

SUBDIVISION REGULATIONS
FOR
THE CITY OF FLORENCE, COLORADO

The City of Florence
County of Fremont
State of Colorado

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ADOPTED JULY, 1995

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ORDINANCE NO. 9-95

AN ORDINANCE ADOPTING NEW SUBDIVISION REGULATIONS
AND REPEALING AND RE-ENACTING CHAPTER 16.01 OF TITLE 16
OF THE FLORENCE MUNICIPAL CODE

WHEREAS, the Planning Commission of the City of Florence, Colorado held a public hearing on April 20, 1995, due notice of which was provided, regarding the adoption of new Subdivision Regulations for the City of Florence, Colorado; and

WHEREAS, said Regulations consist of a Subdivision Ordinance and resolutions regarding public improvements, design and construction standards, land dedication requirements, an administrative procedures manual, and a fee schedule; and

WHEREAS, on June 15, 1995 said Planning Commission recommended that the City Council adopt the new Subdivision Regulations; and

WHEREAS, the City Council of the City of Florence, Colorado held a public hearing on June 19, 1995, due notice of which was provided, regarding the adoption of new Subdivision Regulations for the City of Florence, Colorado; and

WHEREAS, the City Council of the City of Florence, Colorado believes it is in the best interests of the City to adopt new Subdivision Regulations.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLORENCE:

Chapter 16.01 of Title 16 of the Florence Municipal Code is hereby repealed and re-enacted as follows:

Chapter 16.01

GENERAL REGULATIONS

Sections:

- 16.01.010 Subdivision regulations adopted.
- 16.01.020 Penalty for illegal subdividing.

16.01.010 Subdivision regulations adopted. The City Council of the City of Florence has adopted regulations governing the subdivision of land within the City of Florence. Copies of the regulations, consisting of a Subdivision Ordinance and resolutions regarding public improvements, design and construction standards, land dedication requirements, an administrative procedures manual, and a fee schedule, are available for public distribution and may be obtained from the Florence City Manager or the Florence City Clerk.

16.01.020 Penalty for illegal subdivision. Any person or agent of a person, subdivider or agent of a subdivider who sells, transfers or conveys, or attempts to sell, transfer or convey property which has been subdivided and which is subject to the provisions of the Subdivision Ordinance, without first obtaining approval of the subdivision of the property, or the sale, transfer or conveyance of the property, in accordance with the provisions of the Subdivision Ordinance shall be charged with a misdemeanor and if convicted of such charges, shall be punished by a fine of not exceeding \$100.00 dollars for each parcel which is sold, transferred or conveyed, or offered for sale. The time limit for initiating legal action under the provision of this section shall be twenty-four (24) months from the date of the alleged infraction. The City Council of the City of Florence shall have the power to bring an action to enjoin any person or agent of any person from selling, or offering for sale, subdivided land which is subject to the provisions of the Subdivision Ordinance without first obtaining the necessary approvals from the City Council, in accordance with the applicable provisions of the Subdivision Ordinance.

Introduced as a bill and passed on its first reading and ordered published in the City's official newspaper this 19th day of June, 1995.


Mayor Pro Tem

Attest:



City Clerk

Published June 22, 1995, in the Florence Citizen.

Passed on its second reading and ordered published in the City's official newspaper this 3rd day of July, 1995.


Mayor

Attest:


City Clerk

Published July 6, 1995, in the Florence Citizen.

ARTICLE I. GENERAL PROVISIONS

SECTION 1. TITLE

An Ordinance establishing rules, regulations and standards governing the subdivision of land within the incorporated areas of the City of Florence, setting forth the procedure to be followed by the City Council, the Planning Commission and employees of the City in applying and administering these rules, regulations and standards, and setting forth the penalties for the violation thereof as established by law. Incorporates by reference the following Resolutions which relate to the subdivision of land and the improvements thereon and establishes administrative procedures for administering this Ordinance and establishes fees, as they may be from time to time amended by the City Council:

- A. Resolution Number 21-95. Public Improvements Required, Design and Construction Standards and Land Dedications for the City of Florence Colorado.
- B. Resolution Number 22-95. Administrative Procedures Manual for Land Development Cases in the City of Florence Colorado.
- C. Resolution Number 23-95. Fee Schedule for Subdivisions, Resubdivisions and Related Procedures in the City of Florence Colorado.

SECTION 2. SHORT TITLE

This Ordinance together with the Resolutions incorporated by reference shall be cited as the "City of Florence Subdivision Regulations."

SECTION 3. PURPOSE

The purpose of this Ordinance is to:

- A. To promote the health, safety and general welfare of the residents of the City of Florence.
- B. To promote efficient and orderly growth.
- C. To establish adequate and accurate records of land subdivision.
- D. To provide adequate, safe and efficient public utilities and improvements, and to provide for other community facilities and land for public places.

SECTION 4. AUTHORITY

The City Council of Florence, Colorado is empowered, by law, to adopt and enforce subdivision regulations for the corporate limits of the City of Florence, Colorado and in adjacent unincorporated territory within five miles of the corporate limits as per Colorado Revised Statutes 1973, Section 31-23-213 and 31-23-214 as amended.

SECTION 5. ENFORCEMENT AND PENALTIES

- 5.1 No person or agent of a person shall subdivide any parcel of land which is located in the City of Florence into two or more parcels except in compliance with this Ordinance. No person shall offer for recording, in the office of the County Clerk and Recorder, any deed conveying a parcel of land, or interest therein, unless such a parcel of land has been subdivided, or otherwise created, in compliance with the rules set forth in this Ordinance.
- 5.2 No lot within a subdivision created prior to the effective date of this Ordinance or approved by the City Council under the provisions of this Ordinance shall be further divided, rearranged, or reduced in area, nor shall the perimeter boundaries of any subdivision, or any lot within a subdivision, be altered in any manner without the approval of the City Council and as provided for in this Ordinance.
- 5.3 All officials and employees of the City of Florence who are vested with the authority to issue permits by the City Council or by state statute, shall not issue permits, record documents, conduct inspections or otherwise perform any duties or administrative actions that are not in conformance with the provisions of this Ordinance.
- 5.4 Any person or agent of a person, subdivider or agent of a subdivider who sells, transfers or conveys, or attempts to sell, transfer or convey property which has been subdivided and which is subject to the provisions of this Ordinance, without first obtaining approval of the subdivision of the property, or the sale, transfer or conveyance of the property, in accordance with the provisions of this Ordinance shall be charged with a misdemeanor and if convicted of such charges, shall be punished by a fine of not exceeding one hundred (\$100) dollars for each parcel which is sold, transferred or conveyed, or offered for sale. The time limit for initiating legal action under the provision of this Ordinance shall be twenty-four (24) months from the date of the alleged infraction. The City Council of the City of Florence shall have the power to bring an action to enjoin any person or agent of any person from selling, or offering for sale, subdivided land which is subject to the provisions of this Ordinance without first obtaining the necessary approvals from

the City Council, in accordance with the applicable provisions of this Ordinance.

SECTION 6. AMENDMENT

Amendments to this ordinance shall require a public hearing before the Florence Planning Commission and the Florence City Council. Notice of the public hearing shall be published in the official city newspaper at least fifteen (15) days prior to the hearing.

SECTION 7. SEVERABILITY

If an article, section, sub-section, sentence, clause or phrase of these Subdivision regulations is for any reason held to be invalid or unconstitutional, the same shall not affect the validity of these regulations as a whole or any part or provision thereof, other than the part so adjudged to be invalid or unconstitutional.

SECTION 8. EFFECTIVE DATE

This Ordinance shall be effective 30 days following the publication of the Second Reading by the City Council of the City of Florence.

SECTION 9. DEFINITIONS

A. RULES OF CONSTRUCTION

1. The particular controls the general.
2. The word "shall" is always mandatory and not discretionary. The word "may" is permissive.
3. Words in the present tense include the future unless the context clearly indicates the contrary.
4. 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.
5. Any definition used in the applicable statutes, regulations or rules of the State of Colorado or the United States may be used in these Subdivision Regulations; and if the aforesaid definitions conflict with the definitions herein by virtue of subsequent amendment, then the aforesaid definitions shall control.

B. DEFINITION OF TERMS

ACCELERATION LANE . A speed change lane, including tapered areas, for the purpose of enabling a vehicle entering a roadway to increase its speed to a rate which it can more safely merge with through traffic.

ALLEY. A right of way that is not classified as a street, which usually provides access to properties from the rear property line.

APPLICANT. The person or agent of a person, upon proof of ownership, who applies for and signs an application for a land development change.

BLOCK. Shall mean an area of land within a subdivision which area is bounded entirely by streets, highways, or public ways, except alleys or the exterior boundary or boundaries of the subdivision and which contains one or more lots.

CENTERLINE. A line painted or marked upon a roadway for the purpose of separating opposing traffic, or, if not indicated, an imaginary line of equal distance between the opposite curb lines or right-of-way lines of a roadway.

CITY COUNCIL. The City Council of the City of Florence, Colorado

CITY MANAGER. When herein used shall be deemed to mean the City Manager or his designee.

COLLECTOR STREET - (See Streets)

CONVEYANCE. Any sale, trade, disposition or other transfer of the fee title of land from one party to another.

CORRECTION PLAT. A plat which corrects any errors in original Plat.

CROSSWALK. That portion of a roadway included within the prolongation or connection of the lateral lines of sidewalks at intersections, or any portion of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface.

CUL-DE-SAC. (See Streets)

DEAD END STREET. A street having only one outlet for vehicular traffic and which does not meet the standards or definitions of a cul-de-sac.

DECELERATION LANE. A speed change lane, including tapered areas, for the purpose of enabling a vehicle leaving a roadway to decrease its speed to a rate which it can more safely enter a driveway or side street.

DEDICATIONS. Any streets, parks and other places designated or described as for public use on a map or subdivision plat of the City of Florence, and which the fee title will be or has been vested in the City.

DESIGN STANDARDS OR DESIGN REQUIREMENTS. All requirements and regulations relating to design and layout of subdivisions and design of public improvements as set forth in these Subdivision Regulations.

DEVELOPMENT REVIEW TEAM. A staff committee appointed by the City Manager to advise the City Manager on land development issues.

DWELLING UNIT. Any structure, or part thereof, designed to be occupied as the living quarters of an individual, a family or a household unit.

EASEMENT. A grant by a property owner for the use of land by another person or some other specific purpose.

EVIDENCE. Shall mean any map, table, chart, contract or other document or testimony prepared or certified by a qualified person to attest to a specific claim or condition, which evidence shall be relevant and competent.

FLOW LINE TO FLOW LINE. A term used to describe the surface of a street or road from the back of the curb on one side to the back of the curb on the other side.

IMPROVEMENT PLAN. The maps or drawings accompanying a subdivision plat showing the specific location and design of improvements to be installed in the subdivision in accordance with the requirements of Appendix A of this Ordinance.

IMPROVEMENTS. Streets, curbs, gutters, sidewalks, pedestrian walks, water mains, fire hydrants, sanitary sewers, storm sewers and drainage facilities, gas lines, underground and overhead electric and telephone lines, street trees, street lights, other such items designated herein and as may be designated by the City, subject to approval of the City Council.

LOCAL STREET OR NEIGHBORHOOD STREET. (See Streets)

LOT. A portion of a subdivision or other parcel or tract of land intended as a unit for the transfer of ownership or for development.

1. Corner Lot - A lot, having its front and one side adjacent to a street.
2. Flag Lot - A lot, the main use area or building area of which does not abut a public street, but is connected thereto by a strip of land which is a part of the lot.
3. Double Frontage Lot - A lot having both front and rear property lines adjacent to streets.

MAJOR COLLECTOR. (See Streets)

MAJOR STREET PLAN. That portion of the Master Plan which delineates the locations of principal arterial, minor arterial, and collector streets.

MASTER PLAN. The Master Plan for development of the City of Florence prepared and adopted by the Planning Commission and City Council, pursuant to state law, and including any part of such plan separately adopted and any amendment to such plan, or parts thereof.

MEDIAN. An area marked or constructed upon a roadway, or between two adjacent roadways, for the purpose of separating opposing traffic.

MEETING. When used in this Ordinance the term Meeting shall mean any regular or special meeting of the City Council, the Planning Commission or other appointed Boards of the City of Florence. The term Meeting does not refer to an official Public Hearing.

MINOR ARTERIAL. (See Streets)

MINOR COLLECTOR. (See Streets)

PERMANENT MONUMENT. Any structure of masonry and/or metal permanently placed in or on the ground, including those placed there expressly for surveying reference.

PLANNED UNIT DEVELOPMENT (PUD). An area of land improved as a development in which normal restrictions of lot sizes, setbacks, densities, land uses, and other criteria may be relaxed in return for development conformance to an approved plan for the total parcel.

PLANNING COMMISSION. The Planning Commission of the City of Florence, Colorado.

PLAT. A map of certain described land prepared for the purpose of subdividing land in conformance with this Ordinance or amending, revising or vacating an existing subdivision:

1. Preliminary Plat - A map or maps showing the preliminary design of a proposed subdivision, together with such information, supporting data and other requirements as are necessary to comply with provisions of these Regulations.
2. Final Plat - A map or maps indicating the final design of the proposed subdivision supported by the necessary engineering data and legal documentation, as set forth in these regulations and in the Colorado Revised Statutes,

and is filed and recorded in the office of the County Clerk and Recorder.

3. Vacation Plat - A map indicating a proposed vacation of a subdivision, or a portion thereof, to raw acreage.

PLAT RESTRICTION. A prohibition on the sale or conveyance of lots, or, issuance of building permits in all or part of a subdivision until certain public improvements have been completed.

PRINCIPAL ARTERIAL. (See Streets)

PUBLIC HEARING. A Hearing held by the City Council or Planning Commission after public notice.

PUBLIC UTILITY. Any person, firm, or corporation, public or private, providing gas, electricity, water, irrigation ditch or laterals, stream, telephone, cable television, sanitary or storm sewers, or any other services of similar nature.

PUBLIC UTILITY FACILITIES. Improvements which include gas lines, water mains, sanitary or storm sewer mains, electrical or telephone cables and lines, television cable, fire hydrants, or other facilities for the provision of utilities.

RECORDING. An action by the office of the County Clerk and Recorder which enters into the County records instruments such as subdivision plats, deeds, easements and other documents.

RESUBDIVISION OR REPLAT. Any change to be made on an approved or recorded plat including, but not limited to, realignment of lot, block, or tract lines; division of any lot, block, or tract into additional lots, blocks or tracts; correction of any errors in the original plat; or areas reserved for public use.

ROADWAY. That portion of a highway improved, designed, or ordinarily used for vehicular traffic.

STREET. (Design and construction standards for streets marked with an asterisk (*) are contained in Appendix A.)

1. Expressway - A divided roadway which permits rapid and relatively unimpeded movement of traffic through and around a community serving major traffic generators within the community and connecting with major access routes into the community. Access is controlled on this type of facility.
2. Principal Arterial - Streets which permit rapid and relatively unimpeded traffic movement throughout communities and which connect major land use elements with one another. The major function is to serve through

- traffic. The secondary function is to serve abutting property. This functional description pertains to both four and six lane facilities.
3. Minor Arterial - A street intended to collect and distribute traffic in a manner similar to principal arterial, except that these roads serve minor traffic generating areas such as community- commercial areas, primary and secondary educational plats, hospitals, major recreational areas, churches, and office, and/or designed to carry traffic from collector streets to the system of principal arterial.
 4. Major Collector* - A street intended to move traffic from local roads and minor collectors to arterials and to provide access to existing properties.
 5. Minor Collector* - A street intended to move traffic from local roads to major collectors and arterials and to provide access to existing properties, and which by design standards is a lower classification than a major collector.
 6. Minor (Local) Street* - Streets designed to service the needs of the neighborhood and to provide direct access to abutting properties. Through traffic movements are discouraged on this type of facility.
 7. Cul-De-Sac* - A local street with only one outlet and which terminates on the opposite end in a vehicular turn around.
 8. Half Street - A street parallel and contiguous to a property line and of lesser right-of-way width than is required for a minor or major street.
 9. Frontage Road - A street designed to provide access to property which abuts on a limited access highway.
 10. Stub Street - A street or road extending from within a subdivision boundary and terminating there with no permanent vehicular turn around. Stub Streets are provided to permit adjacent undeveloped parcels of land to be developed later with an adjacent connecting street system.
 11. Lane* - A street of that serves a limited number of lots and which by design standards is a lower classification than a local street.
 12. State Highway - A "state highway" is a right-of-way or location, whether actually used as a highway or not,

designated for the construction of a state highway upon it as specified in CRS 1973 43-1-204.

STREET PROFILE. A drawing reflecting a proposed or existing section of a road, street or alley for which right-of-way is to be conveyed or dedicated to the City of Florence for road purposes. It may be an existing or designed profile, and may reflect either a centerline and/or both flow lines or curb lines of a road, street or alley.

SUBDIVIDER. Any person, firm, partnership, joint venture, association, or corporation who shall participate as owner, promoter, developer, or sales agent in the planning, platting development, promotion sale or lease of a subdivision.

SUBDIVISION IMPROVEMENTS AGREEMENT. The contract or instrument used to specify the public improvements required in a subdivision and containing one or more security arrangements which may be accepted by the City of Florence to secure the construction of such public improvements.

SUBDIVISION OR SUBDIVIDED LAND. The term "subdivision" means the division of any lot, tract or parcel of land into two or more parcels or lots, plats, sites, or other division of land for the purpose, whether immediate or in the future, of sale or planned developments, whether or not a plat has been recorded.

ARTICLE II. PLATTING REQUIREMENTS

SECTION 1. GENERAL PROCEDURES

1.1 Any person who wishes to subdivide land in the City of Florence should first meet with the City Manager. The City Manager will explain the City's requirements for subdividing, the procedure that must be followed, the application fees required to process a subdivision plat and the minimum time that the process requires. The City Manager will provide, if requested, an Application for Subdivision Approval, and a subdivision procedure checklist. A copy of the Subdivision Ordinance may be purchased.

1.2 Pre-submittal Meeting:

A presubmittal meeting is required unless waived by the City Manager. The Applicant is required to bring the following material to the presubmittal meeting, unless waived by the City Manager:

- A. A copy of the current City of Florence Subdivision Regulations.

- B. A copy of the City of Florence Master Plan.
- C. A sketch plan of the proposed subdivision showing the following:
 - 1. A general legal description of the property to be subdivided referenced to the United States Government Survey.
 - 2. A vicinity map showing the location of the property in relation to major highways or natural features in the area.
 - 3. All proposed lots with general dimensions or lot sizes.
 - 4. Topographic contours from available data such as USGS maps.
 - 5. General location and alignment of proposed streets.
 - 6. General floodplain limits, such as FEMA, and major drainage paths through the area.
 - 7. Location of areas proposed for open space.
 - 8. A statement of how utility services will be provided.

The City Manager will advise the applicant regarding the consistency of the sketch plan with the general intent of the subdivision regulations and the Master Plan and the responsibility of the applicant for required public improvements and land dedication.

The comments and suggestions of the City Manager shall be advisory only and shall not be construed as an official directive or as City policy, nor shall the comments of the City Manager constitute an official approval or disapproval of the applicant's request.

1.3 Platting Process

Approval of subdivisions is a two step process requiring approval of a preliminary plat and a final plat:

- A. The preliminary plat shall be submitted and processed in accordance with provisions of Article II, Section 2 of this Ordinance; and
- B. The final plat shall be submitted and processed in accordance with the provisions of Article II, Section 3 of this Ordinance.

- C. Under special circumstances an exemption for a Minor Subdivision which allows for a combined sketch plan and final plat may be submitted and processed. Minor Subdivisions shall be submitted and processed in accordance with the provisions of Article II, Section 4 of this Ordinance.
- D. Resubdivisions shall follow the same procedure as a new subdivision except as otherwise provided in Article II, Section 5 of this Ordinance.

SECTION 2. PRELIMINARY PLAT

2.1 Intent

A preliminary plat is the first official document submitted when owners of a property wish to subdivide their property. The preliminary plat shall include all the property the owner intends to subdivide. Approval of the preliminary plat does not constitute approval of the subdivision. Only approval of the final plat by the City Council constitutes official subdivision approval by the city.

2.2 Preliminary Plat Requirements

An application for preliminary plat approval shall include an original and ten copies (unless otherwise noted) of the following:

- A. Land Development Application Form with all requested information completed and, required signatures.
- B. A Letter of Intent signed by the applicant subdivider which explains the purpose of the application and includes all requests and justification for any variances from the standards, or waivers of submittal requirements.
- C. Proof of ownership of the property to be subdivided. A subdivider shall include an original and one copy of an Affidavit of Ownership signed and notarized by all owners of the property. If the property is owned by a corporation, an authorized officer shall sign the Affidavit. If the applicant is different from the property owner, documentation of the applicant's authority to act for the owner shall be included.
- D. Payment of the processing fee.
- E. A preliminary plat map which shall be a print of a 24"x 36" matte mylar drawn in black ink or a blackline positive mylar of the same and shall contain the following information:
 - 1. Name of subdivision, type of proposal (preliminary plat), legal description of the total land area referenced to township, range, section; county and

- state, date of the drawing, scale 1:100 or larger, and north arrow;
2. Vicinity map with North arrow (scale of 1"=2000' preferred) with an emphasis on the major roadway network within one (1) mile of the proposed subdivision;
 3. Boundary lines of the proposed subdivision drawn in a heavy solid line.
 4. Existing zoning district boundary lines;
 5. Existing contours with intervals of two (2) feet or less within the tract and at least one hundred feet (100') immediately adjacent thereto. In the absence of available two foot contour data, the contour intervals must be deemed acceptable by the City Manager.
 6. All parcels of land to be dedicated for public use or reserved for the use of all property owners in the proposed subdivision together with the purpose and conditions of such reservations. This shall include the names, locations and widths of proposed rights-of-way of streets and alleys, together with total lineal footage of streets and alleys.
 7. Location, width and purpose of all existing and/or proposed public and/or private easements including existing and/or proposed sanitary sewers, utility main lines, culverts, storm sewers and stormwater detention areas located within the tract and at least one hundred feet (100') immediately adjacent thereto.
 8. Dimensions of proposed lots and blocks calculated to the nearest foot.
 9. Drainage channels, wooded areas and other significant natural features within the tract and at least one hundred feet (100') immediately adjacent thereto.
 10. Location, widths and names of all existing and/or platted rights-of-way for streets or other public ways within the tract and at least one hundred feet (100') immediately adjacent thereto, railroad right-of-way, section lines and/or other such features.
 11. The boundary and source of reference of any one hundred year floodplain shall be shown on the preliminary plat. In the absence of reliable floodplain data, any areas of the plat that are known to be subject to flooding shall be delineated and noted on the plat map.

12. The appropriate sight distance triangle shall be designated and dimensioned at each roadway intersection.
 13. If a perimeter fence is proposed, the fence line shall be delineated and a description of the type and height of the fence included.
 14. Name(s) of adjacent property owners.
 15. Site development details:
 - a) total land area in acres;
 - b) existing zoning of the property; and
 - c) total number of proposed dwelling units.
 16. Names and addresses of the owner(s), subdivider and surveyor.
- G. A letter describing the water and sanitary sewer facilities proposed for the subdivision. If either the water or sanitary sewer facilities are to be individual wells and septic systems for each lot, the letter will include a statement that the wells and septic systems will be installed in conformance with the rules and regulations of the Colorado Department of Health.
- H. A description and the estimated construction costs for roads, for the water supply and distribution systems, for sanitary sewer collection and treatment systems, storm drainage facilities and other such public facilities that may be required. The subdivider shall also state the form of collateral that will be provided to insure that such improvements will be completed. The forms of collateral that are acceptable to the City are listed in Appendix A, PART III, DEVELOPERS AGREEMENT.
- I. A Phase I Drainage Study as specified in Appendix A, Part II, Public Improvement Design and Construction Standards.
- J. Other documents and information as may be deemed necessary by the City Manager.

2.3 Design Standards

The lot and block configurations, alignment of streets, location of dedicated land, and other subdivision design elements shall be in conformance with the standards listed in Appendix A, Part II, Section 1, General Subdivision Design Standards.

2.4 Conformance to Zoning Ordinance

No application for a Preliminary Plat shall be accepted by the City Manager if the proposed development is not in compliance with the Zoning Ordinance.

2.5 Procedures and Process

Upon receipt of an application for preliminary plat approval, the City Manager shall:

- A. Verify that the Application is complete and in accordance with the submittal requirements of the Subdivision Regulations. Verification shall be documented through the use of the Subdivision Check List contained in the Administrative Procedures Manual. In the event the Application is deemed incomplete by the City Manager, the Application and all accompanying materials and documents shall be returned to the applicant with a letter specifying the deficiencies, and a copy of the Subdivision Check List.
- B. If the Application is deemed complete, or a previously rejected Application as been resubmitted with the deficiencies corrected, the City Manager will schedule the Application for a Planning Commission Public Hearing within 30 days of the date the Application was officially accepted.
- C. The City Manager shall notify all property owners within 300 feet of the boundary of the proposed subdivision that an application for preliminary plat approval has been accepted. Such notification shall include the name of the Subdivider and the general location of the proposed subdivision. The notice shall also state the date and time of the Planning Commission hearing at which the Preliminary Plat request will be heard. The property owners to be notified shall be the owner of record as shown in the records of the County Assessor. Notification shall be by registered mail.
- D. The review and processing procedures for preliminary plats are contained in the Administrative Procedures Manual of the City of Florence.
- E. After the request for preliminary plat approval has been heard by the Planning Commission, the Planning Commission shall take one of the following actions:
 1. Approve with or without conditions.
 2. Table to a date certain for more information. Final action must be taken within thirty (30) days from the date the item was tabled, unless the applicant requests and is granted additional time by the Planning Commission.

3. Deny the request based on non-compliance with the Subdivision Regulations.
- F. If the Planning Commission denies the request for Preliminary Plat approval, or approves with conditions, the Applicant may appeal the decision or the conditions to the City Council through a request to the City Manager. An appeal must be made within 15 days of the action by the Planning Commission.

SECTION 3. FINAL PLAT

3.1 Intent

The Final Plat is the last stage in the subdivision approval process. At this stage the subdivider is responsible for delineation and dedication of all public rights-of-way and easements, dedication of other public lands, if required, and final lot and block configuration. In addition, all public improvements associated with the subdivision are identified and quantified, and the subdivider is required to enter into a Subdivision Improvements Agreement with the City which guarantees that the appropriate improvement costs are borne by the subdivider.

3.2 Final Plat Requirements

- The Final Plat shall be substantially consistent with the approved Preliminary Plat and with all amendments to the Preliminary Plat. An application for final plat approval shall include the following:
- A. An "Application for Land Development Approval" with all requested information completed and required signatures.
 - B. A letter of intent describing the proposed subdivision and identifying and justifying all requested Waivers or Variances.
 - C. A copy of the approved Preliminary Plat.
 - D. Title or an abstract of title covering all public lands required to be dedicated, except streets and easements.
 - E. A Final Plat map which shall be a print of 24"x 36" matte mylar drawn in black ink or a blackline positive mylar of the same, which shall contain the following information:
 1. Name of the subdivision, name of the county (Fremont) and state (Colorado), and the location and legal description of the subdivision referenced to section, township and range;

2. North arrow, scale, (1:100 or larger) dates of original drawing, and subsequent revisions and sheet number;
3. Vicinity map (scale of 1:2000' preferred) showing the subdivision in relation to government section lines and major roads or highways within one mile;
4. Owners and mortgagee's Certificate of Dedication of public rights-of-way and easements, and the surveyor's Certificate of Survey, his or her seal, and the date of survey;
5. Boundary of the subdivision in a heavy solid line with a small circle at each change in direction;
6. Planning Commission Chairman and Mayor of the City of Florence signature blocks, certificate of the City's acceptance of public right-of-way and easements and public land dedications, and the County Recorder's Book and Page line.
7. The location and description of all section corners and permanent survey monuments in or near the subdivision and all survey data shall be as specified in The Manual of Instruction for the Survey of Public Lands , 1977, except as modified by Colorado Revised Statues 38-51-101 through 103.
8. The length of subdivision perimeter boundary lines in feet and decimals thereof. Boundary lengths, bearings and angles must close within the limits of one (1) in two thousand (2000)
9. The ownership of lands abutting the subdivisions, or the name of any adjacent subdivision.
10. The delineation, dimensions and names of all proposed public roads and access easements to public rights-of-way and adjacent roads and rights-of-way.
11. The lines of all proposed lots fully dimensions by length and widths in feet and decimals thereof, and the acreage for each lot, shown within the lot lines.
12. The address of each lot.
13. The blocks numbered consecutively throughout the subdivision, and the lots numbered consecutively throughout each block, with the areas to be excluded from the plat marked "Reserved" or "Not a Part".

14. The outline and notification of any property which is offered for dedication to public use fully dimensioned by lengths and bearings or angles with the area marked "public".
 15. The identification, location and dimensions of all easements for public services or utilities, and the line delineating the perimeter fencing if fencing required.
 16. The identification and designation of the boundaries of any 100 year floodplain or areas subject to flooding, and the source of the designation.
 17. The appropriate traffic sight triangle shall be designated on lots located at the intersection of roadways.
 18. A note disclosing that there are private restrictive covenants on the property and an acknowledgement that the City has no responsibility for enforcing the covenants.
 19. Other plat notes as may be required by the City Council.
- E. A Phase II Drainage Study as specified in Appendix A, PART II, Section 2, Public Improvements Design Standards.
- F. Two sets of preliminary construction plans for the public improvements prepared in accordance with the requirements contained in Appendix A., PART II, Public Improvement Design and Construction Standards.

3.3 Process

- A. The City Manager shall review the application for Final Plat approval to determine whether it is substantially consistent with the approved preliminary plat and with the requirements of this Ordinance.
- B. If the City Manager determines that the Final Plat application is not in compliance with the approved Preliminary Plat, or with the requirements of this Ordinance, the subdivider will, within fifteen days of submittal, be provided a check list of the deficiencies and other information to assist in correcting the application.
- C. Upon determination that the application for Final Plat is complete and consistent with the approved Preliminary Plat and the requirements of this Ordinance, the City Manager shall schedule the Final Plat for the next Planning Commission meeting. The processing of the Final Plat is described in the Administrative Procedures Manual.

- D. The Planning Commission will review the Final Plat and forward their recommendations to the City Council.
- E. The applicant will make the necessary revisions to the Final Plat and submit deeds for any required dedicated land and a check for any outstanding fees or payments to the City Manager.
- F. Upon receipt of the revised Final Plat, deeds and payments, the City Manager shall schedule the Final Plat for a City Council meeting. The City Council meeting at which the Final Plat is presented shall be at least 10 days after the Planning Commission has made their recommendation.
- G. The City Council shall review the Final Plat at a public meeting. After their review, the Council shall take one of the following actions:
 - 1. Approve as submitted.
 - 2. Approve with conditions.
 - 3. Table to a date certain.
 - 4. Deny on the grounds of failure to meet the requirements of this Ordinance.

3.4 Actions Required Prior to Recording of the Final Plat

No plat shall be recorded until it has been:

- A. Approved by the City Council.
- B. A signature mylar has been prepared with all required revisions, signed by the land owner(s), mortgage holders and the surveyor, surveyors seal and registration number shown, the signature of the Planning Commission Chairman and Mayor of the City and attested by the City Clerk;
- C. An approved Subdivision Improvements Agreement has been executed and filed with the City Clerk.

3.5 Recording

The City Clerk shall cause the Final Plat, the Subdivision Improvements Agreement, and any deeds of dedicated land to be recorded at the offices of the Fremont County Recorder as soon as possible after the City Council has approved the Final Plat and signed the mylar.

SECTION 4. MINOR SUBDIVISIONS

4.1 Intent

A Minor Subdivision is a type of Exemption that allows certain divisions of land without going through the full preliminary plat process if, in the opinion of the City Manager, they meet the following criteria:

- A. The number of new lots does not exceed three (3).
- B. The proposed subdivision contains all the contiguous property owned or under control of the applicant. Minor Subdivisions are not to be permitted when it is the first stage of a larger subdivision.
- C. There are no additional public improvements required or the public improvements would be minimal such as utility hook-ups, provision of a short cul-de-sac, etc.

4.2 Council May Reject Application

Notwithstanding the acceptance of the application by the City Manager, The City Council may determine that an application for a Minor Subdivision does not meet the criteria. In this event the proposed subdivision must meet the full preliminary and final plat requirements of this Ordinance.

4.3 Submittal Requirements and Process

A Minor Subdivision is a combination of a sketch plan and a final plat and the submittal requirements and process shall be as specified as follows:

1. Submittal Requirements for the Sketch Plan Phase are as specified in Article II, Section 1.2 C.(1-8).
2. Processing of the sketch plan is as specified in the Administrative Procedures Manual.

4.4 Approval of a Minor Subdivision

- A. Upon determination by the City Manager that the submittal requirements for a Minor Subdivision have been met, the Sketch Plan and supporting materials will be scheduled for the next regular Planning Commission meeting for their review and recommendation.

B. Planning Commission Action

The Planning Commission will review the Sketch Plan and take one of the following actions:

1. Find that the sketch plan meets the criteria for a Minor Subdivision and the applicant should proceed to the final plat stage.
2. Find that the sketch plan does not meet the criteria for a Minor Subdivision and the applicant should go through the full preliminary plat process
3. Table consideration of the sketch plan.

C. Final Plat Phase

Upon completion of the Planning Commission action on the sketch plan, the applicant shall prepare a final plat of the proposed Minor Subdivision. The final plat submittal requirements, process and approval shall be as specified in Article II, Section 3 of this Ordinance.

- D. Upon receipt of the Planning Commission recommendation, the City Manager shall schedule the final plat of the Minor Subdivision for a regular meeting of the City Council who shall take one of the following actions:
 1. Approve with or without conditions.
 2. Deny on the grounds that it does not meet the criteria for a Minor Subdivision.
 3. Table to a date certain.
- E. If the City Council approves the Minor Subdivision, the Applicant shall prepare a signature mylar which shall be in the same format and contain the same information as required for a Final Plat.
- F. The final plat of a Minor Subdivision shall be recorded as a regular Final Plat.

SECTION 5. RESUBDIVISIONS

Resubdivisions are to be processed as new subdivisions, unless they qualify as a minor resubdivision/minor amendment under Section 6 below.

SECTION 6. MINOR RESUBDIVISIONS

6.1 Intent

The Minor Resubdivision may only be used for amendments, changes and revisions to a Final Plat that have been determined by the City Council to be of a minor engineering, planning or administrative

nature. The criteria used by the Council, the Planning Commission and the City Manager in interpreting this section shall be:

- A. The land has already been subdivided and there exists a Final Plat which was approved after January 1, 1987.
- B. No additional right-of-way dedications or public improvements are necessary;
- C. No perimeter boundary of an existing subdivision plat is affected;
- D. The perimeter of boundaries of the Minor Resubdivision coincide with the existing lots and blocks; and
- E. The number of lots shall not be increased and all lots shall be in conformance with the City Zoning Ordinance in affect at the time the Minor Resubdivision is approved.

6.2 Procedure.

Requests for a Minor Resubdivision Minor Amendment shall include an Application for Subdivision Approval and supporting documentation as specified in the Administrative Procedures Manual.

6.3 Approvals

- A. Except for lot line adjustments and interior lot line vacations, a Minor Resubdivision of a Final Plat is to be reviewed by the City Council.
- B. Minor Resubdivisions and Minor Amendments that involve only the moving or vacating of an interior lot line may be approved by the City Manager.

SECTION 7. MINOR AMENDMENTS

7.1 Intent

Minor Amendments may only be used for amendments, changes and revisions to an approved Preliminary Plat that have been determined by the Planning Commission to be of a minor engineering, planning or administrative nature. The criteria used by the Council, the Planning Commission and the City Manager in interpreting this section shall be:

- A. The land has already been subdivided and there exists a Preliminary or Final Plat which was approved after January 1, 1987.
- B. No additional right-of-way dedications or public improvements are necessary;

- C. No perimeter boundary of an existing subdivision plat is affected;
- D. The perimeter of boundaries of the Minor Amendment coincide with the existing lots and blocks; and
- E. The number of lots shall not be increased and all lots shall be in conformance with the City Zoning Ordinance in affect at the time the Minor Amendment is approved.

7.2 Procedure.

Requests for a Minor Amendment shall include an Application for Subdivision Approval and supporting documentation as specified in the Administrative Procedures Manual.

7.3 Approvals

- A. Except for lot line adjustments and interior lot line vacations, Minor Amendments to an approved Preliminary Plat when no Final Plat has been requested are to be reviewed by the Planning Commission.
- B. Minor Amendments that involve only the moving or vacating of an interior lot line may be approved by the City Manager.

ARTICLE III. RELATED PROCEDURES

SECTION 1. EXEMPTIONS

1.1 Intent

Any sale or transfer of land specifically exempted from subdivision regulation by State Statute shall not be required to be in conformance of this ordinance.

- A. The City Council may by Resolution exempt certain sales, transfers and conveyances of land from part or all of the requirements of this Ordinance and such sales, transfers and conveyances may be recorded when accompanied by a certified copy of the City Council Resolution approving the Subdivision Exemption.
- B. The City Council may grant exemptions from part or all of the requirements of this Ordinance when one or more of the following conditions have been met:
 1. The land was a "Parcel of Record" prior to the enactment of this Ordinance.

2. Land which is being divided for purposes other than real estate development including cemetery lots and other land divisions of a similar nature;
3. Land which is being divided for purposes of separating ownership only and no development is planned or proposed. "Separation of Ownership" exemptions shall prohibit the issuance of building permits. Separation of Ownership shall be considered, but not limited to, properties being divided due to inheritance, divorce decree, mortgage foreclosures, or other order of a court of competent jurisdiction;
4. The division of agricultural land into separate agricultural parcels of not less than ten (10) acres and the number of new parcels shall not be greater than 3 in number;
5. When two or more persons have an undivided interest in land and they desire to divide that interest and there is no development intent.
6. The land qualifies for a Minor Subdivision as specified in Article II, Section 4 of this Ordinance.

1.2 Procedure

- A. A request for a Subdivision Exemption shall be made by submitting a Subdivision Approval Application and other supporting material, as specified in the Administrative procedures Manual, to the City Manager who shall schedule the request for a regular meeting of the City Council.
- B. The City Council, upon determination that the Subdivision Exemption request meets the criteria for Exemption, may by Resolution exempt the land from the provisions of this Ordinance. The Council may include special notes or conditions, including a prohibition on the issuance of building permits, in the approval Resolution.
- D. The exemption shall become effective upon filing of the Council Resolution with the County Recorder.

SECTION 2. WAIVERS

The City Council may waive certain submittal requirements for an application for Subdivision Approval or for all or a portion of the required processing fees. The procedure for waiver requests is as specified in the Administrative Procedures Manual. A waiver request can be presented prior to the submittal of the Preliminary Plat or Final Plat application or as part of the plat submittal.

- A. Waivers of submittal requirements may be granted upon recommendation of the City Manager, and a finding by the Council that the particular requirements are not necessary for consideration of the subdivision approval request.
- B. A waiver of part or all the required processing fees for a subdivision application may be granted by the City Council only on finding that the particular application is such that the review time by City officials will be significantly less than the typical subdivision application.

SECTION 3. VARIANCES

3.1 Intent

A variance from specific requirements of this ordinance may be granted by the City Council upon finding that, due to unusual circumstances relating to the physical characteristics of the property or land adjacent to the property, conformance with the specific requirement would create an undue hardship on the property owner, and that the public health, safety and welfare would not be adversely affected by the granting of the variance. Variances shall not be granted on the basis of the financial status of the property owner or subdivider.

3.2 Procedure

- A. An application for a variance from one or more of the requirements of this ordinance shall be made by submitting an Application and other material, as proscribed in the Administrative Procedures Manual, to the City Manager.
- B. The City Manager shall schedule the variance request for consideration by the City Council. The Preliminary or Final Plat application which includes or is the subject of a variance request shall not be considered by the City Council until all variance requests have been either approved or denied except where the variance is minor in nature and a denial of the variance would not significantly affect the processing of the plat.

SECTION 4 VACATIONS

4.1 Vacation of all or a Portion of a Final Plat

- A. Vacation of part or all of an approved Final Plat shall require:
 - 1. Payment of application fee.

2. Ten (10) copies of the following:
 - a. A map entitled, "A vacation of (name or description)". Include on, or attach to the map a legal description of the final plat or portion thereof to be vacated.
 - b. A petition signed by not less than 50% of the owners of the lots in the Final Plat.
 - c. A letter notifying all owners of record that did not sign the Petition that a request for vacation of the Final Plat, or a portion thereof, has been submitted. Such letter shall be by Registered Mail.
- B. Upon determining that the petition for vacation of all or part of a Final Plat is complete and that the non petitioning lot owners have been notified, The City Manager shall schedule the request for a Public Hearing by the City Council.
- C. After hearing testimony in the Public Hearing, the City Council may:
 1. Approve the vacation.
 2. Deny the vacation.
- D. Approval of the vacation shall be in the form of an ordinance. The City Clerk shall cause the ordinance and accompanying vacation map to be recorded with the Fremont County Clerk and Recorder's Office within five (5) days of approval of the ordinance on second reading.

4.2 Vacation of Streets, Right-of-Ways and Easements

- A. Vacation of part or all of a street, right-of-way or easement shall require:
 1. Payment of application fee.
 2. Ten (10) copies of the following:
 - a. A map entitled, "A vacation of (name or description)". Include on, or attach to the map a legal description of the street, right-of-way or easement, or portion thereof, to be vacated. Cross-hatch or otherwise illustrate the portion you wish to vacate, and indicate all lots adjoining the portion to be vacated along with the names of the owners of such lots, plus their mailing address.

- b. A letter of intent which indicates no public monies have been spent on such street, right of way, or easement, and that no property will be left without proper access due to this vacation.
 - c. A petition signed by all the adjoining property owners stating their comments as to for, or against the vacation of this portion of street, right of way, or easement.
- B. Upon determining that the petition for vacation is complete, the City Manager shall schedule the request for a Public Hearing by the City Council.
 - C. After hearing testimony in the Public Hearing, the City Council may:
 - 1. Approve the vacation.
 - 2. Deny the vacation.
 - D. Approval of the vacation shall be in the form of an ordinance. The City Clerk shall cause the ordinance and accompanying vacation map to be recorded with the Fremont County Clerk and Recorder's Office within five (5) days of approval of the ordinance on second reading.

SECTION 5 APPEALS

- A. In the event that any person disagrees with the City Manager's interpretation of the language of this Ordinance they may appeal to the City Council as specified in the Administrative Procedures Manual.
- B. Appeal of a decision of the City Council shall be as provided for in state statutes.

ORDINANCE NO. 1-98

AN ORDINANCE AMENDING THE CITY OF FLORENCE SUBDIVISION REGULATIONS

WHEREAS, on July 3, 1995, the Florence City Council adopted Ordinance No. 9-95, adopting new Subdivision Regulations for the City of Florence; and

WHEREAS, on October 16, 1997, the Florence Planning Commission duly made application to amend certain provisions of the City of Florence Subdivision Regulations; and

WHEREAS, said application was a request amend said Subdivision Regulations by eliminating all designations regarding the term "lane"; and

WHEREAS, pursuant to Article I, Section 6 of said Subdivision Regulations, the Planning Commission held a public hearing on November 13, 1997, due notice of which was provided, in reference to this proposed amendment, and thereafter said Planning Commission voted as follows:

To recommend to the City Council that Article I, Section 9, Paragraph B, DEFINITION OF TERMS, of the City of Florence Subdivision Regulations be amended by eliminating the "lane" classification within the "STREET" definition; and

WHEREAS, pursuant to Article I, Section 6 of said Subdivision Regulations, the City Council held a public hearing on December 15, 1997, due notice of which was provided, in reference to this proposed amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLORENCE:

Article I, Section 9, Paragraph B, DEFINITION OF TERMS, of the City of Florence Subdivision Regulations is hereby amended by eliminating the "lane" classification within the "STREET" definition.

Introduced as a bill and passed on its first reading and ordered published in the City's official newspaper this 5th day of January, 1998.



Mayor

Attest:



City Clerk

Published January 8, 1998, in the Florence Citizen.

Passed on its second reading and ordered published in the City's official newspaper this
20th day of January, 1998.

Merle Stuckland
Mayor

Attest:

Doris E. Wilton
City Clerk

Published January 22, 1998, in the Florence Citizen.

ORDINANCE NO. 3-2000

**AN ORDINANCE
AMENDING THE CITY OF FLORENCE SUBDIVISION REGULATIONS**

WHEREAS, on July 3, 1995, the Florence City Council passed Ordinance No. 9-95, adopting new Subdivision Regulations for the City of Florence; and

WHEREAS, on January 20, 1998, the Florence City Council adopted Ordinance No. 1-98 which eliminated from the Definition of Terms of the City of Florence Subdivision Regulations the term "lane" as a street classification; and

WHEREAS, it is the desire of the City Council to re-establish a "lane" classification within the City's Subdivision Regulations, the minimum design standards of which will be set forth in a separate Resolution to be considered upon the adoption of this Ordinance; and

WHEREAS, pursuant to Article I, Section 6 of said Subdivision Regulations, the Florence Planning Commission held a public hearing on January 13, 2000, due notice of which was provided, in reference to the proposed amendment; and

WHEREAS, the Planning Commission deemed the amendment advisable; and

WHEREAS, pursuant to Article I, Section 6 of said Subdivision Regulations, the City Council held a public hearing on the amendment February 7, 2000, due notice of which was provided; and

WHEREAS, after the public hearing the City Council believes that it is in the best interest of the City of Florence to add a "lane" classification to its Definition of Terms of "Street" at Article I, Section 9(B) of its Subdivision Regulations.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF FLORENCE AS FOLLOWS:**

1. The term "lane" under Definition of Terms of "Street" at Article I, Section 9(B) shall be and hereby is reinstated.
2. Ordinance No. 1-98 which effectively eliminated the "lane" classification from the City of Florence Subdivision Regulations Definition of Terms is hereby repealed.

Introduced as an ordinance, passed on its first reading, assigned an ordinance number and ordered published in the *Florence Citizen*, the City's official newspaper on February 7, 2000.

Gene Roeder
Mayor

ATTEST:

Don Edellson
City Clerk

(SEAL)

Ordinance published in full on February 10, 2000, in the *Florence Citizen*.

Passed and adopted on its second reading this 22nd day of February, 2000.

Gene Roeder
Mayor

ATTEST:

Don Edellson
City Clerk

(SEAL)

Ordinance published in full on February 24, 2000, in the *Florence Citizen*.

RESOLUTION NO. 1-98

A RESOLUTION AMENDING APPENDIX A OF THE CITY OF FLORENCE SUBDIVISION REGULATIONS

WHEREAS, on July 3, 1995 the Florence City Council adopted Resolution No. 21-95, a Resolution setting forth required public improvements, design and construction standards and land dedications for new subdivisions in the City of Florence, Colorado; and

WHEREAS, said standards are referred to as "Appendix A" of the City of Florence Subdivision Regulations; and

WHEREAS, on January 20, 1998, the Florence City Council adopted Ordinance No. 1-98 on second reading, amending Article I, Section 9, Paragraph B, DEFINITION OF TERMS, of the City of Florence Subdivision Regulations by eliminating the "lane" classification within the "STREET" definition; and

WHEREAS, Appendix A of the City of Florence Subdivision Regulations contains several references to the term "lane"; and

WHEREAS, with the passage of Ordinance No. 1-98, it is now necessary to eliminate all references to the term "lane" within Appendix A of the City of Florence Subdivision Regulations; and

WHEREAS, the Florence City Council believes it is in the best interests of the City to adopt this Resolution.


NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FLORENCE, COLORADO THAT:

1. All references to the term "lane" within Appendix A of the City of Florence Subdivision Regulations are hereby eliminated.
2. This Resolution shall become effective upon the effective date of Ordinance No. 1-98. --

ADOPTED this 20th day of January, 1998.


Mayor

ATTEST:


City Clerk

RESOLUTION 4-2000
A RESOLUTION AMENDING APPENDIX A OF THE CITY OF FLORENCE
SUBDIVISION REGULATIONS

WHEREAS, on July 3, 1995 the Florence City Council adopted Resolution No. 21-95, a Resolution setting forth required public improvements, design and construction standards and land dedications for new subdivisions in the City of Florence, Colorado; and

WHEREAS, said standards are referred to as "Appendix A" of the City of Florence Subdivision Regulations; and

WHEREAS, on February 22, 2000, the Florence City Council will consider adopting Ordinance No. 3-2000 on second reading, amending Article I, Section 9, Paragraph B, DEFINITION OF TERMS, of the City of Florence Subdivision Regulations by re-instating the "lane" classification within the "STREET" definition which had been eliminated pursuant to Ordinance No. 1-98; and

WHEREAS, The Florence Planning Commission held a public hearing on January 13, 2000, regarding certain amendments to Appendix A of the City's Subdivision Regulations which include the new "lane" classification and recommended to the City council that it adopt the new Table 1 "Minimum Street Design Standards" which is attached hereto as Exhibit A and incorporated herein; and

WHEREAS, the City Council deems the new Table 1 at Exhibit A to be in the best interest of the City and that said Table should replace the current Table 1 located at Part II, Section 2(A)(1)(a)(1) "Public Improvement Design Standards" for Streets, Curb and Sidewalk, of Appendix A of the City's Subdivision Regulations; and

WHEREAS, the City Council also deems it appropriate to amend Paragraph 5 of Part II, Section 2(A)(1)(a) of Appendix A.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FLORENCE, COLORADO, AS FOLLOWS:

1. All references to the term "lane" within Appendix A of the City of Florence Subdivision Regulations are hereby reinstated.
2. The new Table 1 "Minimum Street Design Standards" attached as Exhibit A shall replace the current Table 1 "Minimum Street Design Standards" at Appendix A, Part II, Section (2)(A)(1)(a)(1) of the City of Florence Subdivision Regulations.

3. Paragraph 5 of Part II, Section (2)(A)(1)(a) of Appendix A is amended as follows:

5). Shoulders. In the event a variance from the curb requirement is granted, ten (10) foot shoulders shall be provided.

4. This Resolution shall become effective upon the effective date of Ordinance No. 3-2000 which repeals Ordinance 1-98.

ADOPTED this 22nd day of February, 2000.



Mayor

ATTEST:



City Clerk

RESOLUTION 9 -2003

A RESOLUTION AMENDING APPENDIX "A" OF THE CITY OF FLORENCE SUBDIVISION REGULATIONS

WHEREAS, on July 3, 1995 the City Council of the City of Florence passed Ordinance 9-95 adopting new subdivision regulations for the City of Florence; and

WHEREAS, on April 7, 2003 the City Council of the City of Florence passed Ordinance 3-2003, adopting by reference the Revised 2001 Edition of the Standard Construction Specifications and Standard Details for the City of Pueblo, Colorado Department of Public Works; and

WHEREAS, it is the desire of the City Council of the City of Florence to amend Appendix "A" – Part II, Design and Construction Standards of the City of Florence Subdivision Regulations to reflect the newly adopted Standard Construction Specifications; and

WHEREAS, on April 17, 2003 the Florence Planning Commission held a public hearing, due notice of which was provided, in reference to this proposed amendment, and thereafter said Planning Commission voted as follows:

To recommend to the City Council that Appendix "A", Part II, Section 3, Public Improvement Construction Standards be amended in accordance with the newly adopted Standard Construction Specifications.

NOW, THEREFORE, be it resolved by the City Council of the City of Florence:

1. Part II, Section 3. Public Improvement Construction Standards, Paragraph A, STREETS, CURB, SIDEWALK is hereby repealed in its entirety and re-enacted as follows:

A. STREET, CURB, SIDEWALKS, AND ALLEYS

The minimum construction standards for streets, curbs, sidewalks, and alleys shall be the Florence Street Standards adopted by Municipal Code Chapter 12.06.160.

All streets intended for ownership or maintenance by the City of Florence shall be designed by a qualified Engineer, registered in the State of Colorado. The design engineer must certify that the proposed pavement section is sufficient to withstand the anticipated loading conditions for a minimum seven (7) year period. A pavement design report is required and may require amendment by a qualified engineer if site conditions exhibit characteristics that are not consistent with the proposed pavement design.

2. Part II, Section 3. Public Improvement Construction Standards, Paragraph B (3) & (4), DRAINAGE are hereby repealed and re-enacted as follows:

B. DRAINAGE

3. Pipe Bedding. Storm sewers and culverts shall be constructed with the appropriate bedding for the type of trench configuration/bedding used in the pipe strength calculations. The minimum pipe bedding standards shall be those included in the Florence Street Standards.
4. Construction Standards. The minimum construction standards shall be those included in the Florence Street Standards.
3. Part II, Section 3. Public Improvements Standards. Paragraph C, (3) WATER SYSTEM, Backfill is hereby repealed and reenacted as follows:

C. WATER SYSTEM

3. Backfill. Bedding and backfill for pipe facilities and appurtenances within the public right of way, easements, and all buried piping and appurtenances connected to the City of Florence water distribution system shall be in accordance with the Florence Street Standards, Section 12.3 – Construction Requirements.

RESOLVED this 21st day of April, 2003.


Mayor

ATTEST:


City Clerk

RESOLUTION 4-2005

**A RESOLUTION AMENDING APPENDIX "A" OF THE CITY OF FLORENCE
SUDIVISON REGULATIONS**

WHEREAS, on July 3, 1995 the City Council of the City of Florence passed Ordinance 9-95 adopting new subdivision regulations for the City of Florence; and

WHEREAS, on April 7, 2003 the City Council of the City of Florence passed Ordinance 3-2003 adopting by reference the Revised 2001 Edition of the Standard Construction Specifications and Standard Details for the City of Pueblo, Colorado Department of Public Works, also known as the Florence Street Standards; and

WHEREAS, it is the desire of the City Council of the City of Florence to amend Appendix A – Part II, Section 3(A) – Street, Curb, Sidewalk and Alleys to allow for chip and seal road surface in lieu of asphalt or concrete pavement under certain circumstances; and

WHEREAS, the Planning Commission held a public hearing on January 13, 2005 due notice of which was provided in reference to the proposed amendment relative to public improvements within the public rights of way, and thereafter the Planning Commission voted to recommend to Council approval of an amendment to Appendix A – Part II, Section 3(A) to allow for chip and seal road surface in lieu of asphalt or concrete pavement under certain circumstances; and

WHEREAS, the City Council of the City of Florence held a public hearing on February 22, 2005 due notice of which was provided in reference to the proposed amendment to Appendix A – Part II, Section 3(A), and the City Council deems the amendment appropriate and in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FLORENCE, COLORADO:

1. A new paragraph (B) shall be added to Appendix A, Part II, Section 3 – Street, Curb, Sidewalks and Alleys as follows:

B. Notwithstanding Paragraph A above, the City Council of the City of Florence, at its option, may agree to allow a chip and seal road surface in lieu of asphalt or concrete pavement under the following circumstances:

- a. For a subdivision approved by the City prior to 1986 where the City waived the requirements for asphalt pavement;
- b. For any area annexed by the City that had been subdivided under County regulations with dirt roads;
- c. For any existing paved public rights of way within the corporate limits of the City of Florence as a means of maintenanc or repair

RESOLVED this 22nd day of February, 2005.


Mayor

ATTEST:


City Clerk

APPENDIX A
PUBLIC IMPROVEMENTS REQUIRED
DESIGN AND CONSTRUCTION STANDARDS
LAND DEDICATIONS

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RESOLUTION 21-95

A RESOLUTION SETTING FORTH REQUIRED PUBLIC IMPROVEMENTS, DESIGN AND CONSTRUCTION STANDARDS AND LAND DEDICATIONS FOR NEW SUBDIVISIONS IN THE CITY OF FLORENCE, COLORADO.

WHEREAS, on July 3, 1995, the City Council of the City of Florence, Colorado adopted new Subdivision Regulations; and

WHEREAS, said Regulations consist of a Subdivision Ordinance and Resolutions which relate to the subdivision of land and the improvements thereon and establishes administrative procedures and a fee schedule; and

WHEREAS, said Resolutions are to be incorporated by reference in the Subdivision Regulations; and

WHEREAS, this Resolution sets forth required public improvements, design and construction standards and land dedications for new subdivisions in the City of Florence, Colorado; and

WHEREAS, the City Council of the City of Florence believes it is in the best interest of the City to adopt such standards.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FLORENCE, COLORADO THAT:

1. The City Council of the City of Florence hereby adopts this Resolution setting forth required public improvements, design and construction standards, and land dedications for new subdivisions in the City of Florence, Colorado.

2. The required public improvements, design standards, and land dedications for new subdivisions in the City of Florence are on file in the offices of the Florence City Clerk and made a part of this Resolution.

ADOPTED this 3rd day of July, 1995.

Mesle Strickland
MAYOR
City of Florence
Florence, Colorado

ATTEST:

Doris E. Williams
City Clerk
City of Florence
Florence, Colorado

**APPENDIX A
PUBLIC IMPROVEMENTS REQUIRED
DESIGN AND CONSTRUCTION STANDARDS
LAND DEDICATIONS**

PART I. PUBLIC IMPROVEMENTS REQUIRED

SECTION 1. INTENT

The subdivider or developer is responsible for the design and construction of all public improvements associated with the subdivision or property being developed. This responsibility includes both on-site and off-site improvements necessitated by the subdivision or development. Unless otherwise specified in this Resolution, the subdivider or developer is responsible for 100% of cost of the improvements.

SECTION 2. IMPROVEMENTS REQUIRED

The required public improvements include but are not limited to:

A. STREET AND ALLEY IMPROVEMENTS

1. Pavement including earthwork and pavement bases
2. Curb and Gutter
3. Signage including traffic, street names and safety
4. Sidewalks
5. Mid-block walkways
6. Pedestrian Ramps
7. Guardrail
8. Traffic Signals
9. Pavement Markings
10. Median Landscaping
11. Cross Pans
12. Street Lights

B. DRAINAGE IMPROVEMENTS

1. Storm Sewers
2. Culverts
3. Manholes
4. Inlets
5. Detention Ponds, Retention Ponds, Outlet Facilities
6. Riprap Protection
7. Channels and Swales
8. Drop Structures
9. Special Drainage Structures

C. WATER SYSTEM

1. Water Lines
2. Valves
3. Fire Hydrant Assembly.
4. Public" Service Line Appurtenances(stops and pipe)
5. Meters and Meter pits
6. Special Valves as specified in Chapter 13.04 Waterworks of the Florence Municipal Code.

D. WASTEWATER SYSTEM

1. Sewer Lines
2. Manholes
3. Other improvements as required by the Fremont Sanitation District

E. PRIVATE UTILITY IMPROVEMENTS

The Subdivider shall provide, or insure the provision of, the following private utility improvements:

1. Gas lines and related improvements.
2. Electric lines and related improvements.
3. Telephone lines and related improvements.
4. Cable television lines unless the Applicant has a statement from the Cable Television provider that the lines cannot be extended at the time the other improvements are installed.

F. OTHER IMPROVEMENTS

1. Irrigation Ditch Crossings
2. Special Structures and Facilities

PART II. DESIGN AND CONSTRUCTION STANDARDS

SECTION 1. GENERAL SUBDIVISION DESIGN STANDARDS

A. SUBDIVISION DESIGN PRINCIPLES AND LAYOUT

1. The design and development of subdivisions shall preserve, insofar as it is possible, the natural terrain, natural drainage, existing topsoil, and trees.
2. Land subject to hazardous conditions, including but not limited to, land slides, mud flows, rock falls, snow avalanches, possible mine subsidence, shallow water table, open quarries, floods, and polluted or nonpotable water supply shall be identified and

shall not be subdivided until the hazards have been eliminated or will be eliminated. If a portion of that land to be subdivided contains hazards or hazardous conditions and such hazards cannot be eliminated, that portion shall be noted " not to be developed".

3. Lots. The size, shape and orientation of lots shall be appropriate to the location of the proposed subdivision and to the type of the development contemplated. The following principles and standards shall be observed:
 - a. The minimum area and dimensions of all lots shall conform to the requirements of the Zoning Ordinance for the Zoning Districts in which the subdivision is located.
 - b. Whenever possible, the depth of a lot should not be greater than twice its width.
 - c. Corner lots shall have extra width to permit appropriate building setbacks from both streets.
 - d. The side lines of all lots, as far as practical, shall be a right angle to the street which the lot faces or approximately radial to the center of curvature, if such street is curved. Side lines of lots shall be approximately radial to the center of curvature of the cul-de-sac on which the lot faces.
 - e. No lot shall have a street frontage or a width at the building setback line less than that specified by the Zoning Ordinance controlling said lot.
 - f. Widths and depths of residential, commercial and industrial lots shall provide ample space for the required off-street parking and loading facilities and for the type of land use contemplated for the development.
 - g. No single lot shall be divided by a municipal or county boundary line.
 - h. A lot shall not be divided by a road, alley or other lot.
 - i. Side lot lines shall be at substantially right angles or radial to street lines. Where lot lines are not at right angles to the street lines, this shall be indicated, or not radical to curve streets.

- j. Double frontage lots shall not be permitted.
- k. A flag lot is a lot in which the building area is connected to a public right-of-way by a narrow strip of land (a stem). Flag lots are permitted only when a physical constraint restricts use of another lot type.
 - (1). Maximum length of a flag lot stem is 200 feet.
 - (2). Minimum width of a stem is 30 feet.
 - (3). A cul-de-sac is required if two stems are platted abutting each other.
- l. Each lot shall have an adequate building area with consideration of poor soils, high water tables, flooding possibilities, or other limiting hazards to building sites, access or sanitary sewage facilities. Adequate ingress and egress for fire emergency shall be provided.
- m. Lots shall be numbered beginning at Lot #1 and numbered consecutively upward for each block.
- 3. Blocks - The lengths, widths, and shapes of blocks shall be determined with regard to:
 - a. Provision of adequate building sites suitable for the special needs of the type of use contemplated.
 - b. Need for convenient access, circulation, control and safety of street traffic.
 - c. Limitations and opportunities of topography.
- 4. Access in Commercial or Industrial Subdivisions. When the proposed land use is a multi owner or multi tenant commercial or industrial development, access easements between the lots so as to allow for efficient traffic flow and access to loading areas shall be provided.

B. STREETS, ALLEYS AND EASEMENTS.

All streets, alleys and easements shall be designed as specified in PART II, Section 2 of this Resolution.

C. LAND DEDICATED OR DESIGNATED FOR PUBLIC OR COMMON USE.

Land that is to be dedicated for public or common use other than streets, alleys and easements, shall conform to the following standards:

1. Land that is to be used for public buildings or buildings for the use general of the residents of the subdivision shall be called out as Lots and Blocks.
2. Land that is to be used for public open space or common open space shall be called out as Tracts.
3. The areas designated for public use or common use shall have adequate access from the subdivision street system.
4. The areas designated for public buildings or common buildings shall be capable of development.

Land that is to be dedicated for City Streets or alleys shall or easement be in accordance with Part III. Section 1. of this Resolution. Subdivisions that are in the path of a proposed Federal or State highway shall reserve sufficient area for those highways. The land dedication for a Federal or State Highway shall be as for a Major Collector Street.

SECTION 2. PUBLIC IMPROVEMENT DESIGN STANDARDS

A. STREETS, CURB, SIDEWALK

1. The street layout shall conform to the street plan of the City of Florence. Streets, curb and gutter, and sidewalks shall be designed in accordance with the following specifications and guidelines.

a. Streets.

- 1) Table 1 contains the design standards, by street classification, for streets in subdivisions in the City. Design standards for arterial streets are not included in Table 1. Arterial street designation is reserved for Federal and State highways and the design standards are as contained in the respective agency regulations.

TABLE 1
MINIMUM STREET DESIGN STANDARDS
 Revised 2/9/00

CLASSIFICATION	MAJOR COLLECTOR	MINOR COLLECTOR	LOCAL	LANE
DESIGN SPEED	35	35	25-30	20-30
RIGHT-OF-WAY WIDTH	80	72	60	60
FLOW LINE TO FLOW LINE WIDTH (back of Curb to Back of Curb)	56	48	44	32
NUMBER OF TRAVEL LANES	4	2	2	2
LANE WIDTHS	12 FT.	12 FT.	12 FT.	12 FT.
TURN LANE WIDTH	10 FT.	10 FT.	N/A	N/A
SIDEWALK PLACEMENT (each side with curb/gutter)	4 FT. DETACHED	4 FT. DETACHED	4 FT. ATTACHED	4 FT. ATTACHED
MINIMUM-MAXIMUM GRADES	0.5% - 4%	0.5% - 4%	0.5% - 8%	0.5% - 10%
MIN. CENTERLINE ALIGN. RADIUS	450'	450'	200'	200'
INTERSECTION GRADE	0.5% - 2%	0.5% - 4%	0.5% - 4%	0.5% - 4%
PARKING	NO	NO	YES	NO
INTERSECTION SIGHT DISTANCE	350 FT.	350 FT.	300 FT.	300 FT.
STOPPING SIGHT DISTANCE	300 FT.	300 FT.	250 FT.	200 FT.
CURB RETURN RADIUS	20 FT.	20 FT.	15 FT.	15 FT.
CUL DE SACS	NO	NO	R.O.W.: 65' OUTSIDE RADIUS: 55' MAXIMUM LENGTH: 500'	R.O.W.: 65' OUTSIDE RADIUS: 55' MAXIMUM LENGTH: 500'

- 2) Local streets shall be laid out to discourage through traffic.
- 3) Stub streets - Provision must be made, through the provision of stub streets or extension of new streets to connect to existing stub streets to provide an efficient street system. Not more than six (6) lots shall front on a stub street except where a temporary cul-de-sac is provided.
- 4) Intersections of local streets with major streets shall be kept to the minimum.
- 5) Shoulders. In the event a variance from the curb requirements is granted, ten (10) foot shoulders shall be provided.

- 6) Half Streets shall not be permitted except when required to complete a half street already in existence.
- 7) Dead-end Streets - (not cul-de-sac). Dead-end streets shall not be permitted.
- 8) Cul-de-sac Streets - Permanent cul-de-sac streets may be permitted.
- 9) Access by private non-dedicated streets shall not be approved.
- 10) Number of Streets at Intersection - No more than two streets shall intersect at one point.
- 11) Angle of Street Intersections - Streets shall intersect at ninety (90) degrees, except where this may be impractical. Angles of less than ninety (90) degrees may be designed, subject to the approval of the City Council.
- 12) Centerline of Intersection Streets - Two streets meeting a third street from opposite sides shall meet at the same point, or their centerline shall be offset at least one hundred fifty (150) feet.

b. Street Designations

- 1) Boulevard or Parkways shall be reserved for major streets having a median divider of sufficient size to allow for landscaping.
- 2) Avenue or Road shall be reserved for streets of substantial continuity such as links to the major arterial system.
- 3) Street, Drive, Circle, Lane or Way shall be reserved for streets of less continuity such as feeder and collector streets.
- 4) Place, Terrace, Court or Square shall be reserved for cul-de-sacs or streets having no continuity except to limited area of the development.

c. Names and Addresses of Streets

- 1) Street names shall not be duplicated nor be too closely approximated phonetically to any name of an existing street in the City of Florence or County of Fremont.
- 2) Any street which is a continuation or logical continuation of another street shall bear the same name.
- 3) Small cul-de-sacs which have five or less lots facing on to it shall not be named, but shall be addressed to the street which they have access from.
- 4) All street names, numbering and marking shall be approved by the City Manager.
- 5) All street name signs shall be provided and installed by the subdivider and approved in accordance with City standards.

d. Curbs, Sidewalks, Mid-block Walkways.

The following standards shall apply to of curbs, sidewalks and mid-block walkways.

- 1) Curb type. Either vertical or ramp type curbs are permitted. The curb type required will be based on the drainage characteristics of the proposed development.
- 2) Curb return radius - See Table 1.
- 3) Sidewalks - Shall be required on both sides of streets in any subdivision block unless topographic or other conditions warrant a variance.
- 4) Mid-Block Walkway - The Planning Commission or City Council may require mid-block walkway not less than ten (10) feet in width, through blocks over 1,000 feet long, or when it is deemed necessary to provide access to school, shopping centers, transportation facilities, or other community facilities.

B. DRAINAGE

An analysis of the existing and future drainage of any property to be subdivided is required. The requirements at each stage of the subdivision process is:

1. Minor Subdivision

A Drainage Analysis prepared by a Professional Engineer licensed in the State of Colorado, is required with Minor Subdivision applications and shall contain the following:

- a. A map or aerial photo, at a scale of 1:200, which shows:
 - 1) The major drainage basin and subbasins that drain the property.
 - 2) The direction of drainage within the basin and subbasins.
 - 3) The estimated historical rate of stormwater discharge from the property, at each discharge point.
 - 4) The maximum amount of impervious area that will result from the proposed development. Impervious area includes:
 - a) Building footprints.
 - b) Areas covered by impervious surface such as streets, driveways, sidewalks, tennis courts, etc.
- b. A narrative which:
 - 1) Provides a guide to the drainage map.
 - 2) If the impervious surface exceeds 15% of the total site area, the narrative must include:
 - a) Historical rates of flow in cfs.
 - b) Estimated developed flows for the 10 year, 24 hour storm in cfs.

- c. Discussion of the alternatives which will be considered for dealing with the increased rate of runoff after the site is developed, including:
 - 1) Direct discharge into a channel with adequate capacity.
 - 2) Detention or retention ponds.
 - 3) Connection to a stormwater sewer system.

In the event that the Drainage Analysis does not adequately address the drainage issues, the City Council, upon recommendation of the Planning Commission, may require a full (Phase I and Phase II) Drainage Study.

2. Preliminary Plat

A Phase I drainage study prepared by a professional engineer licensed in the State of Colorado is required with the Preliminary Plat and shall include the following:

- a. Text discussion describing: project location, description of property, existing flooding problems, general runoff patterns and drainage basin sizes, proposed drainage concept, preliminary flow rate computations, drainage facility design concept, and conclusions.
- b. Appendix which includes all backup hydrologic and preliminary drainage facility sizing calculations.
- c. Drainage Plan on a 24" x 36" drawing which shows the following:
 - 1) Existing topographic contours at 2-foot maximum intervals. In terrain where the slope exceeds 5 %, the maximum interval is 5-feet. The contours shall extend a minimum of 100-feet beyond the property lines.
 - 2) All existing drainage facilities.
 - 3) Approximate flooding limits based on available information.

- 4) Conceptual drainage facilities including detention basins, storm sewers, swales, riprap, and outlet structures in the detail consistent with the proposed development plan.
- 5) Drainage boundaries and sub-boundaries.
- 6) Any off site feature influencing development.
- 7) Proposed flow directions.
- 8) Legend to define map symbols.
- 9) Title block.

3. Final Plat

A Phase II Drainage Study prepared by a professional engineer licensed in the State of Colorado is required with the Final Plat and shall include the following:

a. Text discussion including the following:

- 1) General location and description (Township, range, section, 1/4 section.
- 2) Local streets within and adjacent to the subdivision.
- 3) Major drainageways, facilities, and easements within and adjacent to the site.
- 4) Names of surrounding developments.
- 5) Description of property including:
 - a) Area in acres
 - b) Ground cover (type of trees, shrubs, vegetation, general soil conditions, topography, and slope)
 - c) Major drainageways
 - d) General project description
 - e) Irrigation facilities
 - f) Proposed land use

6) Drainage Basins and Sub-Basins

a) Major Basin Description

- 1 Reference to flood hazard delineation reports and flood insurance rate maps (FEMA maps)
- 2 Major basin drainage characteristics, existing and planned land uses
- 3 Identification of all irrigation facilities within the basin which will influence or be influenced by the local drainage

b) Sub-Basin Description

- 1 Discussion of historic drainage
- 2 Discussion of flow patterns and impact of developed flows.

7) Drainage Design Criteria

8) Development Constraints

- a) Discussion of the effects of adjacent drainage studies.
- b) Discussion of the drainage impact of site constraints such as streets, utilities, existing structures, and development or site plan.

b. Hydrological Criteria

- 1) Identify design rainfall(5 year minor and 100 year major.
- 2) Runoff calculation method shall be the HEC-1 unless otherwise approved by the City Manager.
- 3) Identify detention discharge and storage calculation method

4) Drainage Facility Design

a) General Concept

- 1 Discussion of concept and typical drainage patterns b) Discussion of compliance with off site runoff considerations
- 2 Discussion of the content of tables, charts, figures, plates. or drawings presented in the report
- 3 Discussion of anticipated and proposed drainage patterns

b) Specific Details

- 1 Discussion of drainage problems encountered and solutions at specific design points
- 2 Discussion of detention storage and outlet design
- 3 Discussion of maintenance access and aspects of the design
- 4 Discussion of easements and tracts for drainage purposes. including the conditions and limitations for use
- 5 Discussion of the facilities needed off site for the conveyance of minor and major flows to the downstream drainageway that has capacity for the runoff from the subject site.

c) Conclusions

- 1 Compliance with Standards
- 2 Drainage Concept
 - a Effectiveness of drainage design, to control damage from storm runoff on-site and off-site.
 - b References. Reference all criteria and technical information used.

c. Appendices

1) Hydrologic Computations

- a) Land use assumptions regarding adjacent properties
- b) Minor and major storm runoff at specific design points
- c) Historic and fully developed runoff computations at specific design points
- d) Hydrographs at critical design points
- e) Time of concentration and runoff coefficients for each basin

2) Hydraulic Computations

- a) Culvert capacities
- b) Storm sewer capacities
- c) Gutter capacities
- d) Storm inlet capacities
- e) Open channel design
- f) Check and/or channel drop design
- g) Detention area/volume capacity and outlet capacity calculations.
- h) Depths of detention basins
- i) Downstream/outfall system capacity
- j) Design of riprap protection for culverts, storm sewer outlets

d. Drainage Plan: Map(s) of the proposed development at a scale of 1" = 20' on a 24" x 36" drawing shall be included. The plan shall show the following:

- 1) Existing and proposed contours at 2-foot maximum intervals. The contours shall extend a minimum of 100 feet beyond the property lines
- 2) Property lines and easements with purposes noted.

- 3) Streets, indicating ROW width, flowline width, curb type. sidewalk, and approximate slopes.
- 4) Existing drainage facilities and structures, including irrigation ditches, roadside ditches, drainageways. gutter flow directions, and culverts. All pertinent information such as material, size, shape, slope, and location shall also be included.
- 5) Over-all drainage area boundary and drainage sub-area boundaries.
- 6) Proposed type of street flow (i.e., vertical or combination curb and gutter), roadside ditch, gutter, slope and flow directions, and cross pans.
- 7) Proposed storm sewers and open drainageways, including inlets, manholes, culverts, and other appurtenances. including riprap protection.
- 8) Proposed outfall point for runoff from the developed area and facilities to convey flows to the final outfall point without damage to downstream properties.
- 9) Routing and accumulation of flows at various critical points for the initial storm runoff.
- 10) Routing and accumulation of flows at various critical points for the major storm runoff.
- 11) Volumes and release rates for detention storage facilities and information on outlet works.
- 12) Location and elevations of all existing floodplains affecting the property.
- 13) Location and (if known) elevations of all existing and proposed utilities affected by or affecting the drainage design.
- 14) Routing of offsite drainage flow through the development.
- 15) Definition of flow path leaving the development through the downstream properties.
- 16) Existing and proposed 100-year floodplain(s)

- 17) Legend to define map symbols
- 18) Title block in lower right hand corner.

e. Construction Plans

Plans for the drainage improvements shall include:

- 1) Storm sewers, inlets, outlets and manholes with pertinent elevations, dimensions, type, and horizontal control indicated.
- 2) Culverts, end sections, and inlet/outlet protection with dimensions, type, elevations, and horizontal control indicated.
- 3) Channels, ditches, and swales (including side/rear yard swales) with lengths, widths, cross-sections, and erosion control (i.e. riprap, concrete, grout) indicated.
- 4) Checks, channel drops, erosion control facilities.
- 5) Detention pond grading, trickle channels, outlets, and landscaping.
- 6) Other drainage related structures and facilities (including underdrains and sump pump lines).
- 7) Maintenance access considerations.
- 8) Overlot grading and erosion and sedimentation control plan

Construction documents shall include geometric, dimensional, structural, foundation, bedding, hydraulic, landscaping, and other details as needed to construct the storm drainage facility. Construction plans shall be signed by a registered professional engineer as being in accordance with the approved drainage report/drawings.

C. WATER SYSTEM

All water system design shall be in accordance with the following standards.

1. Main Size. The water distribution main shall be designed to meet the maximum hour to average day ratio of 4.5:1 gallons per person (maximum average day ratio is 2.8:1) for an average daily use of 145 gallons per day per

person plus fire flow demand as determined by ISO criteria. The water pressure shall not be less than 20 psi at any point in the water distribution system with fire flows and 35 psi without fire flows. The velocity of the water in the system shall not exceed 15 feet per second through a public main line. Design parameters and the critical conditions shall be shown on an overall plan of the study area. A complete water distribution system analysis shall be submitted for any fire demand in excess of 1500 gpm.

The minimum diameter for water transmission lines in any single family residential area will be six (6) inches. Schools, shopping centers and multi-family residential areas will be looped with at least an eight (8) inch diameter line. A minimum of six (6) inches in diameter mains shall be used to serve a fire hydrant.

2. Main Location. Water mains shall be located on the east and north side of the street centerline at a six (6) foot offset from the street centerline to the water main centerline.
3. Depth. Water mains shall be covered with a minimum of four (4) feet below final street grade.
4. Easements. A " utility easement" will be required for any utility line which is not on public right-of-way and the easement will be considered public. A width of sixteen (16) feet is required when only one utility is proposed and twenty-six (26) feet when two utilities (i.e, water, sanitary or storm sewer) will run in parallel. At no time will the utility line in question be less than eight (8) feet from the edge of the easement or less than ten(10) feet from a parallel utility line. Easements will also be required for all meters and fire hydrants which will be maintained by the City. In no instance shall either manholes or valves encroach upon either curb or gutter sections, crosspans, etc. In no case shall any trees, walls, large rocks, fences, etc, be within a utility easement unless prior approval has been obtained from the City.

D. WASTEWATER

The wastewater (sanitary sewer) system shall be designed in accordance with the Fremont Sanitation District's " Rules and Regulations Governing Sewage Charges and Fees and Management of Wastewater" as amended from time to time.

SECTION 3. PUBLIC IMPROVEMENT CONSTRUCTION STANDARDS

The public improvements listed in PART II of this Resolution shall be constructed in accordance with the following standards:

A. STREETS, CURB, SIDEWALK

Construction standards for streets and alleys shall be as specified in Table 2.

TABLE 2 CONSTRUCTION STANDARDS FOR STREETS AND ALLEYS

CLASSIFICATION	COMPOSITE SECTION			FULL DEPTH ASPHALT (INCHES)	PORTLAND CEMENT (INCHES)
	ASPHALT (INCHES)		CLASS 5/6 AGG. BASE COURSE (INCHES)		
		+			
Alley (paved)	2.5	+	6.0	4.5	5.0
Alley (gravel)	n/a		4.0	n/a	n/a
Lane	2.5	+	6.0	4.5	5.0
Local	2.5	+	6.0	4.5	5.0
Collector	3.0	+	6.0	5.0	6.0
Major Collector	3.0	+	6.0	5.5	6.0

The design engineer will be required to certify that the proposed pavement section is sufficient to withstand the anticipated loading conditions for a seven (7) year period. A pavement design may be required if site conditions exhibit characteristics which are not constant with the proposed section selection.

All construction shall be in accordance with the Colorado Departments current "Standards Specification for Road and Bridge Construction"

B. DRAINAGE

1. Pipe Material. Reinforced concrete pipe (RCP) in accordance with ASTM, C-506, C-507 shall be used in storm sewer and culvert construction. Reinforced Concrete Box Culverts (CRCBC) shall be in accordance with ASTM C-789 or C-850. The minimum class of pipe shall be class -II; however, the actual depth of cover, live load and field conditions may require structurally stronger pipe.

2. Manholes. All manholes shall be constructed with a cast in place manhole base and pre-cast manhole barrels, rings and cones.
3. Pipe Bedding. Storm sewers and culverts shall be constructed with the appropriate bedding for the type of trench configuration/bedding used in the pipe strength calculations. The minimum pipe bedding standards shall be those included in the Colorado Department of Transportation's current "Standard Plans" (also known as the M and S Standards).
4. All construction shall be in accordance with the Colorado Department of Transportation's current "Standard Specifications for Road and Bridge Construction" and "Standard Plans".

C. WATER SYSTEM

1. Main Pipeline

All pipes and fittings shall be the nominal size pipe and/or fittings indicated. All materials shall be installed at locations shown on the drawings in accordance with the applicable manufacturer's instructions. The materials requirements are as follows:

a. Pipeline Material

- 1) All pipelines shall be constructed with Polyvinyl Chloride (PVC) pipe. PVC 6 inch, 8 inch, 10 inch and 12 inch, plastic pipe shall be AWWA D 2241 and shall be bell and pipe with rubber gasket joints. The pressure class and dimension ratio shall be specified by the engineer. The properties for PVC compounds shall be in accordance with ASTM D 1784 and shall be National Science Foundation (NSF) approved. The pipe shall be marked at five (5) foot intervals with the following:
 - a) nominal pipe diameter
 - b) type of plastic pipe material in accordance with the designation code, e.g. pvc 1120.
 - c) pressure rating in psi for water at 23 Degrees Centigrade.
 - d) AWWA , C900.

- e) manufacturers name or trademark and code.
- f) NSF seal

PVC shall be furnished complete with appropriate gaskets. The rubber gasket joint shall conform to ASTM D 3139. A sufficient quality of lubricant used to install the gaskets shall be furnished and shall be of the type and kind recommended by the manufacturer. All fittings for plastic pipe including elbows, reducers and other special fittings shall be designated as cast iron MJ x MJ on the drawings.

- 2) For special cases the City may require the use of ductile iron pipe. All material, manufacturing operations, testing, inspecting and marking of ductile iron pipe shall be in conformity with the requirements of ANSI/AWWA C151/A21.51. The minimum thickness class shall be Class 52 for 6 inch diameter pipe and Class 50 for 8 inch and larger diameter pipe.

b. Fittings

The fittings shall be capable of withstanding pressure equal to or greater than that for the pipe. Valve and valve boxes shall meet the following specifications:

- 1) 6 , 8, and 10 inch water line valves shall be gate valves. These valves shall conform to the latest revision of AWWA C509, AWWA Standard for Resilient Seated Gate Valves for Water and Sewerage Systems.
- 2) Twelve inch waterline valves shall be MJ x MJ butterfly valves conforming to the latest revisions of AWWA, C504 for Class 150 valves. Butterfly valves shall be Mueller Linesal III or approved equal.
- 3) Valves shall be equipped with 2" nut for operation from the ground surface through a valve box.
- 4) Valves boxes shall be three piece, cast iron, screw type, complete, Tyler 6860 Series, Item C or approved equal.

- 5) Air/Vacuum valves shall be cast iron with stainless steel trim, 2 inch NPT screwed inlet and outlet, and shall be Crispin Model AL 20 or approved equal.

c. Fire Hydrants

Fire hydrants shall be Waterous WB 67 or an approved equal, dry barrel hydrants, one (1) 5" and two (2) 2.5" nozzles, NST, 3 way, open left, 5 feet, or approved equal, conforming with the latest revision of AWWA Standards for Dry Barrel Fire Hydrants.

d. Locating Tape

Locating tape shall be magnetically detectable foil tape a minimum of three (3) inches wide, with a 0.35 mils minimum thickness solid aluminum foil core encased in a protective plastic jacket. The minimum overall thickness shall be 5.5 mils. The tape shall be color coded blue for Water designation and shall be Detectatape as manufactured by Allen Systems Inc., Houston, Texas, or an approved equal.

e. Corrosion Protection

Cast and ductile iron pipe and all fittings shall be wrapped in polyethylene tubing to prevent corrosion. Polyethylene tubing tape and installation shall meet the requirements of ANSI/AWWA C105/A21.50.

f. Disinfection

All new feeder and service lines shall be disinfected in accordance with procedures in AWWA C651-86 Standard for Disinfecting Water Mains. The City will test the pipeline to verify adequacy of disinfection. The contractor shall notify the City at least 24 hours prior to testing.

g. Thrust Blocks

Thrust blocks shall be made of Class B concrete and shall be sized and installed as specified in AWWA M23, PVC Pipe Design and Installation Manual.

h. Pipeline Testing

The main water pipeline shall be water tested to ensure non-leakage at all joints, valves, and appurtenances. The method of testing (whether water or air) is the contractor's choice.

The Contractor shall furnish all water, air compressors, pumps, temporary valves and plugs, and all other equipment and materials required to test the pipeline, and shall be responsible for making any necessary repairs on sections that do not pass the test.

Prior to testing, all concrete thrust blocks and encasement shall be in place and shall have been cured for not less than three (3) days.

The Contractor shall have all equipment and materials required for testing on site and in place before beginning tests. The Contractor shall give reasonable notice to the City Manager each time he intends to conduct tests.

TEST CRITERION

All pipelines shall at a minimum meet the requirements of the simultaneous water pressure and leakage test as stated in AWWA, Manual M13, PVC Pipe Design and Installation Manual. Test pressure shall be 150 psi minimum, or higher as required in other pressure zones.

2. Service Lines

a. Service Saddles

Double strap service saddles shall be Romac 202 S-D x 3/4 CC, or approved equal, where D is the nominal pipe size.

b. Corporation Stops

Corporation stops shall be Ford 3/4," Type F1000, Inlet-AWWA Taper CC thread, with pack joint for copper or plastic, or approved equal.

c. Service Lines

Piping shall be 200 psi Driscopipe 3/4" IPS tubing or approved equal.

d. Curb Stops

Curb stops shall be 3/4" IPS Ford ball valve curb stops.

e. Meters and Pits

These shall be purchased from and installed by the City when the appropriate tap fees are paid.

3. Backfill

All backfill and bedding material shall be approved by the City Manager prior to construction.

a. Pipe Bed

The pipe bed shall be carefully prepared and free from any hard materials and rocks. The top 6 inches shall be scarified and re-compacted to 95 percent Standard Proctor dry density at +/-2 percent optimum moisture content.

Pipe to be supported directly on earth, shall be uniformly and continuously supported over its entire length on firm stable materials. Blocking or mounding beneath the pipe shall not be used to bring the pipe to final grade. Bell or flange holes shall be excavated in the trench bottom as needed to permit the body of each section of pipe to be in contact with the trench bottom throughout its entire length.

Pipe to be encased in reinforced concrete shall be adequately supported on chairs. The City Manager shall inspect the installation prior to placement of concrete.

b. Pipe Backfill

Pipe backfill shall be compacted fill, free of stones larger than 3/4" in any dimension. The minimum depth of compacted backfill above the pipe shall be 4 feet.

Compaction of backfill around pipelines, under paved roads and appurtenances shall be to 100% of Standard Proctor (ASTM D-698) dry density, at +/- 2% optimum moisture content. Backfill around other pipelines shall be compacted to 95% Standard Proctor dry density, at +/- 2% optimum moisture content.

D. WASTEWATER SYSTEM

The wastewater (sanitary sewer) system improvements shall be constructed in accordance with the Fremont Sanitation District's " Rules and Regulations Governing Sewage Charges and Fees and Management of Wastewater" as amended from time to time.

PART III. DEVELOPERS AGREEMENT (SUBDIVISION IMPROVEMENTS AGREEMENT)

SECTION 1. INTENT

In order to insure that the required public improvements are constructed in accordance with City Standards, and the standards of the agency providing sanitary sewer service and, to insure that the cost of the required public improvements are borne by the subdivider, the subdivider is required to enter into a Subdivision Improvements Agreement with the City. The Agreement shall be found acceptable to the City and signed by the applicant prior to the approval of the Final Plat by the City Council. No final plat shall be approved by the City Council until an approved Subdivision Improvements Agreement has been executed.

SECTION 2. FORM

The Subdivision Improvements Agreement shall be structured as proscribed by the City Council and approved as to form by the City Attorney. The Subdivision Improvements Agreement shall, at a minimum, describe the public improvements to be provided and include unit and total costs, the form of collateral to be provided for the public improvements, and the basis for forfeiture of the collateral and assumption of responsibility by the City.

SECTION 3. COLLATERAL TO GUARANTEE IMPROVEMENTS

The City Council shall require that sufficient collateral be provided by the subdivider to cover the cost of the public improvements required by the Subdivision Improvements Agreement and insure the completion of such improvements within the time period specified. The amount of collateral shall be 125% of the estimated cost of the public improvements as prepared by the City Manager. If requested by the agency responsible for the provision of sanitary sewer service, the City Council may require collateral for sanitary sewer improvements. The collateral shall be in the form of an Escrow Deposit, Performance Bond, Irrevocable Letter of Credit, Plat Restriction, or other forms acceptable to the City Council.

SECTION 4. RELEASE OF COLLATERAL

As improvements are completed, the subdivider may apply to the City Council for release of all or part of the collateral. Upon certification by the City Manager that the public improvements have been completed and are in conformance with City standards, the Council will authorize the release of part or all of the collateral, except that the Council may hold 10% of the collateral for a specified period of time in order to insure that the improvements have been properly constructed.

In the event that the sanitary sewer facilities have been included in the Subdivision Improvements Agreement and collateralized, the City Council will authorize the release of the water and sewer collateral upon notification by the providing entity that the improvements have been completed.

PART IV. PUBLIC SITES

SECTION 1. LAND DEDICATIONS REQUIRED

The subdivider of any subdivision shall allocate a portion of land within the subdivision by conveying the same by deed without restrictions or reservations to the City of Florence for municipal and public school purposes.

A. Municipal Purposes

1. For city and municipal purposes, the subdivider shall dedicate an acreage equal to five (5) percent of the total area of said subdivision exclusive of public rights-of-way and lands dedicated for school purposes.
2. The City may, at its option, demand a cash payment in lieu of accepting any lands for municipal purposes. Such sum may be based on the value of the undeveloped land as determined by an analysis of comparable land by the Fremont County Assessor. In the event that the City or Subdivider disagrees with the Assessor's value an independent certified appraiser approved by the City and the Subdivider shall be retained. The cost of the independent appraisal shall be the Subdivider's expense.
3. For Resubdivisions the amount of land to be dedicated to the City shall be the same as for a new subdivision except that the City Council may adjust the land dedication or payment in lieu in cases where a portion of the original subdivision has been developed.
4. Where with respect to a particular subdivision, the reservation of land required pursuant to this section does not equal the percent of total land required to be reserved the Planning Commission shall require, prior to final approval of the subdivision plat, that the applicant deposit with the City of Florence a cash payment in lieu of land reservation. The amount to be paid shall be determined as provided in this Section.

B. School Purposes

1. The quantity of land to be dedicated to the school district by the developer shall be based upon the following formula:
 - a. For single family dwellings; the number of dwelling units in the subdivision multiplied by 2.9 (the statistical average of persons per dwelling unit) multiplied by twenty-three percent, (the statistical average of school age children for a given population) multiplied by .031 (the statistical average number of acres needed for each school age child).
 - b. For multiple family dwellings; the number of dwelling units in the subdivision multiplied by 2.4 (the statistical average of persons per dwelling unit) multiplied by twenty-three percent, (the statistical average of school age children for a given population) multiplied by .031 (the statistical average number of acres needed for each school age child).
2. The School District may, at its option, in lieu of accepting any land for school purposes, request a payment in lieu based upon the method prescribed in this Section.

SECTION 2. CONVEYANCE OF LAND DEDICATION

- A. All land to be dedicated for municipal or school purposes shall be conveyed to the City with the Final Plat.
- B. Land dedicated for school purposes shall be so noted on the Final Plat but the conveyance shall be to the City unless otherwise provided by plat note.

C. LAND DEDICATION CRITERIA

For all dedicated land, the criteria to be considered in determining whether or not to accept land in lieu of the payment in lieu of land dedication shall be:

1. That it be adequate in size, shape and access for the use intended;
2. That from considerations of topography, condition of soil, drainage location and availability of water, it be suitable for any building purposes contemplated;
3. That it be consistent with the city plans determined and developed by the Master Plan;

4. That protection of natural and historical features, scenic vistas, watersheds, timber and wildlife be assured;
5. That it meet minimum school or park acreage requirements.

It shall be the responsibility of the recipient to maintain at its expense any and all such land so dedicated.

SECTION 3. PAYMENT IN LIEU OF LAND DEDICATION

A. City Council May Require

1. Upon determination of the City Council that the land offered for dedication for municipal purposes does not meet the criteria for public land dedication, or, that the amount of land is not sufficient in size for use as a public site, the Council may require a Payment in Lieu of land dedication.
2. Upon determination by the school board of the appropriate school district that the land offered for dedication for school purposes does not meet the criteria for public land dedication, or the amount of land is not sufficient in size for use as a school site, the Council may require a Payment in Lieu of Land Dedication.
3. All Payment in Lieu of Land Dedication shall be as follows.
 - a. Payment shall be to the City of Florence.
 - b. Payment shall be in full prior to the signing of the Final Plat mylar by the Mayor.
 - c. All funds collected as Payment in Lieu shall be kept in separate, interest bearing accounts for each subdivision.
4. Payments in Lieu of Land Dedication for school purposes shall be transferred to the appropriate school district upon request of the school district and upon a finding by the City Council that:
 - a. The funds will be use in accordance with state statutes.
 - b. The residents of the Subdivision from which the funds originated will benefit from the use of the funds by the school district.

APPENDIX B
ADMINISTRATIVE PROCEDURES MANUAL
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A RESOLUTION ADOPTING AN ADMINISTRATIVE PROCEDURES MANUAL FOR LAND DEVELOPMENT CASES IN THE CITY OF FLORENCE, COLORADO.

WHEREAS, on July 3, 1995 the City Council of the City of Florence, Colorado adopted new Subdivision Regulations; and

WHEREAS, said Regulations consist of a Subdivision Ordinance and Resolutions which relate to the subdivision of land and the improvements thereon and establishes administrative procedures and a fee schedule; and

WHEREAS, said Resolutions are to be incorporated by reference in the Subdivision Regulations; and

WHEREAS, this Resolution adopts an Administrative Procedures Manual for new land development cases in the City of Florence, Colorado; and

WHEREAS, the City Council of the City of Florence believes it is in the best interest of the City to adopt the Administrative Procedures Manual.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FLORENCE, COLORADO THAT:

1. The City Council of the City of Florence hereby adopts this Resolution adopting an Administrative Procedures Manual for new land development cases within the City of Florence, Colorado.

2. The Administrative Procedures Manual is on file in the offices of the Florence City Clerk and made a part of this Resolution.

ADOPTED this 3rd day of July, 1995.

Merle Strickland
MAYOR
City of Florence
Florence, Colorado

ATTEST:

Doris E. Welton
City Clerk
City of Florence
Florence, Colorado

ADMINISTRATIVE PROCEDURES MANUAL
for
LAND DEVELOPMENT APPLICATIONS

This manual provides a detailed description of the administrative procedures for land development cases and, describes the process that is followed for land development cases in the City of Florence. It has two primary purposes:

- A. A reference for City staff to insure that the administration of land development cases is efficient and consistent.
- B. An information resource for land development applicants that provides an explanation of how the process works and assists the applicant in their planning.

This manual is not to be considered an official regulatory document. The legal requirements for all land development applications are found in the respective Ordinances and Resolutions of the City of Florence. In the event that there are contradictions or inconsistencies, real or perceived, between the language in this manual and the language in the Ordinances and Resolutions of the City of Florence, the language in the Ordinances and Resolutions shall apply.

ANNEXATIONS (RESERVED)

REZONING (RESERVED)

SUBDIVISIONS

I. SUBDIVISION ADMINISTRATOR

The City Manager or his or her designee is the official responsible for the interpretation and administration of the Subdivision Regulations. In the event that there is a request for an interpretation of the Regulations, the City Manager may consult with other officials or agencies, including the City Planner, City Attorney or the Planning Commission before advising an applicant.

Any person that is considering the subdivision of land in the City should consult with the City Manager concerning the feasibility of the proposed subdivision and for information on the process.

II. PRE-SUBMITTAL MEETING

A pre-submittal meeting with the City Manager is a required first step in the subdivision approval process. The purpose of the pre-submittal meeting is to (1) identify major issues or problems that will have to be addressed, (2) explain the submittal requirements and fees, and estimate a time schedule for completion of the process.

To schedule a presubmittal meeting an applicant can call or write the City Manager who will verify a meeting date and time. The City Manager can waive the pre-submittal meeting if, in the Managers opinion, a meeting would not be necessary. The applicant should bring the following information to the meeting (unless the City Manager determines that some or all of the information is not necessary):

- A. A copy of the current City of Florence Subdivision Regulations.
- B. A copy of the City of Florence Master Plan.
- C. A sketch plan of the proposed subdivision showing the following:
 1. A general legal description of the property to be subdivided referenced to the US Government Survey.
 2. A vicinity map showing the location of the property in relation to major roads or highways, municipal boundaries, streams or other commonly recognized natural features.
 3. All proposed lots with general dimensions or lot sizes.
 4. Topographical contours from available data such as USGS maps.
 5. General location and alignment of public and private streets.
 6. General floodplain limits and major drainage paths through the area.
 7. Location of areas proposed for open space.
 8. A statement as to how water and sanitary sewer services are to be provided.

The City Manager will advise the applicant regarding the consistency of the sketch plan with the general intent of the subdivision regulations and the responsibility of the applicant

for required public improvements and land dedication, and will estimate a time schedule for the process. The City Manager will provide the Applicant with a summary of the pre-submittal meeting discussions as soon as possible thereafter (see Form 1). The comments and suggestions of the City Manager shall be advisory only and shall not be construed as an official directive or as City policy, nor shall the comments of the City Manager constitute an official approval or disapproval of the applicant's request.

III. PRELIMINARY PLAT

The preliminary plat is the first phase of the platting process. It is at the preliminary plat stage that the planning of the subdivision takes place and the determination of the public improvements that will be required. The preliminary plat takes more time to review and process than does the final plat and it is the preliminary plat that is the subject of the official public hearing. Careful attention to all issues by the applicant and careful review by the City staff and Planning Commission at the time of the preliminary plat will allow a much shorter and less complicated processing of the final plat.

A. Preliminary Plat Submittal Requirements

The submittal requirements are listed in Article II, Section 2 of the City of Florence Subdivision Ordinance and are repeated below for easy reference.

An application for preliminary plat approval shall include an original and ten copies (unless otherwise noted) of the following:

1. Land Development Application Form with all requested information completed and, required signatures.
2. A Letter of Intent signed by the applicant subdivider which explains the purpose of the application and includes all requests and justification for any variances from the standards, or waivers of submittal requirements.
3. Proof of ownership of the property to be subdivided. A subdivider shall include an original and one copy of an Affidavit of Ownership signed and notarized by all owners of the property. If the property is owned by a corporation, an authorized officer shall sign the Affidavit. If the applicant is different from the property owner, documentation of the applicant's authority to act for the owner shall be included.

4. Payment of the processing fee.
5. A preliminary plat map which shall be a print of a 24"x 36" matte mylar drawn in black ink or a blackline positive mylar of the same and shall contain the following information:
 - a. Name of subdivision, type of proposal (preliminary plat), legal description of the total land area referenced to township, range, section; county and state, date of the drawing, scale 1:100 or larger, and north arrow;
 - b. Vicinity map with North arrow (scale of 1"=2000' preferred) with an emphasis on the major roadway network within one (1) mile of the proposed subdivision;
 - c. Boundary lines of the proposed subdivision drawn in a heavy solid line.
 - d. Existing zoning district boundary lines;
 - e. Existing contours with intervals of two (2) feet or less within the tract and at least one hundred feet (100') immediately adjacent thereto. In the absence of available two foot contour data, the contour intervals must be deemed acceptable by the City Manager.
 - f. All parcels of land to be dedicated for public use or reserved for the use of all property owners in the proposed subdivision together with the purpose and conditions of such reservations. This shall include the names, locations and widths of proposed rights-of-way of streets and alleys, together with total lineal footage of streets and alleys.
 - g. Location, width and purpose of all existing and/or proposed public and/or private easements including existing and/or proposed sanitary sewers, utility main lines, culverts, storm sewers and stormwater detention areas located within the tract and at least one hundred feet (100') immediately adjacent thereto.
 - h. Dimensions of proposed lots and blocks calculated to the nearest foot.
 - i. Drainage channels, wooded areas and other significant natural features within the tract and at least one hundred feet (100') immediately adjacent thereto.
 - j. Location, widths and names of all existing and/or platted rights-of-way for streets or other public ways within the tract and at least one hundred feet (100')

immediately adjacent thereto, railroad right-of-way, section lines and/or other such features.

- k. The boundary and source of reference of any one hundred year floodplain shall be shown on the preliminary plat. In the absence of reliable floodplain data, any areas of the plat that are known to be subject to flooding shall be delineated and noted on the plat map.
 - l. The appropriate sight distance triangle shall be designated and dimensioned at each roadway intersection.
 - m. If a perimeter fence is proposed, the fence line shall be delineated and a description of the type and height of the fence included.
 - n. Name(s) of adjacent property owners.
 - o. Site development details:
 - 1) total land area in acres;
 - 2) existing zoning of the property; and
 - 3) total number of proposed dwelling units.
 - p. Names and addresses of the owner(s), subdivider and surveyor.
6. A letter describing the water and sanitary sewer facilities proposed for the subdivision. If either the water or sanitary sewer facilities are to be individual wells and septic systems for each lot, the letter will include a statement that the wells and septic systems will be installed in conformance with the rules and regulations of the Colorado Department of Health.
7. A description and the estimated construction costs for roads, for the water supply and distribution systems, for sanitary sewer collection and treatment systems, storm drainage facilities and other such public facilities that may be required. The subdivider shall also state the form of collateral that will be provided to insure that such improvements will be completed. The forms of collateral that are acceptable to the City are listed in Appendix A, PART III, DEVELOPERS AGREEMENT.
8. A Phase I Drainage Study as specified in Appendix A, Part II, Public Improvement Design and Construction Standards.
9. Other documents and information as may be deemed necessary by the City Manager.

B. Processing the Preliminary Plat

1. Submittal.

When an application for a preliminary plat is submitted the City Manager will review the plat to insure that all submittal requirements have been met.

- a. If the application is complete or if there are only minor errors or omissions, the City Manager will schedule the case to be heard by the Planning Commission within 30 days of the date the application is complete. The City Manager will notify the applicant (form 2) of the date and time of the Planning Commission Public Hearing. The applicant is responsible for posting a sign on the property notifying the public of the Planning Commission hearing. Instructions on posting will be included in the notification from the City Manager.
- b. If the application is deficient due to failure to include major items, or there are major errors, the City Manager will return the application with a copy of the Subdivision Check List (form 3) showing the items that need to be corrected. Once the corrected application has been received the City Manager will schedule the case for a Planning Commission Hearing within 30 days.
- c. If the applicant has requested a Variance from the required standards or public improvements or a Waiver of one or more submittal requirements, the application for Preliminary Plat will not be accepted for processing until the Variance and/or Waiver has been approved by the City Council, except when in the opinion of the City Manager, a denial of the Variance or Waiver would not affect the design of the plat or create a delay in the process.

2. Notification.

At least 15 days prior to the Planning Commission meeting the City Manager will:

- a. Notify all property owners within 300 feet of the boundary of the proposed subdivision that an application for preliminary plat approval has been accepted. Such notification shall include the name of the Subdivider and the general location of the proposed subdivision. The notice shall also state the date and time of the Planning Commission meeting at which the preliminary Plat request will be heard. The property

owners to be notified shall be the owner of record as shown in the records of the County Assessor. Notification shall be by registered mail. A list of the notified property owners should be placed in the case file.

b. Have a notice published in the a newspaper of general circulation stating the purpose, date and time of the Public Hearing.

3. Referral (use form 4)

Depending on the location and size of the proposed subdivision, the City Manager may refer a copy of the Application, the Plat, the Letter of Intent, the Letter describing the water and sewer facilities, the Phase I Drainage Study and the public improvement estimates to all or some of the following agencies:

Members of the staff Development Review Team*
The City Engineer of Record
Fremont Sanitation District*
Fremont County Planning Department
Public Utilities (Power, Gas, Telephone, Cable T.V)
Florence School District (Residential Projects)
Special Districts (other than the School or Sanitation District) if the property is located within the District Boundaries)
Colorado Dept of Highways if highway access is proposed.

*Include date and time of staff Development Review Team meeting.

The referral agencies will be asked to return their comments within 20 days.

4. Development Review Team (DRT)

The DRT is a staff committee consisting of the City Manager and selected members of the City staff. The DRT meets monthly, or as required, to review land development applications. Representatives of the public utilities (gas and electric) and the Fremont Sanitation District may be invited to attend the DRT meeting if appropriate.

The City Manager prepares the agenda for the DRT meeting and prepares a summary of the comments and recommendations of the DRT.

5. Staff Report

Approximately 7 - 10 days prior to the Planning Commission Public Hearing, the City Manager will prepare a report to the Planning Commission on the proposed preliminary plat. The report shall include:

- a. A summary of the request and related information such as existing zoning, character of the adjacent property, etc.
- b. An analysis of the plat which summarizes whether all the required information is complete and correct.
- c. A summary of the Phase I Drainage Study.
- d. A summary of the referral comments
- e. Findings of fact.
- f. Recommendations.

A copy of the Subdivision Check List is included with the staff report.

C. Planning Commission Hearing

The first hearing on the preliminary plat is the official Public Hearing. The order of proceedings is as follows:

1. The Chairman opens the Public Hearing and states the purpose of the Hearing.
2. The City Manager will read the item into the record and present a summary report that includes a complete review of the Application.
3. The Applicant may make a presentation.
4. The Chairman opens the proceedings to public comment. Proponents of the request will be allowed to speak first, followed by the opponents. Members of the Planning Commission may then direct questions to the City manager, other City officials, the Applicant, proponents or opponents.
5. The Applicant will be allowed to respond to the testimony of the opponents of the request.
6. The Chairman will close or continue the Public Hearing.

If the Public Hearing is closed the Planning Commission will take one of the following actions:

1. Approve (with or without conditions).
2. Deny for specific reasons.

D. Appeal to City Council

In the event that the Planning Commission denies the Preliminary Plat, the Applicant may appeal to the City Council. The Applicant may also appeal any conditions placed on the approval of the preliminary plat. The appeal must be in writing to the City Manager within 15 days of the Planning Commission action.

E. Filing the Preliminary Plat

If the Planning Commission approves the Preliminary Plat (or the Council approves on appeal) the Applicant will make any required revisions to the plat map and submit it to the City Manager.

IV. FINAL PLAT

Approval of the Final Plat is the completion of the subdivision platting process and the Final Plat is the legal document which governs the subdivision and which is recorded. Unlike the Preliminary Plat which is a planning document, the Final Plat requires detailed and exact survey data and more detailed and complete engineering data. It is not recommended that subdividers prepare a Final Plat until the Preliminary Plat has been approved by the City Council.

A. Final Plat Submittal Requirements

The submittal requirements are listed in Article II, Section 3, of the City of Florence Subdivision Ordinance and are repeated here for easier reference.

An application for final plat approval shall include the following:

1. An "Application for Land Development Approval" with all requested information completed and required signatures.
2. A letter of intent describing the proposed subdivision and identifying and justifying all requested Waivers or Variances.
3. A copy of the approved Preliminary Plat.

4. Title or an abstract of title covering all public lands required to be dedicated, except streets and easements.
5. A Final Plat map which shall be a print of 24"x 36" matte mylar drawn in black ink or a blackline positive mylar of the same, which shall contain the following information:
 - a. Name of the subdivision, name of the county (Fremont) and state (Colorado), and the location and legal description of the subdivision referenced to section, township and range;
 - b. North arrow, scale, (1:100 or larger) dates of original drawing, and subsequent revisions and sheet number;
 - c. Vicinity map (scale of 1:2000' preferred) showing the subdivision in relation to government section lines and major roads or highways within one mile;
 - d. Owners and mortgagee's Certificate of Dedication of public rights-of-way and easements, and the surveyor's Certificate of Survey, his or her seal, and the date of survey;
 - e. Boundary of the subdivision in a heavy solid line with a small circle at each change in direction;
 - f. Planning Commission Chairman and Mayor of the City of Florence signature blocks, certificate of the City's acceptance of public right-of-way and easements and public land dedications, and the County Recorder's Book and Page line.
 - g. The location and description of all section corners and permanent survey monuments in or near the subdivision and all survey data shall be as specified in The Manual of Instruction for the Survey of Public Lands , 1977, except as modified by Colorado Revised Statues 38-51-101 through 103.
 - h. The length of subdivision perimeter boundary lines in feet and decimals thereof. Boundary lengths, bearings and angles must close within the limits of one (1) in two thousand (2000)
 - i. The ownership of lands abutting the subdivisions, or the name of any adjacent subdivision.
 - j. The delineation, dimensions and names of all proposed public roads and access easements to public rights-of-way and adjacent roads and rights-of-way.

- k. The lines of all proposed lots fully dimensions by length and widths in feet and decimals thereof, and the acreage for each lot, shown within the lot lines.
 - l. The address of each lot.
 - m. The blocks numbered consecutively throughout the subdivision, and the lots numbered consecutively throughout each block, with the areas to be excluded from the plat marked "Reserved" or "Not a Part".
 - n. The outline and notification of any property which is offered for dedication to public use fully dimensioned by lengths and bearings or angles with the area marked "public".
 - o. The identification, location and dimensions of all easements for public services or utilities, and the line delineating the perimeter fencing if fencing required.
 - p. The identification and designation of the boundaries of any 100 year floodplain or areas subject to flooding, and the source of the designation.
 - q. The appropriate traffic sight triangle shall be designated on lots located at the intersection of roadways.
 - r. A note disclosing that there are private restrictive covenants on the property and an acknowledgement that the City has no responsibility for enforcing the covenants.
 - s. Other plat notes as may be required by the City Council.
6. A Phase II Drainage Study as specified in Appendix A, PART II, Section 2, Public Improvements Design Standards.
 7. Two sets of preliminary construction plans for the public improvements prepared in accordance with the requirements contained in Appendix A., PART II, Public Improvement Design and Construction Standards.

B. Processing the Final Plat

1. Submittal.

When an application for a final plat is submitted the City Manager will review the plat to insure that all submittal requirements have been met.

- a. If the application is complete or if there are only minor errors or omissions, the City Manager will schedule the case to be reviewed by the Planning Commission at their next regular meeting, if possible. The City Manager will notify the applicant of the date and time of the Planning Commissions Public Meeting.
- b. If the application does not conform to the approved Preliminary Plat or its is deficient due to major omissions or errors, the City Manager will return the application with a copy of the Subdivision Check List (form 3a) showing the items that need to be corrected. Once the corrected application has been received the City Manager will schedule the case for a Planning Commission review at their next regular meeting, if possible.
- c. If the applicant has requested a Variance from the required standards or public improvements or a Waiver of one or more submittal requirements, the application for Final Plat will not be accepted for processing until the Variance and/.or Waiver has been approved by the City Council, except when, in the opinion of the City Manager, a denial of the Variance or Waiver would not affect the design of the plat or create a delay in the process.

2. Referral (use form 4)

The City Manager, if deemed necessary, will refer a copy of the Application, the Plat, the Letter of Intent, the Letter describing the water and sewer facilities, the Phase II Drainage Study and the public improvement estimates to the following agencies or persons:

- Members of the staff Development Review Team*
- The City Engineer of Record
- Fremont Sanitation District*
- Fremont County Planning Department
- Public Utilities (list)*

The referral agencies will be asked to return their comments within 15 days.

3. Staff Report

Approximately 7 - 10 days prior to the Planning Commission Meeting, the City Manager will prepare a report to the Planning Commission on the proposed final plat. The report shall include:

- a. A summary of the request and related information such as existing zoning, character of the adjacent property, etc.
- b. An analysis of the plat which summarizes whether all the required information is complete and correct.
- c. A summary of the Phase I Drainage Study.
- d. Findings of fact.
- e. Recommendations.

A copy of the Subdivision Check List (form 3b) is included with the staff report.

C. Planning Commission Review

The Planning Commission reviews the Final Plat in order to insure that it is consistent with the approved Preliminary Plat. There is no official public hearing. The Final Plat is reviewed as a regular agenda item. The process followed by the Planning Commission in reviewing the Final Plat is as for the Preliminary Plat except that it is not an official Public Hearing.

D. Planning Commission Action

The Planning Commission will take one of the following actions:

1. Find that the Final Plat is generally consistent with the Preliminary Plat and recommend approval, with or without conditions.
2. Find that the Final Plat is not consistent with the Preliminary Plat and state the reasons.
3. Table action on the Final Plat due to incomplete information.

E. City Council Review

Upon completion of the Planning Commission action on the final plat the City Manager will schedule the final plat for the next regular City Council meeting, if possible. The procedure at the City Council meeting will be as follows:

1. The City Council shall receive the report of the City Manager and the Planning Commission recommendations and may or may not comment.
2. If the Planning Commission recommended approval without condition, the applicant may or may not be asked to speak. The Council will ask for comment from the public, and if there is a question that requires a response from the staff or the applicant, the City Manager will be asked to respond.
3. If the Planning Commission recommendation was for approval with conditions, or for denial of the Final Plat, the applicant will be asked to respond to the findings of the Planning Commission. The public will be asked to comment and the applicant will be allowed to respond to the specific comments, if necessary.

F. City Council Action

The City Council may take one of the following actions:

1. Approve the Final Plat and the Subdivision Improvements Agreement, with or without conditions.
2. Deny the Final Plat and state the reasons for denial.
3. Table to a date certain for additional information.

G. Filing the Final Plat

If the City Council approves the Final plat the applicant shall:

1. Prepare a print of the signature mylar (check print) with all the required revisions and submit to the City Manager. The City Manager will review the check print and inform the applicant of any necessary changes.
2. Prepare the signature mylar and get all the required signatures (except Mayor and City Clerk) and submit to the City Manager with a signed Subdivision Improvements Agreement.
3. Submit a deed for any required public sites.

4. Pay all required fees and payments (outstanding review and processing fees, Payment in Lieu of Land Dedication, recording fees for the Final Plat and Subdivision Improvements Agreement).

H. Recording

The City Clerk will record, or cause to be recorded the Final Plat, Subdivision Improvements Agreement and the deeds for public sites as soon as possible after they have been deemed to be complete by the City Attorney.

V. MINOR SUBDIVISIONS

A. General

Minor Subdivisions are an Exemption that provides an abbreviated process for small divisions of land. The criteria for a Minor Subdivision are contained in Article II, Section 4 of the Subdivision Ordinance and are:

1. Not more than three new lots will be created.
2. There are not public improvement requirements or the improvements are very minor.
3. The proposed subdivision contains all the contiguous property owned by the subdivider.

Minor Subdivisions are not permitted as the first stage of a larger development.

B. Submittal Requirements.

Minor Subdivisions require a Sketch Plan and a Final Plat. The submittal requirements for the Sketch Plan phase are listed in Part II of this Manual. After the Sketch plan and supporting materials have been submitted, the City Manager will make a determination as to whether the proposed subdivision meets the criteria for a Minor Subdivision. The City Manager will notify the applicant that:

1. The application does not meet the criteria for a Minor Subdivision and the full preliminary and final plat process will be required.
2. The application meets the criteria for a Minor Subdivision and will be scheduled for Planning Commission review at their next regular meeting unless the agenda for that meeting has been distributed in which case the application will be scheduled for the following regular meeting.

C. Process

Upon receipt of the City' Managers decision that the Minor Subdivision has been scheduled for review by the Planning Commission, the Applicant will notify all property owners within 200' of the proposed subdivision of the intent and of the date, time and place of the Planning Commission meeting.

1. Referrals

The City Manager will refer the Sketch Plan application and all supporting materials to:

Members of the staff Development Review Team*
The City Engineer of Record
Fremont Sanitation District*
Fremont County Planning Department
Public Utilities (list)*

Depending on the particular location of the property and the type of land use, the City Manager may refer the case to other agencies that may have an interest.

*Include date and time of staff Development Review Team Meeting.

The referral agencies will be notified of the date of the Planning Commission meeting and be asked to respond as soon as possible.

2. Staff Report

Prior to the Planning Commission Meeting, the City Manager will prepare a summary report of the proposed Minor Subdivision including a summary of the comments of the referral agencies.

D. Planning Commission Review

The Planning Commission will review the Minor Subdivision as a regular agenda item and take one of the following actions:

1. Find that the Sketch Plan meets the criteria for a Minor Subdivision and that the applicant proceed to the Final Plat phase. The Planning Commission may also recommend revisions to be made on the Final Plat.
2. Find that the Sketch Plan does not meet the criteria for a Minor Subdivision and recommend that the applicant go through the full preliminary process.

E. Final Plat Phase

The second phase of the Minor Subdivision is a Final Plat as specified in Article II, Section 3 of the Subdivision Ordinance. The processing and approval shall be as specified for a Final Plat.

VI. RESUBDIVISIONS

Resubdivisions must follow the same procedures as a new plat except as provided in Section VII below.

VII. MINOR RESUBDIVISIONS AND MINOR AMENDMENTS

A. General

The Minor Resubdivision may only be used for amendments, changes and revisions to a Final Plat that have been determined by the City Council to be of a minor engineering, planning or administrative nature. Minor Amendments may only be used for amendments, changes and revisions to an approved Preliminary Plat that have been determined by the Planning Commission to be of a minor engineering, planning or administrative nature. The criteria used by the Council, the Planning Commission and the City Manager in interpreting this section shall be as stated in Article II, Section 6 and 7 of the Subdivision Ordinance and repeated here for easy reference.

1. The land has already been subdivided and there exists a Preliminary or Final Plat which was approved after January 1, 1987.
2. No additional right-of-way dedications or public improvements are necessary;
3. No perimeter boundary of an existing subdivision plat is affected.
4. The perimeter of boundaries of the Minor Resubdivision or Minor Amendment coincide with the existing lots and blocks.
5. The number of lots shall not be increased and all lots shall be in conformance with the City Zoning Ordinance in effect at the time the Minor Subdivision/ Minor Amendment is approved.

B. Submittal Requirements

The submittal requirements for a Minor Resubdivision or Minor Amendment shall include the fees and five copies of the following:

1. A Land Development Application Form
2. A letter of Intent explaining the proposed Minor Resubdivision/Minor Amendment.
3. Proof of Ownership.
4. (one) Copy of the approved (current) Final or Preliminary Plat.
5. A Final Plat Map (for minor resubdivisions) or a Preliminary Plat Map (for Minor Amendments) as specified in Part III.A. and Part II.A of this Manual.

C. Process.

The City Manager will review the application, the plat map and the other materials to determine whether the application meets the requirements of a Minor Resubdivision or Minor Amendment.

1. If the application does not meet the criteria for a Minor Subdivision or Minor Amendment the City Manager shall return the application and all material to the Applicant with a letter explaining why the application has been returned.
2. If the City Manager determines that the application does meet the criteria the case shall be scheduled for the next available City Council meeting (Minor Resubdivision) or Planning Commission (Minor Amendment), except that where the Minor Resubdivision entails only the revision or deletion of an interior lot line, the City Manager has the authority to approve the lot line change.

Requests for an Minor Resubdivision or Minor Amendment shall include an Application for Subdivision Approval and supporting documentation as specified in the Administrative Procedures Manual.

D. Approvals

1. Except for lot line adjustments, a Minor Resubdivision of a Final Plat is to be reviewed by the City Council. Approval of an Minor Resubdivision of a Final Plat automatically amends the related Preliminary Plat.
2. Except for lot line adjustments Minor Amendments to an approved Preliminary Plat when no Final Plat has been requested are to be reviewed by the Planning Commission.
3. Minor Resubdivisions and Minor Amendments that involve only the moving of a lot line may be approved by the City Manager

4. Recording of Minor Resubdivisions shall be the same as for Final Plats.

VIII. RELATED PROCEDURES: EXEMPTIONS, WAIVERS, VARIANCES

A. Intent

Related Procedures are intended to provide relief from some or all of the provisions of the Subdivision Ordinance, as follows:

1. Exemptions

The City Council may grant exemptions from part or all of the requirements of this Ordinance when one or more of the conditions specified in Article II, Section 1 of the Subdivision Ordinance which are repeated here for easy reference.

- a. The land was a "Parcel of Record" prior to the enactment of this Ordinance.
- b. Land which is being divided for purposes other than real estate development including cemetery lots and other land divisions of a similar nature;
- c. Land which is being divided for purposes of separating ownership only and no development is planned or proposed. "Separation of Ownership" exemptions shall prohibit the issuance of building permits. Separation of Ownership shall be considered, but not limited to, properties being divided due to inheritance, divorce decree, mortgage foreclosures, or other order of a court of competent jurisdiction;
- d. The division of agricultural land into separate agricultural parcels of not less than ten (10) acres and the number of new parcels shall not be greater than 3 in number;
- e. When two or more persons have an undivided interest in land and they desire to divide that interest and there is no development intent.
- f. The land qualifies for a Minor Subdivision as specified in Article II, Section 4 of this Ordinance.

2. Waivers

The City Council may waive certain submittal requirements for an application for Subdivision Approval or for all or a portion of the required processing fees. A waiver request

can be presented prior to the submittal of the Preliminary Plat or Final Plat application or as part of the plat submittal.

3. Variances

A variance from specific requirements of this ordinance may be granted by the City Council upon finding that, due to unusual circumstances relating to the physical characteristics of the property or land adjacent to the property, conformance with the specific requirement would create an undue hardship on the property owner, and that the public health, safety and welfare would not be adversely affected by the granting of the variance. Variances shall not be granted on the basis of the financial status of the property owner or subdivider.

B. Process

The submittal requirements for Exemptions and Variances and Waivers include:

1. A completed Land Development Application Form.
2. A letter of Intent
3. Fees
4. Proof of Ownership (Exemptions)
5. For exemptions, a survey by a Registered Land Surveyor in the State of Colorado showing the parcels to be exempted.

Upon review and determination by the City Manager that the requests meet the requirements and criteria specified in the Ordinance, the City Manager shall schedule the request for the next regular meeting of the City Council that is at least five days after the application is accepted.

The City Manager will forward the Application and other materials as necessary to the members of the Council.

C. Approval

The City Council may approve or deny the request for an Exemption, Waiver or Variance or they may table the request for more information.

IX. VACATIONS

A. Vacation of all or a Portion of a Final Plat

Except for the vacation of interior lot lines which are part of the Minor Resubdivision procedure, vacation of part or all of an approved Final Plat shall be as follows:

1. Submittal Requirements

a. A Land Development Application Form.

b. A petition signed by not less than 50% of the owners of the lots in the Final Plat.

c. A letter notifying all owners of record that did not sign the Petition that a request for vacation of the Final Plat, or a portion thereof, has been submitted. Such letter shall be by Registered Mail.

d. A check for the processing fees.

2. Process

a. Upon determining that the petition for vacation of all or part of a Final Plat is complete and that the non-petitioning lot owners have been notified, The City Manager will schedule the request for a Public Hearing by the City Council within 30 days from the date the petition was accepted.

b. The City Manager will prepare a summary report, which shall be included in the packet of information sent to the City Council.

3. City Council Action

The City Council will hold a Public Hearing in accordance with the requirements of the public hearing procedures as stated in the City Code. After hearing testimony in the Public Hearing the City Council will take one of the following actions:

a. Approve the plat vacation request with or with conditions.

b. Deny the plat vacation request for specified reasons.

c. Continue the Public Hearing for additional information.

Approval of the vacation shall be by Ordinance and the City Clerk shall record or cause to be recorded the map of the vacation as soon as possible following the Council approval.

B. Vacation of Streets, Right-of-Ways and Easements

1. Submittal Requirements

A request for vacation of a street, alley, easement or public right -of -way requires the following:

- a. Land development Application
- b. Five copies of a Letter of Intent. This letter should include information which indicates no public moneys have been spent on such portion of roadway, and that no property will be left without proper access due to this vacation.
- c. Five copies on an 8½"X11" or 8½"X13" map illustrating the following factors:
 - 1). The street you wish to vacate including all necessary dimensions and rights of way.
 - 2). Cross-hatch or otherwise illustrate the portion of road you wish to vacate.
 - 3). All lots adjoining the portion of road to be vacated along with the names of the owners of such lots, plus their mailing address.
 - 4). Indicate the name and addresses of the applicants.
 - 5). Title the map "A vacation of (name or description)".
 - 6). Include on, or attach to the map a legal description of the portion of road to be vacated.

2. Process

- a. Upon determination that the Application is complete, the City Manager will schedule a public hearing. The property owners abutting the street , easement or right of way to be vacated will be notified and a Notice of Public Hearing stating the date, time, place and purpose of the public hearing will be published in a newspaper of general circulation.
- b. The City Manager will prepare a summary report for the City Council and the report will be entered into the record at the Public Hearing.

3. City Council Action

After hearing testimony at the public hearing the Council may continue or close the hearing. Upon closing of the hearing the Council will either approve or deny the vacation

X. APPEALS

- A. In the event that any person disagrees with the City Manager's interpretation of the language of this Ordinance they may appeal to the City Council by submitting a letter stating the particular action of the Planning Commission or administrative official. The letter must be submitted within 15 days of the Planning Commission action or action of the administrative official. The City Manager will schedule the appeal for the next regular meeting of the City Council if time permits. The City Council will consider the appeal and either approve or deny.
- B. Appeal of a decision of the County Council shall be as provided for in state statutes.

FORM 1
PRE-SUBMITTAL MEETING SUMMARY

DATE _____

APPLICANT _____
(NAME)

(ADDRESS)

(CITY, STATE, ZIP CODE)

TELEPHONE _____

FAX _____

TYPE OF REQUEST _____

LOCATION _____

SIZE (ACRES) _____

EXISTING ZONING

COMMENTS _____

VARIANCES/WAIVERS _____

FEES _____

APPLICANT _____

CITY MANAGER _____

FORM 2

STAFF REVIEW OF PRELIMINARY PLAT
(FOR STAFF USE ONLY)

RE: Case _____, Preliminary Plat,

(name of subdivision)

Dear M. _____

We have completed our review of your Application for Preliminary Plat approval and have taken the following action.

_____. We have determined that the Application is complete and scheduled the case to be heard by the City of Florence Planning Commission at their regular meeting on _____.
(date)

_____. We are returning the Application because we have determined that there are required items missing from the Application or there are major errors or omissions in the Preliminary Plat Map. These specific items are shown on the attached Preliminary Plat Check List. Please correct the Application or Plat Map and return to this office.

_____. You have requested a (Variance/Waiver) for the purpose of _____. Until your request for the (Variance/Waiver) has been approved, the preliminary Plat cannot be accepted.

If you have any questions please feel free to call me at (719) 784-4848.

Sincerely,

City Manager

FORM 3

PRELIMINARY PLAT CHECK LIST

The purpose of this check list is to assist the City Manager and the Applicant to determine whether and Application for Preliminary Plat approval is complete. This is not a verification of the correctness of the information for the accuracy of the survey data.

I. Application and Supporting Documentation

- | | | | |
|-------------------------|-------------|--------------------------------|-------------|
| 1. Application complete | (Y/N) _____ | 2. Letter of intent | (Y/N) _____ |
| 3. Proof of ownership | _____ | 4. Fees paid | _____ |
| 5. Utility letters | _____ | 6. Construction cost estimates | _____ |

Variance Requested _____
 Waiver Requested _____

Comments _____

II. Preliminary Plat Map

- | | | | |
|-----------------------------|-------|------------------------|-------|
| 1. Title Block w/subd. name | _____ | 2. Legal Description | _____ |
| 3. Vicinity Map w/N-arrow | _____ | 4. Subd. boundary line | _____ |
| 5. Zoning District Lines | _____ | 6. Topography | _____ |
| 7. Dedicated land. | _____ | 8. Streets/Roads | _____ |
| | | a. Dimensioned | _____ |
| | | b. Meets Standards | _____ |
| 9. Utility Easements | | 10. Lots & Blocks | _____ |
| a. Dimensioned | _____ | w/ dimensions. | |
| b. Meets Standards | _____ | | |
11. Significant natural features (wetlands, wooded areas, streams, ditches, rock formations, etc) _____
12. Subdivision Design Standards (in general conformance?) _____
- | | | | |
|----------------------------|-------|-----------------------|-------|
| 13. Adjacent Streets & ROW | _____ | 14. Floodplain | _____ |
| 15. Sight Triangle | _____ | 16. Perim. fence line | _____ |
17. Names and Address of owner, subdivider, surveyor. _____
18. Site development data. _____
- Acreage _____
 # of DU's _____

****ITEMS IN BOLD ARE REQUIRED BEFORE A PRELIMINARY PLAT WILL BE ACCEPTED UNLESS A VARIANCE OR WAIVER HAS BEEN REQUESTED.

FORM 3a

FINAL PLAT CHECK LIST

The purpose of this check list is to assist the City Manager and the Applicant to determine whether and Application for Final Plat approval is complete. This is not a verification of the correctness of the information for the accuracy of the survey data.

I. Application and Supporting Documentation

- | | | | | | |
|-------------------------------|-------|-------|-------------------------------|-------|-------|
| 1. Application complete. | (Y/N) | _____ | 2. Letter of Intent. | (Y/N) | _____ |
| 3. Proof of ownership. | | _____ | 4. Fees Paid. | | _____ |
| 5. Phase II Drainage Study | | _____ | 6. Prelim. Construction Plans | | _____ |
| 7. Subdivision Imp. Agreement | | _____ | | | |
| Variance Requested | | _____ | | | |
| Waiver Requested | | _____ | | | |
| Comments | | _____ | | | |

II. Final Plat Map

- | | | | |
|---|-------|-------------------------|-------|
| 1. Title Block w/subd name | _____ | 2. Legal Description | _____ |
| 3. Vicinity Map w/N-arrow | _____ | 4. Subd. boundary line. | _____ |
| 5. Adjacent Owners/Subdv. | _____ | 6. Topography | _____ |
| 7. Dedicated land. | | 8. Streets/Roads | |
| a. Designated by Tract | _____ | a. Dimensioned | _____ |
| b. Dimensions/bearings | _____ | b. Meets Standards | _____ |
| 9. Utility Easements. | | 9. Lots & Blocks. | |
| a. Dimensions/ Bearings | _____ | dimensions/bearings. | _____ |
| b. Meets Standards | _____ | | |
| 10. Signature Blocks. Owner _____, Surveyor (with seal) _____, City Council _____, County Recorder _____ | | | |
| 11. Subdivision Design Standards (in general conformance?) | _____ | | |
| 12. Adjacent Streets & ROW | _____ | 13. Floodplain. | _____ |
| 14. Sight Triangle | _____ | | |
| 15. Other | _____ | | |

FORM 4

PRELIMINARY PLAT - REFERRAL AGENCY NOTIFICATION

(FOR STAFF USE ONLY)

RE: Case _____ Preliminary Plat, _____
Dear M. _____ (name of subdivision)

Enclosed is a copy of an application for preliminary plat approval for the above referenced subdivision that may be of interest to your office. The case has been scheduled for a Planning Commission Hearing on _____ (date). However, we need to prepare our staff comments in advance of that date. Please return a copy of this letter, with your comments, by _____ (date). I will be scheduling a staff Development Review Team meeting to review this case within the next few days. If you wish to attend that meeting and make your comments there, please call me at 784-4848.

City Manager

To be completed and returned by referral agency and returned to:
City of Florence
300 W. Main
Florence, CO 81226
(or FAX to 784-0228)

_____ We have reviewed the subject Application and have no major concerns.

_____ We have the following comments:

(Name & Title)