

MEMORANDUM

TO: Planning Board
FROM: Sloane Walbert, Case Manager
DATE: April 20, 2016
SUBJECT: **Call-Up Item:** Minor Subdivision review for the creation of a second residential lot at 3627 Broadway. Lot 1 to be 30,081 square feet and Lot 2 to be 48,098 square feet and contain the existing single family home. Case no. LUR2015-00045. This approval is subject to potential call-up on or before **April 28, 2016**.

Attached is the disposition of the conditional approval (see [Attachment A](#)) of subdivision of a residential property within the Residential - Rural 2 (RR-2) zoning district to create an additional lot that will front on Broadway. Pursuant to [section 9-12-5\(a\)](#), B.R.C. 1981, a Minor Subdivision is required to subdivide the property (see [Attachment B](#) for Approved Final Plat).

Background. The subject property is a 1.8-acre lot located west of Broadway between Linden Avenue and Kalmia Avenue in the Juniper/Kalmia neighborhood (refer to *Figure 1, Vicinity Map*). The property is located just south of the North Boulder Subcommunity and is not subject to an adopted area plan. The property is currently unplatted and was annexed into the City in 1959. There was no Annexation Agreement associated with the annexation.



Figure 1: Vicinity Map

A single-family home with an attached garage built circa 1949 was demolished in 2014. Subsequently, a building permit was issued in January of 2015 for a new single-family home with an attached garage on proposed Lot 2. Construction of the 8,074 square foot home is complete. Vehicular access to both lots will be from Broadway. A public access easement was dedicated on the "flag" portion of Lot 2 for the benefit of Lot 1 to ensure that the properties will utilize a shared access. Refer to [Attachment B](#) for the exact location of the public access easement.

The subject property is zoned Residential - Rural 2 (RR-2), which is defined as “*single-family detached residential dwelling units at low to very low residential densities*” (section 9-5-2(c)(1)(A), B.R.C. 1981). The minimum lot area in RR-2 zoning is 30,000 square feet. Both proposed lots meet this minimum requirement. Following subdivision, both lots will be limited to a single dwelling unit, unless accessory dwelling units are proposed and approved pursuant to [section 9-6-3\(a\)](#), “Accessory Units,” B.R.C. 1981. Future development will be subject to compatible development standards, including side yard bulk plane, side yard wall articulation, maximum building coverage, and floor area ratio (FAR) requirements.

Public Comment. Required public notice was provided in the form of written notifications to adjacent property owners of the subject property. In addition, a public notice sign was posted on the property. Therefore, all public notice requirements of section 9-4-3, “*Public Notice Requirements*,” B.R.C. 1981 were met. No public comments have been received to date.

Conclusion. Staff finds that this application meets the Minor Subdivision criteria set forth in section 9-12-5(e), B.R.C. 1981. Further, the subdivision meets the minimum lot area requirements (Table 8-1: Intensity Standards) and the Standards for Lots and Public Improvements (Section 9-12-12). Refer to **Attachment C** for staff analysis of the land use code criteria.

This application was approved by Planning and Development Services staff on April 14, 2016 and the decision may be called-up before Planning Board on or before **April 28, 2016**. Two Planning Board meetings are scheduled within the 14-day call-up period. However, the call-up will be considered at the hearing on **April 28, 2016**. Questions about the project or decision should be directed to Sloane Walbert at 303-441-4231 or via email walberts@bouldercolorado.gov.

Attachments.

- Attachment A:** Disposition of Approval
- Attachment B:** Approved Final Plat for Quigley Subdivision
- Attachment C:** Analysis of City Code Criteria



**CITY OF BOULDER
Planning, Housing & Sustainability**

1739 Broadway, Third Floor • P.O. Box 791, Boulder, CO 80306-0791
phone 303-441-1880 • fax 303-441-3241 • web www.bouldercolorado.gov

**CITY OF BOULDER PLANNING DEPARTMENT
NOTICE OF DISPOSITION**

You are hereby advised that the following action was taken by the Planning Department based on the standards and criteria of the Land Use Regulations as set forth in section 9-12-5, B.R.C. 1981, as applied to the proposed development.

DECISION:	APPROVED
PROJECT NAME:	QUIGLEY SUBDIVISION
DESCRIPTION:	MINOR SUBDIVISION of an existing property to create one additional residential lot with frontage on Broadway. Lot 1 to be 30,081 square feet and Lot 2 to be 48,098 square feet.
LOCATION:	3627 BROADWAY
COOR:	N06W07
LEGAL DESCRIPTION:	See Exhibit A
APPLICANT/OWNER:	Todd and Jennifer Quigley
APPLICATION:	LUR2015-00045
ZONING:	Residential - Rural 2 (RR-2)
CASE MANAGER:	Sloane Walbert

THIS IS NOT A SITE SPECIFIC DEVELOPMENT PLAN APPROVAL AND NO VESTED PROPERTY RIGHT IS CREATED BY THIS APPROVAL.

Approved on: 4/14/2010
Date

By: [Signature]
David Driskell, Executive Director of Planning, Housing and Sustainability

This decision may be appealed to the Planning Board by filing an appeal letter with the Planning Department within two weeks of the decision date. If no such appeal is filed, the decision shall be deemed final fourteen days after the date above mentioned.

Appeal to Planning Board expires: 4/28/2010

Final decision date: _____

CONDITIONS OF APPROVAL

None.

Exhibit A

PARCEL A:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 24, TOWNSHIP 1 NORTH, RANGE 71 WEST OF THE 6TH P.M., COUNTY OF BOULDER, STATE OF COLORADO, THENCE WEST 398 FEET; THENCE SOUTH 215 FEET; THENCE EAST 398 FEET; THENCE NORTH 215 FEET TO THE PLACE OF BEGINNING, EXCEPT, HOWEVER, THE RIGHT OF WAY OVER THE EAST 30 FEET OF SAID TRACT FOR A PUBLIC HIGHWAY; AND FURTHER EXCEPTING THEREFROM THAT PORTION AS CONVEYED TO THE CITY OF BOULDER, A MUNICIPAL CORPORATION BY THE SPECIAL WARRANTY DEED RECORDED OCTOBER 16, 1981 UNDER RECEPTION NO. 468496 DESCRIBED AS FOLLOWS:

A TRACT OF PARCEL OF LAND IN THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 24, TOWNSHIP 1 NORTH, RANGE 71 WEST OF THE 6TH P.M., COUNTY OF BOULDER, STATE OF COLORADO, SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST RIGHT-OF-WAY LINE OF NORTH BROADWAY (MAY, 1981) FROM WHENCE THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 24 BEARS WEST 89 DEGREES 56 MINUTES 50 SECONDS EAST, A DISTANCE OF 30.00 FEET; THENCE SOUTH 00 DEGREES 03 MINUTES 10 SECONDS EAST, (SOUTH, DEED) ALONG THE WEST RIGHT-OF-WAY LINE OF NORTH BROADWAY, A DISTANCE OF 215 FEET; THENCE SOUTH 89 DEGREES 56 MINUTES 50 SECONDS WEST, (WEST, DEED), A DISTANCE OF 3.00 FEET; THENCE NORTH 00 DEGREES 03 MINUTES 10 SECONDS WEST, A DISTANCE OF 67.3 FEET; THENCE NORTH 01 DEGREES 36 MINUTES 15 SECONDS WEST, A DISTANCE OF 147.75 FEET;

THENCE NORTH 89 DEGREES 56 MINUTES 50 SECONDS EAST, (EAST, DEED), A DISTANCE OF 7.00 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, COUNTY OF BOULDER, STATE OF COLORADO.

PARCEL B:

AN EASEMENT FOR A DRIVEWAY OVER THE FOLLOWING DESCRIBED PARCEL:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 24, TOWNSHIP 1 NORTH, RANGE 71 WEST OF THE 6TH P.M., COUNTY OF BOULDER, STATE OF COLORADO; THENCE WEST 398 FEET; THENCE SOUTH 215 FEET TO THE TRUE POINT OF BEGINNING; THENCE EAST 20 FEET; THENCE SOUTH 115 FEET; THENCE WEST 20 FEET; THENCE NORTH 115 FEET TO THE TRUE POINT OF BEGINNING, EXCEPTING THEREFROM ANY PORTION THEREOF LYING WITH THE RIGHT-OF-WAY FOR KALMIA AVENUE AS SHOWN ON THE RECORDED PLAT OF EDWARDS SUBDIVISION RECORDED JULY 26, 1985 UNDER RECEPTION NO. 702105, COUNTY OF BOULDER, STATE OF COLORADO.

QUIGLEY SUBDIVISION

located in the Northeast Quarter of Section 24,
Township 1 North, Range 71 West of the 6th P.M.
City of Boulder, County of Boulder, State of Colorado

TOTAL AREA = 78179 SQUARE FEET OR 1.795 ACRES / SHEET 1 OF 1

Dedication:

KNOW ALL PERSONS BY THESE PRESENTS THAT THE UNDERSIGNED, TODD QUIGLEY AND JENNIFER S. QUIGLEY, BEING THE OWNERS AND PROPRIETORS OF THE LAND SITUATED IN THE CITY OF BOULDER, AND LYING WITHIN THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 1 NORTH, RANGE 71 WEST OF THE 6TH P.M., DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 24, TOWNSHIP 1 NORTH, RANGE 71 WEST OF THE 6TH P.M., COUNTY OF BOULDER, STATE OF COLORADO, THENCE WEST 398 FEET; THENCE SOUTH 215 FEET; THENCE EAST 398 FEET; THENCE NORTH 215 FEET; TO THE PLACE OF BEGINNING, EXCEPT, HOWEVER, THE RIGHT OF WAY OVER THE EAST 30 FEET OF SAID TRACT FOR A PUBLIC HIGHWAY;

AND FURTHER EXCEPTING THEREFROM THAT PORTION AS CONVEYED TO THE CITY OF BOULDER, A MUNICIPAL CORPORATION BY THE SPECIAL WARRANTY DEED RECORDED OCTOBER 16, 1981 AS RECEPTION NO. 468496 DESCRIBED AS FOLLOWS:

A TRACT OR PARCEL OF LAND IN THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 24, TOWNSHIP 1 NORTH, RANGE 71 WEST OF THE 6TH P.M., COUNTY OF BOULDER, STATE OF COLORADO, SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST RIGHT-OF-WAY LINE OF NORTH BROADWAY (MAY, 1981) FROM WHENCE THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 24 BEARS NORTH 89°56'50" EAST, A DISTANCE OF 30.00 FEET;

THENCE SOUTH 0°03'10" EAST (SOUTH, DEED) ALONG THE WEST RIGHT-OF-WAY LINE OF NORTH BROADWAY, A DISTANCE OF 215 FEET;

THENCE SOUTH 89°56'50" WEST (WEST, DEED), A DISTANCE OF 3.00 FEET;

THENCE NORTH 0°03'10" WEST, A DISTANCE OF 67.3 FEET;

THENCE NORTH 1°36'15" WEST, A DISTANCE OF 147.75 FEET;

THENCE NORTH 89°56'50" EAST, (EAST, DEED), A DISTANCE OF 7.00 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

HAVE CAUSED SAID REAL PROPERTY TO BE LAID OUT, SURVEYED, SUBDIVIDED AND PLATED UNDER THE NAME OF "QUIGLEY SUBDIVISION", A SUBDIVISION IN THE CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO.

FOR APPROVAL OF "QUIGLEY SUBDIVISION" AND THE DECLARATIONS AND CONDITIONS WHICH APPLY THERETO THIS 19 DAY OF Feb, 2016.

BY: Todd Quigley TODD QUIGLEY, OWNER BY: Jennifer S. Quigley JENNIFER S. QUIGLEY, OWNER

Acknowledgement

STATE OF COLORADO }
COUNTY OF BOULDER } SS

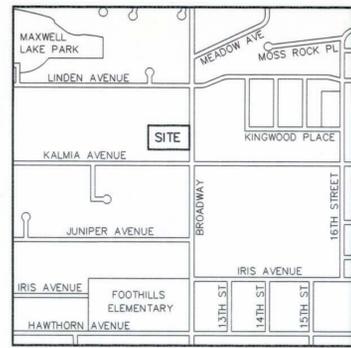
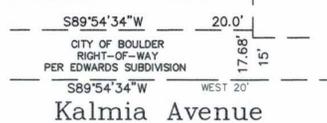
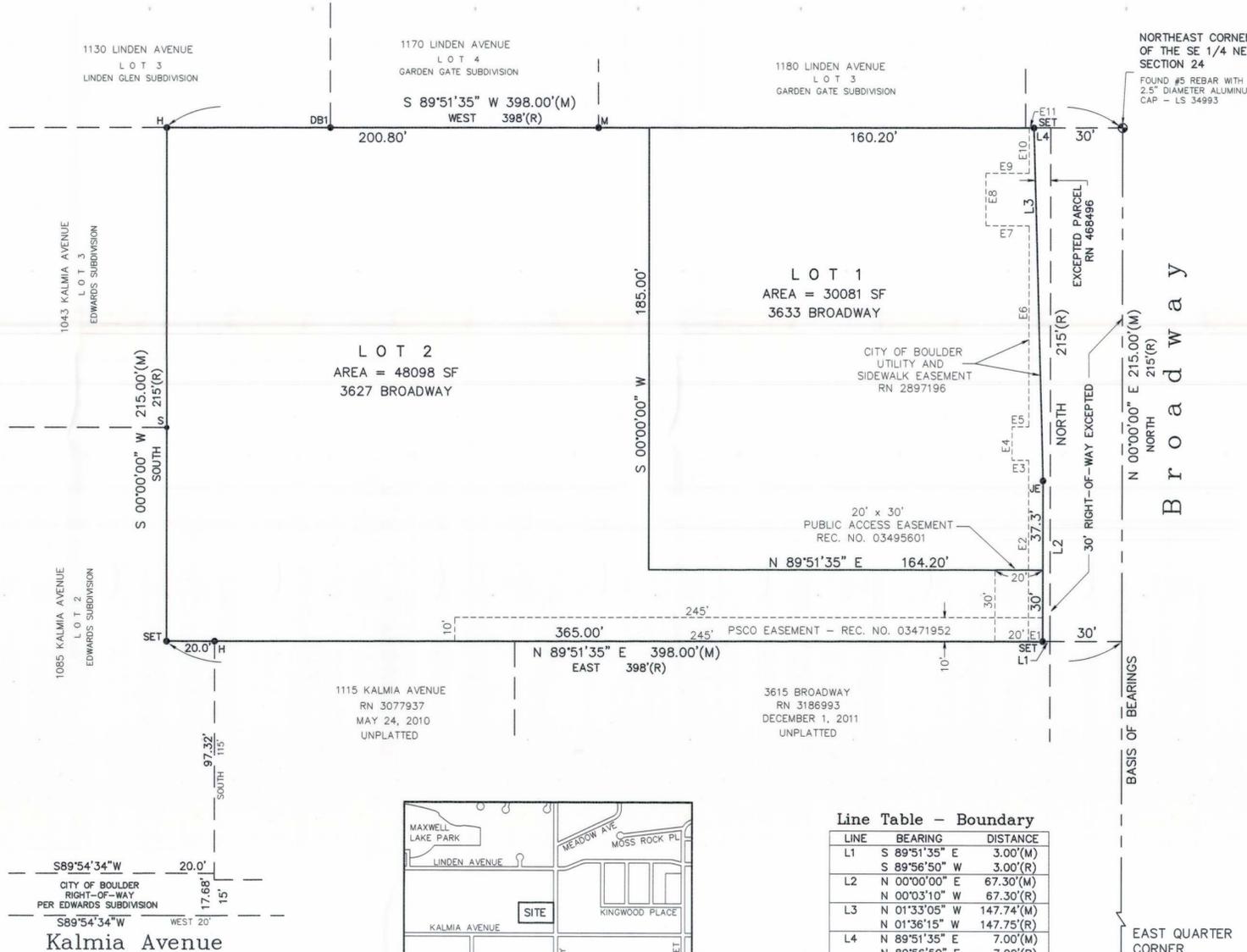
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 19 DAY OF February, 2016, BY TODD QUIGLEY AND JENNIFER S. QUIGLEY.

WITNESS MY HAND AND OFFICIAL SEAL:

MY COMMISSION EXPIRES: 7-17-2019 DATE

NOTARY PUBLIC

ASHLEY N BELL
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20154036925
MY COMMISSION EXPIRES SEPTEMBER 17, 2019



- Vicinity Map -
SCALE: 1" = 1000'

Legend

- SET #5 REBAR WITH 1 1/2" DIAMETER ALUMINUM CAP MARKED "SELLARS / LS 27165"
- FOUND #5 REBAR WITH PLASTIC CAP SET BY MICHAEL SMITH COLORADO LS 16428
- FOUND #4 REBAR WITH ALUMINUM COLLAR SET BY FRANK DREXEL COLORADO LS 2149
- RN RECEPTION NUMBER
- FOUND #5 REBAR WITH ALUMINUM CAP SET BY CHARLES MELVIN COLORADO LS 22576
- FOUND #4 REBAR WITH PLASTIC CAP SET BY JOHN HALL, COLORADO LS 15278
- FOUND 2" DIAMETER ALUMINUM CAP IN WALK MARKED "BOULDER LAND CONSULTANTS / PLS 20134" SET BY JASON EMERY

Line Table - Boundary

LINE	BEARING	DISTANCE
L1	S 89°51'35" E	3.00'(M)
	S 89°56'50" W	3.00'(R)
L2	N 00°00'00" E	67.30'(M)
	N 00°03'10" W	67.30'(R)
L3	N 01°33'05" E	147.74'(M)
	N 1°36'15" W	147.75'(R)
L4	N 89°51'35" E	7.00'(M)
	N 89°56'50" E	7.00'(R)

Line Table - Easement

LINE	BEARING	DISTANCE
E1	S 89°51'35" W	6.00'
E2	N 00°00'00" E	75.87'
E3	S 90°00'00" W	7.00'
E4	N 00°00'00" E	14.00'
E5	N 90°00'00" E	7.00'
E6	N 00°00'00" E	84.13'
E7	S 90°00'00" W	18.00'
E8	N 00°00'00" E	22.00'
E9	N 90°00'00" E	18.00'
E10	N 00°00'00" E	19.00'
E11	N 89°51'35" E	2.00'

- Notes:
- 1) LAND TITLE GUARANTEE COMPANY ORDER NUMBER K70475154-2 DATED FEBRUARY 1, 2016 WAS ENTIRELY RELIED UPON FOR RECORDED RIGHTS-OF-WAY, EASEMENTS AND ENCUMBRANCES IN THE PREPARATION OF THIS PLAT.
 - 2) ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
 - 3) BASIS OF BEARINGS: ASSUMED SOUTH 00°00'00" EAST ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 24.
 - 4) THE SUBJECT PROPERTY IS LOCATED IN ZONE X (UNSHADED), OUTSIDE OF THE 100 AND 500 YEAR FLOOD PLAINS, ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAP, MAP NUMBER 0801300391J, DATED DECEMBER 18, 2012. FLOOD INFORMATION IS SUBJECT TO CHANGE.

Lender's Consent and Subordination
THE UNDERSIGNED, A BENEFICIARY UNDER A CERTAIN DEED OF TRUST ENCUMBERING THE PROPERTY, HEREBY EXPRESSLY CONSENTS TO AND JOINS IN THE EXECUTION AND RECORDING OF THIS SUBDIVISION PLAT, DEDICATION AND EASEMENTS SHOWN HEREON AND MAKES THE DEED OF TRUST SUBORDINATE HERETO. THE UNDERSIGNED REPRESENTS THAT HE OR SHE HAS FULL POWER AND AUTHORITY TO EXECUTE THIS LENDER'S CONSENT AND SUBORDINATION ON BEHALF OF THE LENDER STATED BELOW.

SECURITY SERVICE FEDERAL CREDIT UNION.
BY: Michael J. Manley Assistant Vice President Mortgage Services

STATE OF COLORADO }
COUNTY OF BOULDER } SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 28 DAY OF March, 2016, BY Michael J. Manley AS Asst. Vice President OF SECURITY SERVICE FEDERAL CREDIT UNION.

WITNESS MY HAND AND OFFICIAL SEAL:
MY COMMISSION EXPIRES: 10-22-2019

[Seal] SONIA HERNANDEZ Notary Public STATE OF TEXAS My Comm. Exp. 06-22-2017 NOTARY PUBLIC

Approvals
DIRECTOR OF PLANNING
DIRECTOR OF PUBLIC WORKS AND UTILITIES

City Manager's Certificate
IN WITNESS WHEREOF, THE SAID CITY OF BOULDER HAS CAUSED ITS SEAL TO BE HEREUNTO AFFIXED BY ITS CITY MANAGER THIS ____ DAY OF ____ 2016.

ATTEST:
CITY CLERK CITY MANAGER

Clerk and Recorder's Certificate
STATE OF COLORADO }
COUNTY OF BOULDER } SS

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT ____ O'CLOCK, ____ M., THIS ____ DAY OF ____ 2016, AND IS RECORDED AT RECEPTION # ____ FEES PAID: \$ ____

CLERK AND RECORDER DEPUTY

Surveyor's Statement
I, STEVEN J. SELLARS, A DULY REGISTERED LAND SURVEYOR, LICENSED IN THE STATE OF COLORADO, HEREBY STATE FOR AND ON BEHALF OF FLAGSTAFF SURVEYING, INC., THAT THE SURVEY OF THE SUBJECT PARCELS WAS PERFORMED BY ME AND UNDER MY DIRECT SUPERVISION, RESPONSIBILITY, AND CHECKING, AND THAT THIS PLAT HAS BEEN PREPARED IN COMPLIANCE WITH ALL APPLICABLE LAWS OF THE STATE OF COLORADO AND IS ACCURATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

STEVEN J. SELLARS
COLORADO PLS 27615
27615
PROFESSIONAL LAND SURVEYOR

Flagstaff Surveying Inc.
TABLE MESA SHOPPING CENTER
637 SOUTH BROADWAY, SUITE C
BOULDER, COLORADO 80305
303-499-9737

16637A-7.DWG FEBRUARY 16, 2016

Quigley Subdivision

SECTION 9-12-5(E), B.R.C. 1981 – MINOR SUBDIVISION

- ✓ (a) Scope: A minor subdivision is a division of land that is already served by city services, will not require the extension of streets or public improvements and will not result in more than one additional lot.
- (b) Limitations: The provisions of this section shall not apply to a replat that:
 - ✓ (1) Requires any variations to section 9-12-12, "Standards for Lots and Public Improvements," B.R.C. 1981;
 - ✓ (2) Requires the dedication of public or private access easements or public right of way for new streets, alleys or shared access driveways;

The applicant has dedicated a public access easement per a separate instrument.
 - ✓ (3) Requires the extension of a public improvement such as a street, alley, water main or sewer main, or requires any engineering plans, including but not limited to drainage reports for any public or private improvement;
 - ✓ (4) Is located on lands containing slopes of fifteen percent or greater;
 - ✓ (5) Requires the removal of an existing principal building; or
 - ✓ (6) Is located in a nonresidential zone district described in section 9-5-2, "Zoning Districts," B.R.C. 1981.

The subject property is located in the RR-2 zone district.
- (c) Application Requirements: The subdivider shall submit to the City the following items:
 - ✓ (1) An application for a minor subdivision on a form provided by the city manager and the fee prescribed by section 4-20-43, "Development Application Fees," B.R.C. 1981;
 - ✓ (2) A preliminary plat meeting all of the requirements of section 9-12-6, "Application Requirements for a Preliminary Plat," B.R.C. 1981;
 - ✓ (3) A final plat meeting all of the requirements of section 9-12-8, "Final Plat," B.R.C. 1981;
 - ✓ (4) A title commitment or attorney memorandum based upon an abstract of title, current as of the date of submitting the minor subdivision;
 - ✓ (5) A lot line and boundary verification required by section 9-12-9, "Lot Line and Boundary Verification," B.R.C. 1981, if the requirements of section 9-12-9, "Lot Line and Boundary Verification," B.R.C. 1981, have not been met on the original plat; and
 - ✓ (6) A shadow analysis for any existing buildings that is drawn in compliance with section 9-9-17, "Solar Access," B.R.C. 1981, and any other standards as may be required by the city manager.
- (e) Standards for Minor Subdivisions: The city manager will approve the minor subdivision after finding that the following standards have been met:
 - ✓ (1) The land is in a residential zoning district described in section 9-5-2, "Zoning Districts," B.R.C. 1981;
 - ✓ (2) The division of land will create no more than one additional lot;
 - ✓ (3) The division of land will not require the extension of any public improvements, including, without limitation, the extension of roads or utilities to serve the property;
 - ✓ (4) If the minor subdivision is a replat of a previously approved subdivision, the document shall be named with the same name as that of the original subdivision and shall indicate thereon that it is a replat of the original

subdivision. Newly adjusted or created lots shall be designated to adequately indicate that original lot lines have been adjusted with a similar lot name; and

- ✓ (5) The lots and existing structures will comply with the lot standards of section 9-12-12, "Standards for Lots and Public Improvements," B.R.C. 1981, and the solar access requirements of section 9-9-17, "Solar Access," B.R.C. 1981.

The accessory building located on Lot 2 exceeds the limitations on maximum accessory building coverage within the principal building rear yard setback (500 square feet). The structure is approximately 1,500 square feet, the majority of which is located in the rear yard setback. The County Assessor indicates that this structure was built circa 1949, prior to annexation into the city. The nonconforming coverage is an existing condition, which will not be affected by the proposed subdivision. The existing rear yard setback for Lot 2 will remain the rear yard setback following subdivision.

- N/A (f) Dedication and Vacation of Easements: Right-of-way necessary to bring an existing street or alley up to a current city standard, or public easements for utilities or sidewalks may be dedicated on a minor subdivision plat. The City may approve the vacation of city utility easements on the replat.

SECTION 9-12-6(A), B.R.C. 1981 – PRELIMINARY PLAT FOR SUBDIVISION

Any preliminary plat submitted for subdivision approval shall be drawn to scale of no less than 1" = 100', and of a scale sufficient to be clearly legible, including streets and lots adjacent to the subdivision. The applicant shall include on the preliminary plat or in accompanying documents:

- ✓ The proposed name of the subdivision.
- ✓ The location and boundaries of the subdivision, names of all abutting subdivisions with lines indicating abutting lots, or if the abutting land is unplatted, a notation to that effect, and names of all abutting streets.
- ✓ Contours at two-foot intervals if the slope is less than 10 percent and five feet where the slope is greater than 10 percent.
- ✓ The date of preparation, scale and north sign (designated at true north).
- ✓ A vicinity map showing at least three blocks on all sides of the proposed subdivision, which may be of a different scale than the plat.
- ✓ The location of structures and trees of five-inch caliper or more on the property and approximate location of structures off the property within 10 feet of the property line.
- ✓ The name, address and telephone number of the licensed surveyor, licensed engineer or designer of the plat.
- ✓ The name, address and telephone number of owner and verification of ownership of the property and current title information by either a preliminary title report or an attorney memorandum based upon an abstract of title, current as of the date of the submittal.
- ✓ The total acreage.
- ✓ The location and dimensions of all existing public improvements (as specified in Section 9-5-9, B.R.C. 1981), easements, drainage areas, irrigation ditches and laterals and other significant features within or adjacent to the proposed subdivision.
- ✓ The location and dimensions of all proposed public improvements, public easements, lot lines, parks and other areas to be reserved or dedicated for public use, a dedication thereof to the public use, and identification of areas reserved for future public acquisition.

- N/A Geological stability information upon request of the city manager if the manager determines or the subdivider has any reason to believe that building or other problems may arise from construction in the area proposed for development.
- ✓ Zoning on and adjacent to the proposed subdivision.
- N/A A designation of areas subject to the 100-year flood and the estimated flow rate used in determining that designation, and base flood elevation data and the source used in determining that elevation.
- ✓ The number of lots and each lot size.
- N/A Proposed uses of each lot.
- N/A Proposed ownership and use of outlots.
- ✓ The location and size of existing utilities within or adjacent to the proposed including without limitation, water, sewer, storm sewers and drainage facilities, fire hydrants within three hundred fifty feet of the property, electricity, and gas, which shall be placed on separate engineering drawings.
- ✓ A master utility plan showing proposed plans for private and public utility systems including water, sewer, electric, gas, drainage, telephone, telecommunications and any other services that will supply the property.
- ✓ The names and addresses of all tenants of the property and all owners of property abutting the proposed subdivision.

SECTION 9-12-8(B), B.R.C. 1981 – FINAL PLAT FOR SUBDIVISION

In order to obtain city manager review of a final plat, the subdivider shall submit a final plat that conforms to the approved preliminary plat, includes all changes required by the manager or the planning board, and includes the following information:

- ✓ A map of the plat drawn at a scale of no less than one inch equals one hundred feet (and of a scale sufficient to be clearly legible) with permanent lines in ink and whose outer dimensions are twenty-four inches by thirty-six inches on a reproducible Mylar sheet (maps of two or more sheets shall be referenced to an index placed on the first sheet);
- ✓ A one inch equals one hundred feet reduction of the plat;
- ✓ The title under which the subdivision is to be recorded;
- ✓ Accurate dimensions for all lines, angles and curves used to describe boundaries, public improvements, easements, areas to be reserved for public use and other important features. (All curves shall be circular arcs and shall be defined by the radius, central angle, tangent, arc and chord distances. All dimensions, both linear and angular, are to be determined by an accurate control survey in the field that must balance and close within a limit of one in ten thousand. No final plat showing plus or minus dimensions will be approved.);
- ✓ The names of all abutting subdivisions, or, if the abutting land is unplatted, a notation to that effect;
- ✓ An identification system for all lots and blocks and names for streets;
- ✓ An identification of the public improvements, easements, parks and other public facilities shown on the plat, a dedication thereof to the public use and areas reserved for future public acquisition;
Remove all references to the dedication of the public access easement.
- ✓ The total acreage and surveyed description of the area;
- ✓ The number of lots and size of each lot;
- N/A Proposed ownership and use of outlots;

- N/A A designation of areas subject to the one hundred-year flood, the estimated flow rate used in determining that designation, and a statement that such designation is subject to change;
- ✓ A description of all monuments, both found and set, that mark the boundaries of the property and a description of all control monuments used in conducting the survey;
- ✓ A statement by the land surveyor that the surveyor performed the survey in accordance with state law;
- ✓ A statement by the land surveyor explaining how bearings, if used, were determined;
- ✓ The signature and seal of the Colorado registered land surveyor;
- N/A A delineation of the extent of the one hundred year floodplain, the base flood elevation, the source of such delineation and elevation and a statement that they are subject to change;
- ✓ The square footage of each lot;
- Certification for approval by the following:
 - ✓ Director of planning,
 - ✓ Director of public works and utilities,
 - N/A Director of parks and recreation, if park land is dedicated on the plat,
 - N/A Director of real estate and open space, if open space land is dedicated on the plat,
 - ✓ Signature blocks for all owners of an interest in the property; and
 - ✓ A signature block for the city manager's signature.

SECTION 9-12-12(A) – STANDARDS FOR LOTS

(1) Standards for Lots: Lots meet the following conditions:

- ✓ (A) Each lot has access to a public street.
- ✓ (B) Each lot has at least thirty feet of frontage on a public street.
- ✓ (C) No portion of a lot is narrower than thirty feet.
- ✓ (D) Lots and existing structures meet all applicable zoning requirements of this title and section 9-9-17, "Solar Access," B.R.C. 1981.

The minimum lot area in RR-2 zoning is 30,000 square feet. Both proposed lots meet this minimum requirement. In addition, the minimum lot per dwelling unit is 30,000 square feet. With the minor subdivision, both lots will be limited to a single dwelling unit. Development on these lots will be subject to compatible development regulations. The nonconforming coverage for accessory buildings is an existing condition, which will not be affected by the proposed subdivision.
- ✓ (E) Lots with double frontage are avoided, except where necessary to provide separation from major arterials or incompatible land uses or because of the slope of the lot.
- ✓ (F) Side lot lines are substantially at right angles or radial to the centerline of streets, whenever feasible.
- N/A (G) Corner lots are larger than other lots to accommodate setback requirements of section 9-7-1, "Schedule of Form and Bulk Standards," B.R.C. 1981.
- ✓ (H) Residential lots are shaped so as to accommodate a dwelling unit within the setbacks prescribed by the zoning district.

- ✓ (I) Lots shall not be platted on land with a ten percent or greater slope, unstable land or land with inadequate drainage unless each platted lot has at least one thousand square feet of buildable area, with a minimum dimension of twenty-five feet. The city manager may approve the platting of such land upon finding that acceptable measures, submitted by a registered engineer qualified in the particular field, eliminate or control the problems of instability or inadequate drainage.
- ✓ (J) Where a subdivision borders an airport, a railroad right-of-way, a freeway, a major street or any other major source of noise, the subdivision is designed to reduce noise in residential lots to a reasonable level and to retain limited access to such facilities by such measures as a parallel street, a landscaped buffer area or lots with increased setbacks.
- ✓ (K) Each lot contains at least one deciduous street tree of two-inch caliper in residential subdivisions, and each corner lot contains at least one tree for each street upon which the lot fronts, located so as not to interfere with sight distance at driveways and chosen from the list of acceptable trees established by the city manager, unless the subdivision agreement provides that the subdivider will obtain written commitments from subsequent purchasers to plant the required trees.
- ✓ (L) The subdivider provides permanent survey monuments, range points and lot pins placed by a Colorado registered land surveyor.
- N/A (M) Where an irrigation ditch or channel, natural creek, stream or other drainage way crosses a subdivision, the subdivider provides an easement sufficient for drainage and maintenance.
A lateral for the Silver Lake Ditch crosses the west side of the property.
- ✓ (N) Lots are assigned street numbers by the city manager under the city's established house numbering system, and before final building inspection the subdivider installs numbers clearly visible and made of durable material.
- (O) For the purpose of ensuring the potential for utilization of solar energy in the city, the subdivider places streets, lots, open spaces and buildings so as to maximize the potential for the use of solar energy in accordance with the following solar siting criteria:
 - N/A (i) Placement of Open Space and Streets: Open space areas are located wherever practical to protect buildings from shading by other buildings within the development or from buildings on adjacent properties. Topography and other natural features and constraints may justify deviations from this criterion.
 - ✓ (ii) Lot Layout and Building Siting: Lots are oriented and buildings sited in a way which maximizes the solar potential of each principal building. Lots are designed so that it would be easy to site a structure which is unshaded by other nearby structures and so as to allow for owner control of shading. Lots also are designed so that buildings can be sited so as to maximize the solar potential of adjacent properties by minimizing off-site shading.
 - N/A (iii) Building Form: The shapes of buildings are designed to maximize utilization of solar energy. Existing and proposed buildings shall meet the solar access protection and solar siting requirements of section 9-9-17, "Solar Access," B.R.C. 1981.
 - N/A (iv) Landscaping: The shading impact of proposed landscaping on adjacent buildings is addressed by the applicant. When a landscape plan is required, the applicant shall indicate the plant type and whether the plant is coniferous or deciduous.