

Section 6 - Preliminary and Final Plat

(orig. 7-12-05; am. 5-20-08; 4-20-10)

A. Intent and Purpose

The Preliminary and Final Plat Process was created in order to offer an expedited review of subdivision applications. This process combines the separate Preliminary Plat and Final Plat processes into a single process, eliminating the need to go through the two separate processes. With the Preliminary and Final Plat process, an applicant will be able to schedule the Board of County Commissioners' hearing within three weeks of receiving a recommendation from the Planning Commission. The process outlines time frames and expectations, providing the applicant with a clear understanding of the steps involved prior to being scheduled for the public hearings. The Planning Director may waive the time frames included in this process depending on Planning and Zoning staffing levels and the complexity of the proposal. (am. 7-12-05; am. 5-20-08)

B. Application

1. The Preliminary and Final Plat process shall apply to all division of land, except those that have been exempted from the subdivision process. (am. 7-12-05; am. 5-20-08)
2. If the applicant desires to use the separate Preliminary Plat and Final Plat processes, then this process will not be required. (am. 7-12-05; am. 5-20-08)
3. A nonrefundable processing fee in an amount established by the Board of County Commissioners is required for this process. (am. 10-13-09)
4. Notification is required in accordance with the Notification Section. (orig. 10-13-09)
5. The following procedure and requirements shall apply to Preliminary Plat applications. (orig. 7-12-05)

C. Procedure

If the applicant complies with all given time frames, submits a complete application, and complies with all requirements of this Regulation, the estimated time to reach the public hearing phase of the process is 100 calendar days from the date of the 1st Referral. (am. 7-12-05; am. 4-4-06; am. 5-20-08; am. 10-13-09)

Process Steps	Processing Time Frames	
Optional Pre-Application Review Process or Meeting with Staff	Prior to Process	
Steps prior to 1st Referral		
Sufficiency Review	7 calendar days	
Formal Application	3 calendar days	
Process from 1st Referral to Public Hearings		
1st Referral	21 calendar days	100 Days to tentatively scheduled hearings if processing time frames are met.
Forwarding 1st Referral Comments	5 calendar days	
Response 1st Referral	21 calendar days	
Submittal of Revised Documents	3 calendar days	
2 nd Referral	14 calendar days	
Forwarding 2 nd Referral Comments	5 calendar days	
Hearing Documents	10 calendar days	
Hearing Preparation	21 calendar days	
Public Hearings and Post Hearing Review		
Planning Commission Hearing	Time varies based on PC and BCC actions; and applicant meeting approval conditions	
Board of County Commissioners Hearing		
Post Hearing Review		

Prior to submitting an application for this process, it is recommended that the applicant go through the Pre-Application Review Process, as identified in the Pre-Application Review Process Section. The Pre-Application Review Process will help identify the key issues that will need to be addressed during the platting process and will also help to establish the specific submittal requirements. The specific submittal requirements can also be established by obtaining an appointment with Staff to discuss the proposal. (am. 5-20-08; am. 10-13-09)

Steps Prior to 1st Referral

1. Sufficiency Review: The applicant shall submit all documents as identified in the Submittal Requirements Section for review by Staff. (am. 5-20-08; am. 10-13-09)

Staff shall have 7 calendar days to review this submittal. (am. 5-20-08)

Staff will review the sufficiency application to determine if the submittal documents are complete. Following this review, Staff will prepare a letter explaining any deficiencies in the submittal documents. The letter will include a referral matrix that identifies the referral agencies that will require referral documents. The response from Staff will also include a request for the applicant to submit the notification documents that are required to be mailed when the case is sent out on the 1st Referral. The applicant shall revise the submittal information as may be required to comply with County standards, and then submit the Formal Application. (am. 5-20-08; am. 10-13-09)

2. Formal Application: The applicant shall submit all documents as identified in the Staff response to the Sufficiency Review. (am. 5-20-08; am. 10-13-09)

The Case Manager shall have 3 calendar days to refer the application and referral fees to County divisions/departments and other agencies. A submittal package that is not complete in terms of the type and quantity of documents required will not be sent out on referral. (am. 5-20-08)

Process from 1st Referral to Public Hearings

3. 1st Referral: The referral agencies shall have 21 calendar days to respond in writing to the application. An extension of no more than 30 calendar days may be agreed to by the applicant. (am. 7-12-05; am. 5-20-08)

Notification is required at the time of the 1st Referral in accordance with the Notification Section. (orig. 10-13-09)

The Case Manager will tentatively schedule the Planning Commission hearing and the Board of County Commissioners' hearing when the application is sent out on the 1st Referral. The Planning Commission hearing will be tentatively set to the first available hearing date after 100 calendar days from the date of the 1st Referral. The Board of County Commissioners hearing will be scheduled for the first available hearing date after 19 calendar days from the Planning Commission hearing. [30-28-136(2) C.R.S.] (am. 5-20-08)

4. Forwarding 1st Referral Comments: The Case Manager shall have 5 calendar days, after the end of the referral period, to provide the applicant with a Staff response inclusive of referral agency responses. If the Case Manager indicates that the application is in substantial conformance with all applicable regulations and that only minor revisions to the documents are required, the application may proceed directly to the Hearing Documents phase of the process. Under this circumstance, the application will be scheduled for hearing dates earlier than those tentatively scheduled at the time of the 1st Referral. (am. 5-20-08)
5. Response to 1st Referral: The applicant shall have 21 calendar days to address, in writing, any issues identified by the Case Manager or any referral agency and resubmit revised documents for the 2nd referral. The applicant will be deemed to have consented to later hearing dates, than the tentatively scheduled hearing dates, if the resubmittal is not received within the 21 calendar day period. (am. 7-12-05; am. 5-20-08)

The applicant shall have a maximum of 120 calendar days to respond to the referral comments, or the application will be considered withdrawn. The applicant will then have to file a new application with the required fees and documents. The Planning Director may extend this 120 calendar day maximum response deadline for additional 120 calendar day periods if, in his/her opinion, the delay in response is for good cause. (am. 5-20-08)

6. Submittal of Revised Documents: The Case Manager shall have 3 calendar days to refer the revised documents and referral fees to County divisions/departments and other agencies. A submittal package that is not complete in terms of the type and quantity of documents required will not be sent out on referral. (orig. 5-20-08)
7. 2nd Referral: The referral agencies shall have 14 calendar days to respond in writing to the 2nd referral. (am. 5-20-08)
8. Forwarding 2nd Referral Comments: The Case Manager shall have 5 calendar days, after the end of the referral period, to provide the applicant with a Staff response inclusive of referral agency responses. The response from the Case Manager will include an opinion as to whether or not the case should proceed forward to hearing or if revised documents should be submitted for a subsequent referral process. (am. 5-20-08)

If the applicant has not consented to a later hearing date based on the time frames of this Regulation and chooses to move forward to the tentatively scheduled hearing, the applicant shall submit the hearing documents as requested by the Case Manager in accordance with the Hearing Documents phase of the process. (am. 5-20-08)

9. Response to 2nd Referral Comments: The applicant shall have a maximum of 120 calendar days to respond to the referral comments, or the application will be considered withdrawn. The applicant will then have to file a new application with the required fees and documents. The Planning Director may extend this 120 calendar day maximum response deadline for additional 120 calendar day periods if, in his/her opinion, the delay in response is for good cause. (orig. 5-20-08)
10. Additional Changes: For the 3rd referral, and for any subsequent referrals thereafter, the Case Manager shall have 3 calendar days to refer the revised documents and referral fees to County divisions/departments and other agencies. A submittal package that is not complete in terms of the type and quantity of documents required will not be sent out on referral. (am. 5-20-08)

The referral agencies shall have 7 calendar days to respond in writing to the 3rd referral, and for any subsequent referrals thereafter. (am. 5-20-08)

The Case Manager shall have 5 calendar days after the end of the 3rd referral, and for any subsequent referrals thereafter, to provide the applicant with a full Staff response inclusive of referral agency responses. The response from the Case Manager will include an opinion as to whether or not the case should proceed forward to hearing or if revised documents should be submitted for a subsequent referral process. (am. 5-20-08)

The applicant shall have a maximum of 120 calendar days to respond to the referral comments, or the application will be considered withdrawn. The applicant will then have to file a new application with the required fees and documents. The Planning Director may extend this 120 calendar day maximum response deadline for additional 120 calendar day periods if, in his/her opinion, the delay in response is for good cause. (am. 5-20-08)

11. Hearing Documents: The hearing documents shall be comprised of the revised Plat Document and other final documents as identified by the Case Manager. (am. 5-20-08)

If the applicant has not consented to a later hearing date based on the time constraints of this process, the applicant shall have 10 calendar days to address, in writing, any issues identified by the Case Manager or any referral agency and submit the hearing documents for the tentatively scheduled hearing. The applicant will be deemed to have consented to a later hearing date if the hearing documents are not received within the 10 calendar day period. (am. 5-20-08)

The applicant shall have a maximum of 120 calendar days to respond to the referral comments or to submit the hearing documents, or the application will be considered withdrawn. The applicant will then have to file a new application with the required fee and documents. The Planning Director may extend this 120 calendar day maximum response deadline for an additional 120 calendar days if, in his/her opinion, the delay in response is for good cause. (am. 5-20-08)

12. Hearing Scheduled:

- a. Planning Commission Hearing: If the applicant has consented to later hearing dates based on the time frames of this Regulation, the Planning Commission hearing will be scheduled for the first available hearing date after 21 calendar days from the submittal of the hearing documents. (am. 5-20-08)
- b. Board of County Commissioners Hearing: The Board of County Commissioners hearing will be scheduled for the first available hearing date after 19 calendar days from the Planning Commission hearing. (am. 5-20-08)

13. Hearing Preparation:

- a. Revisions to Documents Prior to Hearing: To ensure completeness and to allow adequate public review, no substantial revisions or additions, except in response to a Staff request or those specifically requested by the Planning Commission, may be made to any application or supporting documents within 21 days prior to any hearing. (orig. 5-20-08)
- b. Notification: Notification of the scheduled hearings is required in accordance with the Notification Section. (am. 5-20-08; am. 10-13-09)

Public Hearings and Post Hearing Review

14. Planning Commission Hearing: The Planning Commission shall review the application and the Staff report, receive testimony and evidence on the application, and shall recommend approval, conditional approval, or denial of the application to the Board of County Commissioners. The Planning Commission may continue the request for no more than 40 calendar days without the consent of the applicant; but in no event shall the hearing be continued for more than 180 calendar days. The continuance of a request shall be to a date certain. (am. 5-20-08)
15. Board of County Commissioners Hearing: The Board of County Commissioners shall review the application, the Staff report and the Planning Commission recommendation, receive testimony and evidence on the application, and shall approve, conditionally approve or deny the application. The Board of County Commissioners may continue the request for no more than 40 calendar days without the consent of the applicant; but in no event shall the hearing be continued for more than 180 calendar days. The continuance of a request shall be to a date certain. (am. 5-20-08)
16. Post Hearing Review: The applicant shall comply with all conditions of approval within 180 calendar days from the approval date by the Board of County Commissioners. If the applicant does not comply with the conditions within this timeframe, the approval shall be automatically rescinded. The Planning Director may extend this 180 calendar day recordation deadline for additional 180 calendar day periods if, in his/her opinion, the delay is for good cause. (am. 5-20-08; am. 10-13-09)

The Case Manager shall have 7 calendar days to review all documents submitted by the applicant for compliance with the approval conditions. If the revisions have been made in

accordance with the approval conditions, the Case Manager will authorize the preparation of the plat mylar and any other final documents. If additional revisions are required to meet the approval conditions, the Case Manager will return a letter to the applicant identifying the revisions that must be made in order to comply with the approval conditions. (orig. 5-20-08)

If the application needs to return to hearing for a non-substantial change that does not materially affect the content of the approved application, then the Planning Director may allow the application to proceed directly to a hearing before the Board of County Commissioners' without a hearing before the Planning Commission. (orig. 4-20-10)

At such time as the applicant complies with the approval conditions, submits the executed plat mylar and other final documents, and pays the recordation fees, Staff will obtain the required County approval signatures on the plat mylar and final documents, and have the documents recorded, as appropriate. (am. 5-20-08)

D. Format

1. The format of the Preliminary and Final Plat shall comply with the Final Plat provisions for Format, Survey and Monumentation, Plat Certificates, and Notes. (orig. 7-12-05; am. 5-20-08)
2. The following Preliminary Supplemental Information must be provided as a supplement: (am. 7-12-05)
 - a. Written Supplemental Data: The written supplemental data may be shown on an 8 1/2 x 11 sheet of paper or may be included on a plan sheet similar in nature to a preliminary plat document. The following written supplemental data must be provided: (reloc. 7-12-05)
 - (1) The name of the proposed subdivision. (reloc. 7-12-05)
 - (2) The name, address and phone number of the owner(s) and applicant and state and/or federal subdivider registration numbers, where applicable. (reloc. 7-12-05)
 - (3) The name, address and phone number of the person, firm or organization preparing the plat. (reloc. 7-12-05)
 - (4) A statement of the water source, including the well permit number and/or water court decree for any well or surface right to be used, and including an estimate of the total number of gallons per day of water system requirements when a distribution system is proposed. (reloc. 7-12-05)
 - (5) A statement of provisions for sewage disposal, including the estimated total number of gallons per day of sewage to be treated when a central sewage facility is proposed. (reloc. 7-12-05)
 - (6) The gallon capacity of fire cisterns or the estimated fire flow of hydrants when utilizing a proposed central water distribution system. (reloc. 7-12-05)
 - b. Graphic Supplemental Data: The graphic supplemental data may be shown on a plan sheet similar in nature to a preliminary plat document or on some other form of a 24x36 inch document such as a grading plan. The plan sheet must be at a scale of 1 inch to 100 feet or larger except when the plat depicts land exceeding 160 acres in size, and the minimum lot size is 3.5 acres, the drawing may be at a scale of 1 inch to 200 feet. Acceptable larger scales are 1 inch to 20 feet, 40 feet, 50 feet, or 60 feet. The following graphic supplemental data shall be provided: (reloc. 7-12-05)
 - (1) A north arrow and a written and graphic scale. (reloc. 7-12-05)
 - (2) The boundary, lots, tracts, and streets/roads of the subdivision. Lot and tract areas shall be indicated. (reloc. 7-12-05)

- (3) The location, widths, and approximate grades of all proposed streets/roads/driveways. (reloc. 7-12-05)
- (4) The existing and final contours at 2-foot intervals for subdivisions within the Plains and contours at 5-foot intervals for subdivisions within the Mountains including the method utilized to obtain all contour intervals. Contours shall be accurate to within 0.5 contour and elevations shall be based on United States Geologic Survey (U.S.G.S.) sea level datum. The U.S.G.S. quad maps shall not be accepted as evidence for topographic contours. (reloc. 7-12-05)
- (5) The approximate 100-year floodplain boundaries (both existing and as modified by the proposed development), and the location of all water courses and all known or proposed surface water areas. (reloc. 7-12-05)
- (6) The footprint of and planned disposition for existing buildings. (reloc. 7-12-05)
- (7) The location of major rock outcroppings and wooded areas. (reloc. 7-12-05)
- (8) The location and ownership of all irrigation ditches and laterals. (reloc. 7-12-05)
- (9) Non-buildable areas with approximate dimensions. (reloc. 7-12-05)
- (10) All proposed and existing fire hydrant or cistern locations. (reloc. 7-12-05)