dedication of rights-of-way for streets giving access to adjacent lands and adjoining dedicated streets, and drainage and utility easements, may be required.
- (2) All rights-of-way for streets shall be conveyed by separate document fee simple to the Board of County Commissioners, County of Grand. All deeds provided for review by the Grand County Attorney.
- (3) Approval of a division of land under these Regulations shall not constitute acceptance by the County of the roads, streets, or other public lands as indicated for dedication on the plat. The dedication of any of these lands for public use of any nature within the county shall be accepted by the County only by specific action of the Board of County Commissioners.

3.5 DESIGN STANDARDS FOR DRAINAGE, SEWER AND WATER

- (1) Storm Drainage
 - (a) Land within an existing one hundred (100) year floodplain or Special Flood Hazard Areas, floodplain or land, which is subject to inundation, shall not be platted for occupancy unless the flooding condition is alleviated according to plans approved by the Grand County consistent with the Grand County Zoning Regulations.
 - (b) Driveway drainage design shall follow Road and Bridge Standards, to ensure that design directs storm water flow away from any County Road.
 - (c) A stormwater management plan shall be required for any site disturbance in excess of one (1) acre.
- (2) Central Water Systems
 - (a) "Design Criteria for Potable Water Systems" this State of Colorado Publication is to be used in total (document available from Colorado Department of Public Health).
 - (b) Other regulations for central water systems are contained in the document: "Grand County Administrative Regulations for Major Extensions of Existing Domestic Water and Sewage Treatment Systems" (document under separate cover, available from Grand County).
 - (c) Central water systems conforming to the standards herein listed are required in subdivisions of a net density greater than one (1) unit per acre.

- (d) All lines are to be looped; dead ends are not allowed.
- (e) Water line sizes shall conform to the applicable building code or as a minimum to the following standards:

Water Mains: Six (6) inches diameter minimum

Water Laterals:

1-2 living units: Three quarters (3/4) inch diameter

3-12 living units: One (1) inch diameter

(3) Water Supply

- (a) On-lot water supply systems shall comply with current standards in effect in Grand County, Colorado. Proof of adequate water supply for any proposed development shall be submitted pursuant to §29-20-304 Colorado Revised Statutes.
- (b) Water supply systems, whether on-lot or otherwise, located in floodplain areas, shall be designed and located so as to minimize or eliminate infiltration and avoid their impairment during or subsequent to flooding.

3.6 DESIGN STANDARDS FOR NATURAL HAZARD AREAS

- (1) In areas determined to have significant flood, fire, geological, or other natural hazards, the Board of County Commissioners may, in the interest of public safety, require applicants to submit for review plans to eliminate or reduce hazards to a reasonable level. Such plans may include, but are not limited to a flood study, engineering designs, fuel modification, emergency water systems, etc.

3.7 IMPROVEMENTS REQUIRED

In each proposed land division, the applicant and the Board of County Commissioners shall agree on the type, location and extent of necessary public improvements depending on the characteristics of the proposed development and its relationship to the surrounding area. Improvements shall be made by the applicant at his expense according to standard specifications prepared by a qualified professional engineer and approved by the Board of County Commissioners.

- (1) Permanent survey monuments shall be set as required by Colorado Revised Statutes, 1973, Title 38, Article 51. In addition, half inch (1/2") steel pins (or larger) shall be set at all lot corners. Affixed securely to the top of each such monument shall be the Colorado registration number of the land surveyor responsible for the establishment of said monument.
- (2) If lots do not access from an existing constructed Grand County roads, roads meeting County standards promulgated by the Grand County Board of County Commissioners shall be required.
- (3) Improvements not specifically mentioned in these Regulations but found appropriate and necessary due to unusual conditions found on the site, shall be constructed at the applicant's expense within such time and in conformance with such specifications as deemed necessary and appropriate by the Board of County Commissioners.
- (4) The Applicant(s)/Developer(s) will be responsible for paying all engineering fees associated with any new minor subdivision. In addition to the initial costs associated with the development, the applicant/developer will be responsible for ongoing engineering fees throughout the project (i.e. traffic study reviews, subdivision improvement inspections, etc.). These fees will be billed at cost plus 20% and must be paid within thirty (30) days.
- (5) No final plat shall be signed by the Board of County Commissioners until the improvements required by these Minor Subdivision Regulations have been constructed and approved by the appropriate county officials having jurisdiction over such improvements, or until assurance in the form of an improvements agreement is given to the Board of County Commissioners that the required improvements will be completed.

3.8 SLASH REMOVAL/DISPOSAL

- (1) The preferred method for removal of excess forest materials (slash) in Minor Subdivisions requiring the clearing of forested areas for lots, roads, utilities, etc., is mulching and chipping. Supplemental methods for slash removal are to separate for firewood collection, remove all saleable lumber or use other methods which do not involve burning of slash from subject property. Excess slash may not be disposed of at any Grand County landfill. All stumps shall be buried. Cost estimates for mulching and

chipping or other slash removal methods, whether used or not, are required at final plat submittal of the Minor Subdivision.

- (2) If burning methods are used to dispose of slash materials from subject property, the subdivider of said property must contact the Grand County Division of Natural Resources and the local fire protection district, if any, to receive guidelines and technical direction on burning methods before recording of the final plat.

3.9 SCHOOL LANDS

- (1) All subdivisions shall provide for public school sites or in lieu fees to serve the proposed subdivision and the future residents thereof and in accordance with these Regulations and CRS.
- (2) Provision of land areas for schools shall be at the rate of .0346 acres per single family dwelling unit within the subdivision. Such provision may include, subject to the Board of County Commissioners' approval:
 - (a) Reservation of such sites and land areas, for acquisition by the County.
 - (b) Dedication of such sites and land areas to the County, or in lieu thereof, payment of a sum of money not exceeding the fair market value of such sites and land areas. Any such sums, when required, shall be held by the Board of County Commissioners for the acquisition of such sites and land areas. Dedication of such sites and land areas shall be made at the time of final platting in one (1) or any combination of the following ways:
 - i) By dedicating to the County of Grand, a body politic incorporate, in fee simple, on the final plat.
 - ii) By granting the land areas in fee simple on General Warranty Deeds to the County.
- (3) In lieu of dedication of land areas for public school sites, the County may require the payment of a sum of money not to exceed the fair market value of such sites and land areas at the time of final plat submittal.
 - (a) Fair market value shall be determined by mutual agreement between the subdivider and the Board of County Commissioners. In the event of inability of any of the above parties to agree on the fair market of the sites, an independent party, being a qualified appraiser in the County of Grand, shall be selected by mutual agreement of the disagreeing parties. Said independent party's findings on fair market value of the site shall be final and binding on all parties.
 - (b) A qualified appraiser shall be certified by the State of Colorado Department of Regulatory Agencies Division of Real Estate. Payments made under the requirements of this Section shall be made payable to the County of Grand. The Board of County Commissioners shall receive such funds at the time of the final plat approval and deposit them with the County Treasurer who may in turn deposit such funds in any County approved and designated financial institution.
 - i) Such funds shall be deposited to special interest bearing escrow accounts, one such account for each school district within Grand County. Each deposit shall be credited to the name of the subdivision for which the payment was made and shall be deposited in the account of the school district in which the subdivision is located. The status of these accounts shall be reported annually to the Board of County Commissioners and shall be made available to the school districts and the general public.
 - ii) Funds may be withdrawn from the special escrow accounts as provided by Statute.
 - (c) The Board of County Commissioners shall, from time to time, adopt a Resolution setting forth the formula to be used to determine the sums of money to be paid in lieu of dedication of land areas.
- (4) Land conveyed to the County for public school sites shall be transferred and conveyed to the appropriate school district upon written request by the District. Funds paid to County in lieu of dedication of land areas for public school sites shall be made available to the appropriate school district for use in acquisition of specific property for school sites upon written request by the school district. Prior to the conveyance of land previously dedicated for school site purposes or the transfer of funds from Grand County to the District, all requests shall be referred to the Grand County Planning Commission for its recommendations. Said recommendations shall be advisory only and shall not restrict the right of the school district to require the transfer of lands or the transfer of funds by the Board of County Commissioners of Grand County upon request.
- (5) Land areas that shall not be acceptable in determining the fulfillment of the requirements for the

provision of land area for public school sites shall include the following:

- (a) Natural drainage ways, streams, gulleys, and rivers including all lands within the one hundred (100) year flood plain. (Note, unless the school district specifically accepts a certain portion for a reasonable use and it is approved by the Board of County Commissioners.)
 - (b) Rights-of-way and /or easements for irrigation ditches and aqueducts.
 - (c) Steep or rugged land areas, hazardous geological land areas, hazardous wildfire land areas and such other areas are not conducive for use as school sites.
- (6) Improvements that shall be constructed, installed on, or adjacent to designated school sites shall be as follows:
- (a) Curb, gutter, and pavement, in accordance with the Grand County standards in those subdivisions requiring same.
 - (b) Utilities shall be extended to the property line.
 - (c) All drainage structures and facilities.

The following formula is to be used to calculate school fees in lieu of dedication of land areas:

- (1) The determined unit value for the purpose of the dedication of school sites for money in lieu of school sites for Grand County is determined and established through educational criterion in both East Grand School District and West Grand School District.
- (2) When money in lieu of land is recommended by the appropriate Board of Education, the following formula shall be applied:
 - (a) Dwelling units or lots up to and including three (3) units: 50 % per unit/lot of the fixed rate of .09.
- (3) To determine the cost per unit/lot, multiply the dedication percentage 50% times the determined unit/lot value (.09) times the fair market value per acre of the developed land

Example: 3 lots/units
 3 x .50 = 1.5
 1.5 x .09 = .135
 .135 x \$4,000/acre = \$540.00 school fees

(\$4,000/acre is an arbitrary number used for this example. When calculating this formula on a specific project, the fair market value per acre of the developed land would be used in place of the \$4,000/acre shown above.)

3.11 DESIGN STANDARDS FOR MINERAL RESOURCE AREAS

Mineral extraction and exploration are prohibited in order to protect public health and safety as the same also contradicts the purpose of the Minor Subdivision process.

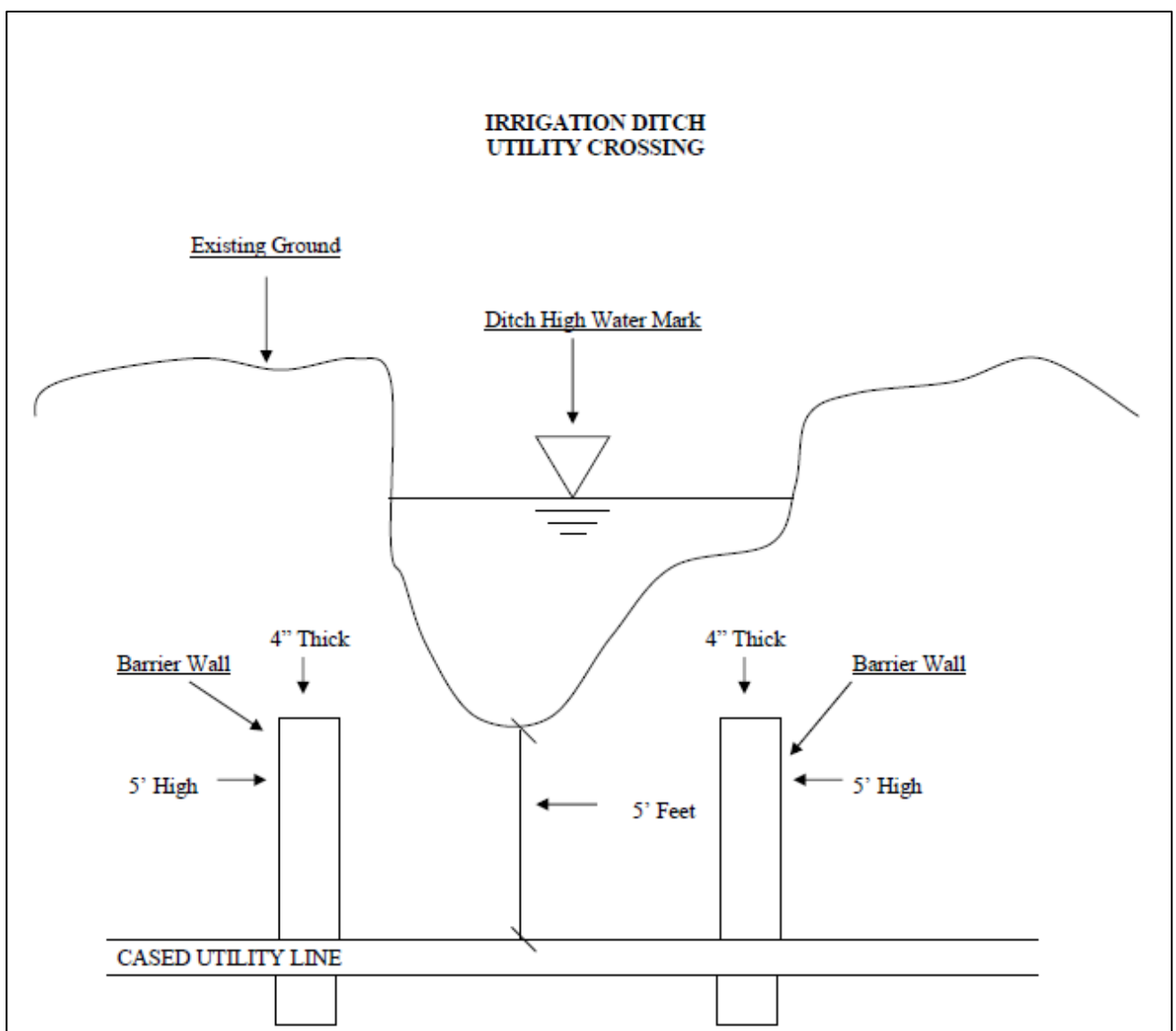
3.12 DITCH CROSSINGS

Development of land that contains irrigation ditches requires that the developer and all future land owners respect the rights of the ditch owner(s) to access and maintain the ditch without any increased burden of maintenance or liability due to the development of the land. Minor Subdivision plats shall minimize ditch crossings. If crossings are necessary, at a minimum, the following rules shall apply:

- (1) Approval from the ditch owner or Ditch Company to cross the ditch easement may be required prior to any disturbance of the ditch. The developer shall be required to provide the ditch easement owner with design drawings and hydraulic analysis of the proposed crossing. The developer or owner is responsible for all costs associated with any review of plats or specifications for ditch crossings by the ditch company.
- (2) Crossings shall be at roads or driveways whenever possible. The crossing shall be sized so as not to interfere with the ditch operation or alter the existing flow characteristics. (i.e. width, depth, slope, velocity or pattern)
- (3) Provide access to the ditch on both sides from all roads that allow vehicles and maintenance equipment access to the ditch, on both sides.
- (4) An executed agreement binding the property owner and all successor property owners to accept all liability for damage caused by any improvements installed within the ditch or ditch easement.

- (5) An executed agreement that requires current and successor property owners to maintain the ditch crossing and to keep it and the ditch access easement safe and clean at all times. Maintenance shall include but not be limited to trash removal, as well as repair or replacement of the crossing when necessary. Ditch owners or easement owners shall be notified in writing by certified mail prior to any disturbance within the ditch easement.
- (6) The Board of County Commissioners, through the Department, may require specific improvements to the ditch crossings in order to limit the liability of ditch owners or ditch easement owners caused by any approved ditch crossings or improvements. These improvements may be required in order to minimize the possibility of flooding or to protect downstream water rights. The cost of these improvements shall be paid by the developer.
- (7) All utilities crossing the ditch must be cased at as near a right angle as feasible and installed at a minimum of five (5) feet from the bottom of the ditch to the top of the casing. This is to allow for future cleaning and ditch maintenance.
- (8) Any approved ditch crossing by any utility company shall be cased so future maintenance of the carrier pipe will not interfere with the operation of the ditch. Additionally, the location of any crossing shall be clearly marked on each side of the irrigation ditch.
- (9) All open cuts across any irrigation ditch are only allowed during the off season while the ditch is dry and shall be replaced with a four (4) inch thick impermeable soil barrier placed on the ditch bottom and banks. The barrier walls shall meet soil classification CL or ML-CL and shall be compacted to ninety-five percent (95%) of the standard proctor density.
- (10) Utilities installed during the irrigation season while the ditch is in operation must be bored as to not interrupt the operation of the ditch.

IRRIGATION DITCH UTILITY CROSSING DETAIL



3.13 POST CONSTRUCTION

The County shall review and compare all construction with the Construction Plans approved at Final Plat and any design revisions made during construction. A request for construction review shall not be submitted between October 1st and April 1st due to variable weather conditions in Grand County, Colorado. A request for review may be denied if snow accumulation is present.

PRELIMINARY ACCEPTANCE

Prior to Preliminary Acceptance, the following items shall be supplied to the County:

- (1) Record Drawings for the improvements shall be submitted at the time the letter requesting monies release is submitted. Release of monies shall not occur if the County determines deviations are present which have not received prior approval.
- (2) A letter or letters of acceptance and responsibility for maintenance of the improvements by the appropriate utility company, special district, or town for all utilities and roads.
- (3) A letter from the appropriate fire authority stating that fire hydrants are in place, in accordance with the approved plans. The letter shall also state that the fire hydrants are operational and provide the results of the fire flow tests.
- (4) Certifications.
- (5) Quality control test results shall be submitted for all phases of the project in accordance with the schedule for minimum materials sampling, testing, and inspection as found in CDOT's Materials Test Procedure Module.
- (6) Photos (if applicable).
- (7) Field Notes (if applicable).
- (8) Any addendums/changes to the Final Plat Submittal.
- (9) Any other pertinent information associated with the Construction.

If any substantial variations or discrepancies are discovered between the approved construction plans and the improvements actually constructed, the Engineer shall propose and recommend a solution or alternative solutions to the County for review and approval. If no proposed alternative will satisfy the requirements of these Standards, the Engineer shall submit a variance request or the Applicant shall reconstruct the deficient public improvements to comply with the approved construction plans.

Findings of Preliminary Acceptance may influence security release, as found in the Subdivision Improvements Agreement.

CERTIFICATIONS

The following certifications shall be required on letterhead with stamp, seal, date and shall address the appropriate construction plans/ documents that the professional is approving.

ENGINEER

The licensed engineer of record shall review the information required in Section 2.6.1 to state that the actual construction and materials used are in substantial compliance with the county accepted construction design plans.

"I, A DULY LICENSED PROFESSIONAL ENGINEER IN THE STATE OF COLORADO, STATE THAT CONSTRUCTION HAS BEEN COMPLETED IN SUBSTANTIAL COMPLIANCE WITH THE CONSTRUCTION PLANS APPROVED BY GRAND COUNTY, AS DETERMINED BY REVIEW OF THE RECORD DRAWINGS AND DURING PERIODIC ON-SITE OBSERVATIONS DURING AND AFTER THE COURSE OF CONSTRUCTION AS DETERMINED BY ME OR UNDER MY DIRECT SUPERVISION. DATE: _____."

FINAL ACCEPTANCE

Consideration for Final Acceptance shall be no less than two (2) years from Preliminary Acceptance. If upon final inspection of the Subdivision Improvements, the County finds the Subdivision Improvements are not substantially free of defects in materials and workmanship or have not been repaired or maintained as required under the Subdivision Improvements Agreement, the County shall issue a written notice of noncompliance within 14 days after the final inspection specifying the respects in which the Subdivision Improvements are not substantially free of defects in materials and workmanship or have not been repaired and maintained as required under the Subdivision Improvements Agreement. The Applicant shall thereupon take such action as is necessary to cure any noncompliance and, upon curing the same, shall request a new Final Re-inspection from the County. The release of monies shall be contingent on County review and acceptance. A letter requesting final acceptance from engineer/landscape architect/geotechnical engineer shall be signed, stamped and sealed.

ARTICLE IV - PROCEDURE

4.1 PRELIMINARY PLAN

After the preliminary conference and Sketch Plan review, but prior to the submission of the materials required for final plat approval, the applicant shall submit a preliminary plat of his proposed division of land and certain additional materials.

- (1) The preliminary plat shall be prepared as follows:
 - (a) The design shall be in accord with the applicant's plans for actual development and therefore shall be an approximate representation of the land division, which may eventually be recorded. The Preliminary Plan drawing shall be a legible draft showing the proposed layout or plan of development for the total development area. The Preliminary Plan shall be accompanied by construction plans for utilities and access, which are completed in compliance with the Drawing Requirements more completely detailed in the Grand County Road and Bridge Standards.
 - (b) A vicinity map shall accompany the Preliminary Plat. The vicinity map shall be at a scale of not less than one (1) inch equals two thousand (2,000) feet, extending at least two (2) miles beyond the tract to be divided, showing existing parcels of land, streets and highways, natural drainage courses, municipal and special district boundaries, sites for proposed water and sewage treatment facilities, topographical characteristics, and similar major natural or man-made features of the area. U.S. Geological Survey topographical maps are acceptable vicinity maps.
- (2) The Preliminary Plat shall contain or be accompanied by the following information:
 - (a) Proposed name of the Minor Subdivision.
 - (b) A correct legal description of the entire property to be divided.
 - (c) Location of the subdivision as part of some larger subdivision or tract of land and by reference to permanent survey monuments with a tie to a section corner or a quarter-section corner.
 - (d) The names, addresses, and telephone numbers of the applicant(s), and the land surveyor, engineer, and/or designer of the proposed division, if any (who shall be licensed by the Colorado State Board of Examiners for Engineers and Land Surveyors).
 - (e) Date of preparation, scale and North sign (designated as true North).
 - (f) Location and approximate dimensions for all proposed street rights-of-way, easements and lot lines.
 - (g) Location and principal dimensions for all existing streets (including their names), alleys, easements, water courses, and other important features within and adjacent to the tract to be divided.
 - (h) The names of abutting subdivisions and the names of the owners of abutting unplatted properties.
 - (i) Approximate acreage of all lots to be created by the division of land.
 - (j) Location and principal dimensions for all existing streets (including their names), alleys, easements, watercourses, and other important features within and adjacent to the tract to be subdivided.
 - (k) The names of abutting subdivisions and the names of the owners of abutting un-platted property.
 - (l) Topography at five foot (5') intervals where the average slope is less than fifteen percent (15%) provided

the same interval is used throughout the subdivision (interval used to be clearly indicated on plat).

- (m) Relevant site characteristics including the existence of any special natural or man-made hazards.
- (n) The Applicant shall certify that notice has been provided to the mineral estate owner pursuant to C.R.S. 24-65.5-101 et seq., which includes time and place of the Sketch Plan hearing before the Planning Commission, nature of the hearing, location of the property that is the subject of the hearing, and name of the applicant. The name and address of the mineral estate owner are required to be provided within said certification notice. Grand County shall, pursuant to C.R.S.24-6-402(7) et seq., provide notice of subsequent hearings to Mineral Estate Owners who register for such notification.
- (o) A title insurance commitment or attorney's title opinion showing that the applicant is the owner of all the land to be platted and that all roads, streets, easements and other rights-of-way and all lots, tracts or sites dedicated or to be conveyed for public use, or for common use by all lot owners are free and clear from all liens and encumbrances except patent reservations and except liens and encumbrances which cannot be extinguished, released, or purchased by the developer. If such land is mortgaged by the developer it shall be sufficient if the mortgagee joins in the dedication.

4.2 FINAL PLAT

(1) The final plat shall be prepared as follows:

- (a) The design shall conform to the Preliminary Plat and the statement of conditions.
- (b) The drawing shall be made at a scale of one inch (1") equals one hundred feet (100'), on mylar with outer dimensions of twenty-four inches (24") by thirty-six inches (36"). It shall be accompanied by one (1) overall map showing the entire development at a legible scale. Good draftsmanship will be required in order for all information to be accurate and legible. Any improvements needing engineering design, such as drainage requirements, requirements for stabilizing unstable land, and sewer and water system requirements, shall be designed by a registered engineer hired by the developer, and such design shall be submitted with the final plat.

(2) The final plat shall contain or be accompanied by the following information:

- (a) Title (which shall include the phrase "Minor Subdivision"), bar scale, North arrow and date.
- (b) Legal description of property, together with a complete reference to the book and page of records of the County Clerk and Recorder where the conveyance to the applicant is recorded.
- (c) Primary control points, or descriptions, and ties to such control points, to which dimensions, angles, bearings, and similar data on the plat shall be referred.
- (d) Tract boundary lines, right-of-way lines of streets, easements and other rights-of-way, and property lines of residential lots and other sites, with accurate dimensions, bearings or deflection angles, and radii, arcs, and central angles of all curves with long chord bearings and distances.
- (e) Names and right-of-way width of each street or other right-of-way.
- (f) Location, dimensions and purpose of any easement, including reference by book and page to any pre-existing recorded easements.
- (g) Number to identify each lot or site and acreage of each site to nearest 1/100th of an acre, and a statement that all lots shall be used for single-family residences only.
- (h) Purpose for which sites, other than residential lots, are dedicated or reserved.

- (i) Location and description of monuments.
- (j) Statement by owner platting the property and, if required by the Grand County Board of County Commissioners, dedicating the streets, rights-of-way, easements and any sites for public uses, to be in substantially the following form (dedication language may be omitted if not required by the Board of County Commissioners):

DEDICATION

KNOW ALL MEN BY THESE PRESENTS: That (owner's name) is the owner of that real property situated in Grand County, Colorado, more fully described as follows: (legal description), That he has caused said real property to be laid out and surveyed as (Minor Subdivision Name), and does hereby dedicate and set apart all the streets, alleys, and other public ways and places shown on the accompanying plat for the use of the public forever, and does hereby dedicate those portions of said real property which are indicated as easements on the accompanying plat as easements.

IN WITNESS WHEREOF (owner's name) has caused his name to be hereunto subscribed this ____day of _____ 20__.

(owner's name)

STATE OF COLORADO }
 }ss
COUNTY OF GRAND }

The foregoing instrument was acknowledged before me this by (owner's Name) this ___Day of _____, 20

My commission expires:
[Notary Public]

- (k) Certification by a surveyor insuring the accuracy of the survey and plat and certifying that he has complied with the requirements of Colorado Revised Statutes, 1973, Title 38, Article 51, and the requirements of these Regulations in the preparation of the final plat, to be in substantially the following form:

SURVEYOR'S CERTIFICATE

I, (surveyor's name) , a duly registered land surveyor in the State of Colorado, do hereby certify that this plat of (Minor Subdivision Name) truly and correctly represents the results of a survey made by me or under my direction, and that said plat complies with the requirements of Title 38, Article 51, Colorado Revised Statutes, 1973, and that the monuments required by said statute and by the Grand County Minor Subdivision Regulations have been placed on the ground.

(surveyor's name)

(Surveyor's stamp and registration number shall appear with this certificate)

- (l) Certificate of approval by the Board of County Commissioners as follows:

COMMISSIONER'S CERTIFICATE

Approved and all public dedications accepted this ___ day of _____, 20__ by the Board of County Commissioners of Grand County, Colorado. Acceptance of this platted subdivision by the County of Grand does not constitute an acceptance of the roads and rights-of-way reflected hereon for maintenance by said County. Until such roads and rights-of-way meet County specifications and are specifically accepted for maintenance by Resolution of the Board of County Commissioners of Grand County, the maintenance, construction, and all other matters pertaining to or affecting said roads and rights-of-way are the sole responsibility of the owners of the land embraced within the subdivision. This approval does not guarantee that the size or soil conditions of any lot shown herein are such that a Building Permit may be issued.

Chairman
Board of Commissioners
Grand County, Colorado

- (m) Certification by the applicant's attorney, the professional engineering, designing or planning firm, if any, and a statement by the owner insuring compliance with the design standards and all other requirements of the Grand County Minor Subdivision Regulations, and the statement of requirements issued by the Board of County Commissioners.
- (n) A two and one-half by three inch (2 ½ " x 3") vertical box in the lower right hand corner shall be provided for use by the County Clerk and Recorder.
- (o) A vicinity map.
- (p) Documented proof of legal access.
- (q) Documented proof of the availability of sewer and water supply.
- (r) Such additional information as may be required by the Grand County Board of County Commissioners.
- (s) Approved addresses and road numbers required shall be placed on a table placed on the Final Plat.
- (t) An electronic copy of the Final Plat in AutoCAD.dwg or AutoCAD.dxf format shall be provided prior to any recording of any Final Plat. The drawing shall be based or transformed to a known coordinate system, not an assumed local coordinate system. If GPS Lat/Long is not used for this reference, the Geographic Coordinate Data Base should be used to obtain relative coordinates available from the BLM at www.blm.gov/gcdb. The drawing shall include either a data dictionary to explain the layers, or a self-explanatory layering system.
- (u) No plat for subdivided land shall be approved by the Board unless all ad valorem taxes applicable to such subdivided land, for years prior to that year in which approval is granted, has been paid. [Section 30-28-110(4)(a) C.R.S.]
- (v) Current title commitment.

ARTICLE V - ADMINISTRATIVE PROVISIONS

5.1 VARIANCES

- (1) The Board of County Commissioners may authorize variances from these Regulations in cases where, due to exceptional topographical conditions or other unusual conditions peculiar to the site, an unnecessary hardship is placed on the applicant. Such variances shall not be granted if it would be detrimental to the public good or impair the intent and purposes of these Regulations. The conditions of any variance authorized shall be stated in writing by the Board of County Commissioners with the justification set forth.
- (2) Variances may be authorized only after due notice has been given and acknowledged by adjacent property owners.

5.2 REPEAL OR AMENDMENT

The Board of County Commissioners may repeal or amend the requirements of these Regulations at any time without prior notice or hearing. In the event that these regulations are repealed, any proposed division of land pursuant to these Regulations which has not received final plat approval by the Grand County Board of County Commissioners will be subject to the Grand County Minor Subdivision Regulations.

5.3 SEVERABILITY

It is hereby declared to be the legislative intent that the several provisions of these Regulations shall be severable, in accordance with the provisions set forth below:

- (1) If any provision of these Regulations is declared to be invalid by a decision of any court of competent jurisdiction, it is hereby declared to be the legislative intent that:
 - (a) The effect of such decision shall be limited to that provision or provisions which are expressly stated in the decision to be invalid; and
 - (b) Such decision shall not affect, impair or nullify these Regulations as a whole or the application thereof, but the rest of these Regulations shall continue in full force and effect.
- (2) If the application of any provision of these Regulations to any tract of land is declared to be invalid by a decision of any court of competent jurisdiction, it is hereby declared to be the legislative intent that:
 - (a) 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
 - (b) Such decision shall not affect, impair or nullify these Regulations as a whole or the application of any provision thereof, to any other tract of land.

5.4 REPEALS, EFFECTIVE DATE

These Regulations shall not be construed in any manner as a repealer of any provisions of the Grand County Subdivision Regulations or any subsequent amendment thereto, but shall be construed as supplemental to said Regulations and any future amendments thereto. These Regulations and any amendments thereto shall be effective from the date of adoption by the Board of County Commissioners of Grand County.

**MINOR SUBDIVISION REGULATIONS APPENDIX:
GRAND COUNTY BOARD OF COUNTY COMMISSIONERS RESOLUTIONS**

ADOPTED by the Grand County Board of County Commissioners on May 11, 2021 via resolution
2021-5-18

VESTED PROPERTY RIGHTS RESOLUTION

RIGHT TO FARM AND RANCH RESOLUTION