SUBDIVISION RULES AND REGULATIONS

The Rules and Regulations for Processing Subdivisions in the

City and County of Denver

Compiled by the
Denver Planning and Development Office
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AND REGULATIONS

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for Processing Subdivisions
in the City and County of Denver

Compiled by the Denver Planning
and Development Office

Adopted by the Director of Planning and Development
February 3, 1997,
by the Authority of Sec. 50-26
Denver Revised Municipal Code
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ACKNOWLEDGEMENTS
INTRODUCTION

The development of the current Subdivision Regulations was coordinated by the Denver Planning and Development Office with assistance from the members of the Development Review Committee. The Regulations were approved and adopted by the Director of Planning and Development in accordance with the Subdivision Ordinance. (sec. 50-26 Denver Revised Municipal Code)

The purpose of the Subdivision Regulations is to: (1) provide definitions to words commonly used in the subdivision preparation and review process; (2) provide general design considerations and objectives to aid in the design of subdivisions; (3) outline the requirements of each of the major reviewing agencies; and (4) outline the step-by-step subdivision application, review, and approval procedures for processing standard subdivisions in the City and County of Denver.

What is a Subdivision?

The term “subdivision”, which is defined more comprehensively in the Subdivision Ordinance, means the division or separation of a parcel of land into two or more parcels, lots, blocks, tracts or sites. The formal process by which this division or separation occurs is known as “subdividing”, “platting”, or simply “subdivision”. The final product resulting from this process is a subdivision “plat”, or map, which is approved and recorded in the official real estate records.

When is a Subdivision Required?

A subdivision is required when land being subdivided requires the dedication of land for streets and other other public purposes. Land shall be subdivided in accordance with Chapter 50, Denver Revised Municipal Code: Subdivision

Note: In certain cases a developer may choose to subdivide land even though the dedication of land for street and other public purposes is not required within a specific development.

Subdivision is also required before a site plan is approved in the Gateway Zone District, unless the property has already been subdivided.
Subdivision Regulations

Why Does the Subdivision of Land Need to be Regulated?

The subdivision of land is the first step in the process of urban development. The arrangement of land parcels in the urban area for residential, commercial, industrial, recreational, utilities and other public purposes will determine to a large degree the quality of health, safety, and environment. Colorado state statutes give municipalities the authority to regulate the subdivision of land.

Subdivision regulations are designed, intended, and should be administered in a manner to:

1. Create and identify lots, blocks, tracts, plots or sites which can easily be described by “lot and block” legal descriptions rather than lengthy “metes and bounds” legal descriptions.

2. Identify, describe and convey (dedicate) land for street and other public purposes, as well as to identify, describe and grant specific easements to ensure accessibility.

3. Implement the Comprehensive Plan.

4. Establish adequate and accurate records of land subdivision.

5. Harmoniously relate the development of the various tracts of land to the existing community and facilitate the future development of appropriate adjoining tracts.

6. Provide for adequate, safe, and efficient public utilities and improvements; and to provide for other general community facilities and public places.

7. Create lots which can be developed under existing zoning.

How Long Does the Review Process Take?

A subdivision proposal usually takes about five to seven weeks of review time by city agencies and utility companies, and an additional four weeks to move through the City Council ordinance preparation and final approval process. The five to seven weeks needed by city agencies and utility companies does not include the time needed by consultants and engineers to prepare the subdivision and engineering submittal and to make corrections and modifications to the subdivision plat which may be required during review.
What is the Difference Between the Subdivision Ordinance and the Subdivision Regulations?

The Subdivision Ordinance adopted by City Council establishes the law requiring that all applicable land divisions be subdivided or resubdivided in a manner which promotes good planning practices and integrates existing land use regulations, and that the approval and recording of subdivision plats should be regulated to ensure the orderly growth, development, and redevelopment of the city. The Ordinance is codified in Chapter 50 (Subdivision Of Land) in the Revised Municipal Code, excerpt as follows;

Sec. 50-26. Rules and regulations.

(a) The director of planning shall adopt subdivision rules and regulations establishing standards and procedures for the examination of plats. The subdivision rules and regulations shall make due provision for:

1. Adequate design of streets, grades, curbs and gutters, sidewalks, paving and drainage of all dedicated public streets;
2. Adequate design of sanitary sewer facilities;
3. Adequate design of bikeways and pedestrian walkways;
4. Adequate design of drainage elements to handle storm waters, ensure compliance with flood plain regulations, prevent erosion and minimize formations of dust;
5. Adequate access for fire fighting equipment;
6. Adequate water supply facilities;
7. Adequate easements for telephone, gas and electric lines;
8. Adequate street lighting facilities;
9. Preservation of attractive natural landscape features;
10. Proper legal description and monumenting of subdivision land;
11. Proper format, information and fee requirements for plats.

(b) Such rules and regulation shall be open to public inspection.

The Subdivision Rules and Regulations provide, in detail, the necessary information to assist subdivision developers, planners, and engineers in the planning of subdivisions and developments which conform to the plans and requirements of the City and County of Denver. The Regulations also outline the submittal and approval process, and the responsibilities and jurisdictions of the numerous city agencies and utility companies involved in the review process.

Whom Do I Contact with General Questions?

The Planning and Development Office is the coordinating agency for the subdivision review and approval process. The Development and Zoning Review Section in this office should be contacted for information concerning the Subdivision Ordinance or the Regulations.
DEFINITIONS

APPROVAL SHEETS - The signatures of City officials will not be affixed to any subdivision plat until the designated members of the Development Review Committee have first signed an approval sheet.

ARTERIAL STREET - A street which has the primary function of carrying through traffic, but which may also provide limited access to abutting property.

BLOCK - An area of land within a subdivision containing lots, tracts, and parcels which is usually bounded by streets and/or the boundaries of the subdivision.

COLLECTOR STREET - A street which has the primary function of providing for the distribution of traffic within neighborhoods, and which carries through traffic and provides access to abutting property.

COMMON LAND OR COMMON AREA - Any tract or parcel of land designated for common use and ownership for: access; recreation; utilities; open space; or surface drainage control.

COMPREHENSIVE PLAN - The general plan of the City and County of Denver as authorized by Sub. Section 131.3-4 of the Revised Municipal Code.

CONTROLLED ACCESS HIGHWAY - A highway, street or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street or roadway.

CUL-DE-SAC - A short local street terminating in a vehicular turnaround.

DEAD END STREET - A street having only one outlet for vehicular traffic and which does not meet the definitions of a cul-de-sac. Subdivisions that have dead end public streets will not be approved.

DENVER CONNECTOR DISTRICT - An area outside or inside the geographical limits of the City and County of Denver, having contractual arrangements with the City for the collection, transportation, treatment and disposal of sewage waste.

DETENTION POND - A facility constructed to impound or retard peak storm runoff temporarily.

DEVELOPER - Any person who causes land to be subdivided and/or developed.

DEVELOPMENT - Any manmade change to improved or unimproved real estate, including but not limited to buildings, structures, filling, grading, paving, excavation or mining.
DEVELOPMENT REVIEW COMMITTEE - A committee consisting of the Director of Planning and Development, the Manager of Public Works, the Zoning Administrator, the Chief of the Fire Department, the Manager of Parks and Recreation, and the Manager of the Denver Water Board, or their designated representatives.

DOUBLE FRONTED LOTS - Any lot or building site which faces on one street and backs on another street.

EASEMENT - A grant by a property owner to another agency or owner, public or private, for a specific use.

EASEMENT, DRAINAGE - An acquired legal right to use land owned by others for the purpose of construction, operation and maintenance of storm and sanitary drainage facilities.

EASEMENT, UTILITY - An acquired legal right to use land owned by others for the purpose of construction, operation, and maintenance of utilities necessary to serve the new development.

FLOOD PLAIN - An area in and adjacent to a waterway or storm runoff channel, which is subject to an intermediate regional (100 year) flood and which area thus is so adverse to past, current or future construction or prudent land use as to constitute a significant hazard to public health, safety or welfare.

IMPROVEMENTS, OFF-SITE - Any public improvement outside the boundaries of a subdivision that may be reasonably required by any agency of the City or by any utility provider to properly serve the subdivision or to protect an adjacent use or property. Such improvements include but are not limited to: the extension or enlargement of utility lines, roadways, drainage control, water quality enhancement, right-of-way, or public facilities.

IMPROVEMENTS, STREET - Street pavements, curbs, gutters, sidewalks, pedestrian walks, water mains, sanitary and storm sewers, underground gas lines, underground and overhead electric and telephone lines, street trees, ornamental street lights, and such other items within the public right-of-way as may be specifically designated by the Manager of Public Works.

LAND SURVEY PLAT - A monumented land survey, which is required by state law under certain conditions, to mark the boundaries of a specified parcel of land for the purpose of providing information which is not in the real estate records, and providing survey data for subsequent land surveys. A land survey plat is not a subdivision. (See C.R.S. Title 38 Articles 50 and 51 for further information.)

LOCAL STREET - A street which has the primary function of providing access to abutting property.

LOT - A portion of a subdivision block defined by property lines and intended as a unit for the transfer of ownership or for development.
LOT LINE - The property line or lines which define a lot.

MYLAR - The commonly used name for any polyester film suitable for original and photographically reproduced drawings or other images.

NUMBERING SYSTEM - The number assigned to identify one from another in a series of subdivisions all having the identical name. Also, the sequence of numbers assigned to identify each of the Blocks and each of the Lots within a subdivision.

PEDESTRIAN RAMP - An area of concrete sloping from the sidewalk to the street at intersections to assist people crossing the intersection.

PLAT - See Subdivision Plat

PRIVATE ROAD, STREET, OR DRIVE - Any road, street, or drive, which is owned in fee title by private interest(s).

PROPERTY CORNERS - The nature and quality of property corners are governed by CRS, 38-51-105, Monumentation of Subdivisions, Para (1) (a-c). Solid steel pins (lot pins) are sometimes used to provide for the accurate location of platted property lines.

RANGE LINE - A reference line to establish the street alignment and location of property lines. Range lines are located in the street right-of-way normally 20' east or 20' south of property lines.

RANGE POINT - A reference point on the range line set at all street intersections and points of curvature. Used to establish street alignment and location of property corners. A permanent monument is placed on the ground to represent the range point.

RANGE POINT MONUMENT - A solid steel rod no less than 30" long nor less than 1" in diameter set at street intersections and points of curvature. Used by a surveyor to establish street alignment and property corners.

RANGE POINT BOX - An adjustable cast iron cylinder with cover, used to house a range point monument.

ROADWAY - That portion of a right-of-way which is surfaced, improved, designed, or ordinarily used for travel by motor vehicles.

SERVING PUBLIC UTILITY - Any corporation, firm, partnership, association, company, person or municipality engaged in the business of supplying the structures and properties in a subdivision with natural gas, electricity, sanitary sewers, water, cable television, or fiber optics cable.

SEWER, BUILDING - The extension from the building drain to the public sewer or other place of disposal.
SEWER, PUBLIC - A sewer which is owned, operated and maintained by the City and County of Denver or Metro Wastewater Reclamation District, or other municipal or quasi-municipal corporation of the state.

SEWER, PRIVATE - A sewer privately owned and maintained, and used by one or more properties.

SEWER, SANITARY - A pipe or conveying network of the public sanitary sewerage system which carries sewage and to which storm, surface, and groundwaters are not intentionally admitted.

SEWER, STORM - A pipe or conduit which carries storm and surface waters and drainage.

SEWER CONNECTION PERMIT - A permit issued under the authority of the Manager of Public Works to a person for the purpose of connecting a building sewer to a public sewer. This permit is issued only to a person licensed by the City to perform such work, and only then when a sewer use permit has been issued previously.

SEWER USE APPLICATION - A form supplied by the Manager of Public Works to a person requesting a Sewer Use Permit.

SEWER USE PERMIT - A permit issued under the authority of the Manager of Public Works to a person authorizing the use of the City’s sewerage system for the purpose of disposing of waste water. This permit is a requirement of a sewer connection permit.

STORM SEWER SYSTEM - A conveyance or system of conveyances including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, storm drains, pipes or conduits designed or used for collecting or conveying stormwater.

STORMWATER - Precipitation-induced surface runoff.

STREET DEVELOPMENT REQUIREMENTS - A commitment by the subdivider-owner specifying all right-of-way improvements that must be provided by the subdivider. (See Example, Appendix 5)

STREET NAMES AND ADDRESSES - Street names and the addresses of all identified lots within subdivisions shall be determined and assigned by the Dept. of Public Works.

STRUCTURE - Any manmade creation constructed, erected, formed, or placed in a more or less permanent location on or in the ground.

SUBDIVISION PLAT - A map which graphically illustrates and creates the layout of a parcel of land into Lots, Blocks and Streets. Also, the legal instrument which creates marketable divisions of real estate and which conveys land to a governmental entity for public purposes. A subdivision plat has no force or effect unless or until it has been enacted by council ordinance and recorded in accordance with the subdivision ordinance.
TRACT - An area of land designated on the subdivision plat, but primarily used for special purposes.

TREE LAWN - That portion of a right-of-way between the curb line and the sidewalk, where street trees and landscaping are to be located.

WATER QUALITY POND - A facility constructed to impound storm runoff to provide water quality enhancement by the removal of pollutants through evaporation, infiltration, settling, filtration, or biological uptake.

ZONE LOT - The land designated as the building site for a structure; also, the land area occupied by a use or a structure. Such land area shall be composed of a single parcel of contiguous land and may be designated as a zone lot only by the owner or owners thereof. All designations of zone lots shall be filed with the Zoning Administration.

PREAPPLICATION CONTACTS

1 Preapplication Conference
The applicant shall consult with the Planning and Development Office for technical advice, information about subdividing, familiarization with the Comprehensive Plan and Zoning Ordinance, and familiarization with any municipal plans or policies deemed relevant to the subdivision in question.

2 Development Review Committee
The Planning and Development Office may suggest that the applicant either appear before the Development Review Committee or contact one or more of the following agencies to discuss the proposed subdivision.

**Engineering Division, Department of Public Works:** regulates all activities relating to design of streets, including alignment, grades and construction specifications. Street addresses and field survey checks are also controlled by this division. The City Surveyor examines subdivision plats with regard to closure, area accuracy, and conformance to engineering standards and legal requirements, and administers the scheduling for City Council action and the recording of plats.

**Transportation Division, Department of Public Works:** responsible for control of all vehicular and pedestrian traffic movement and use within the public right-of-way. This Division determines right-of-way needs and requirements and also regulates the design of roadways and the location of sidewalks, curb cuts, speed change lanes, pavement marking and signing, and intersections. A Street Development Requirements agreement is required for all improvements in the public right-of-way.

**Wastewater Management, Department of Public Works:** regulates all activities relating to the design, construction, use and maintenance of storm and sanitary sewers, surface drainage and water quality enhancement of surface runoff.

**Building Inspection Division, Department of Public Works:** responsible for enforcement of the Denver Building Code including building separation, heights, construction types, and occupancy requirements.

**Denver Water Department:** responsible for water service in accordance with the published policies of the Denver Water Board.

**City Forester:** concerned with the selection of species, placement, and care of trees planted in the public right-of-way.

**Fire Department:** determines the location of fire hydrants and related water demand requirements for the density of development proposed.

**Zoning Administration:** examines plats with regard to lot or parcel configurations (and possible application of site plan requirements) to assure compatibility with zoning regulations for lot size, lot frontage, building placement, height, and bulk.
Subdivision Regulations

Parks and Recreation: concerned with the acquisition of open space, park and recreational land in new and redevelopment areas.

School District No. 1: responsible for acquisition and development of school sites in new development areas. The District reviews plats with regard to student pedestrian safety and accessibility to schools.

Planning and Development Office: the coordinating agency for review of subdivisions. This agency reviews plats with regard to design and interrelation of neighborhoods and the public facilities which serve them. The Planning and Development Office is the responsible agency for enforcement of the subdivision code requirements relating to mandatory dedication of land for public purposes.

3 Other Contacts and Referrals

The developer shall also consult with the public utility companies in reference to the location of utility lines and easements, and any special districts in which the project is located, prior to the preparation of a Preliminary Plat.

4 Coordination of Review Process

The Planning and Development Office acts as the coordinating agency for the subdivision review and approval process. All plat submittals, from the Preliminary through the Final, shall be submitted directly to the Planning and Development Office. The Planning and Development Office shall transmit to city agencies, as applicable, copies of the plat. Also, copies of any written correspondence with other agencies shall be transmitted to the Planning and Development Office. Any changes in the status of the project during the review process shall be communicated to the Planning and Development Office.
PREAPPLICATION RESEARCH AND ANALYSIS

1 Survey and Legal Information

The applicant should obtain an accurate survey and legal description of the property to be developed. The survey should be performed by a Colorado Registered Land Surveyor and should identify property boundaries, monuments, existing structures (if any) and existing easements. Note: Every professional land surveyor who sets a monument pursuant to Colorado Revised Statutes section 38-51-104 or accepts a monument while performing a monumented land survey and such monument is not of record either in the Denver Clerk and Recorder’s Office or the Denver County Surveyor shall prepare and file a land survey plat in accordance with CRS 38-50-101 and CRS 38-51-107. The applicant should also check the Abstract of Title, the title insurance policy and/or the public records for restrictions on the property and easements of record. All documents by which an interest in land is created, transferred, encumbered or otherwise affected are recorded in the office of the County Clerk and Recorder. These documents include recorded covenants, deed restrictions and easements.

2 Zoning

The Zoning Ordinance and/or the Zoning Administration Office should be consulted to determine compliance with the zoning requirements for the zone district in which the proposed development is located. If the proposed development does not comply, the applicant should meet with the Zoning Administration and/or Planning and Development Office staff to discuss options and alternatives.

3 Easements and Legal Restrictions

The applicant should obtain building setback requirements and building height restrictions, if any, from the Zoning Administration and Building Inspection agencies. Any existing easements on the property proposed for subdivision must be accurately determined. New easements may be required for water, sewer, and utility service access. Multiple uses within a given easement are encouraged. Proposed easements are subject to the approval of the agencies and utilities involved. (Information contacts are listed below in Utilities)

4 Utilities

The location and adequacy of existing and potential utility service must be determined, including water, sanitary sewer, storm sewer, gas, and electricity. Contact the Planning and Development Office to obtain current phone numbers for the following utility services:

- Denver Water Department, Water Sales Section
- Denver Wastewater Management, Plans Review Section
- Traffic Signals and Signs
- Public Service Co.
- TCI Cable

Contact the Denver Water Department’s Water Sales Section to determine the availability of water service, and to request a preliminary evaluation as to what on-site and off-site improvements and what easements will be required. The Water Sales Section will need to know the fire flow requirements for the proposed development as determined by the Fire
Prevention Bureau, and the property address and/or legal description of the property. Requests for determination of water availability may be made by phone or by letter.

Contact the Sanitary Planning Unit of the Wastewater Management Division (WMD) to determine the availability of sanitary sewer service to the site (Note: Public sewers must be located adjacent to each parcel and building). The WMD Sanitary Planning Unit will make a preliminary evaluation as to what on-site and off-site improvements and what easements will be required to provide sanitary sewer service.

5 Land Dedication

The applicant should consult with the Planning and Development Office staff to determine if land must be dedicated for park or school sites, or if the site is affected by an annexation agreement that requires land dedication for these purposes. The applicant should also contact the Transportation Division to determine if right-of-way dedication will be required for new streets or for the widening of existing streets or right-of-way. If access to the site is from a designated State Highway, also contact the Colorado Department of Transportation for the same determination.

6 Streets

The Transportation Planning Division of Public Works should be consulted in regard to street plans for the area of the city in which the subdivision is to be located. The new subdivision street system must provide a linkage with the existing adjacent streets and with future subdivisions to be developed later. The hierarchy of existing adjacent streets (arterial, collector, and local) must be taken into consideration in planning the streets for a new subdivision. Space for the linkage and continuity of city-wide trails for walking and bicycling must also be provided for if they extend through the proposed subdivision. Copies of the Bicycle Master Plan are available from the Transportation Planning Division.

7 Site Drainage

Analysis of the site must be made to determine if the proposed development is in a drainage course, floodplain, or floodway; and if there are areas of the site which could be considered to be “wetlands.” Drainage master plans and maps delineating the floodplains and floodways for major channels are available for inspection at the Wastewater Management Division. Construction or fill in floodways is prohibited. Alteration of or construction in floodplains is subject to the restrictions set forth in the floodplain ordinance. If any of the site appears to be wetlands, contact the Tri-Lakes Project Office, U.S. Army Corps of Engineers, 9307 State Highway 121, Littleton, CO 80123-6901 (phone 979-4120).

8 Site Design Context

The proposed subdivision project must conform to the objectives of the Denver Comprehensive Plan and all applicable neighborhood or area plans. The applicant should prepare a concept or sketch plan to scale that organizes and illustrates the general concept for subdividing and developing the property. This plan will be necessary for meeting with agency representatives during discussions regarding the proposed subdivision.
SUBDIVISION LAYOUT, ENGINEERING, AND DESIGN

1. Site Access

Developers or their agents are encouraged to contact the Transportation Division early in the site planning process to determine access conditions or limitations, street occupancy conditions or limitations, right-of-way dedication requirements and street construction requirements that may be applicable to the site. This early contact is especially important for sites on major streets or on unimproved streets. All needed right-of-way improvements must be designed in accordance with Chapter 49, Article VII of the Revised Municipal Code and with the document, “Street Design Standards” (available from the Transportation Division).

2. Street Layout and Design

The street layout is one of the most influential design elements in the subdivision and, as such, requires very careful analysis in the planning and review process. The street system must be designed based upon a hierarchy of functions and to meet the projected traffic demands. The street system must provide a vehicular and pedestrian linkage with existing adjacent streets and future subdivisions to be developed later. The hierarchy of streets (arterial, collector, and local) requires that each be designed for its purpose and its projected traffic volume. Since the street plan, design, and construction is so critical to the overall characteristics of the subdivision, numerous city agencies are involved in the review of street layout and design.

General Considerations

a. Streets that are extensions of, or obviously in alignment with, existing named streets shall bear the names of the existing streets. Street names shall be subject to the approval of the Department of Public Works.

b. Layout shall be considered in relation to existing and planned future streets, topographical conditions, soil conditions, drainage and erosion factors, public convenience and safety, aesthetics and in their appropriate relation to the proposed use of the land to be served.

c. When any part of a collector, arterial or limited access facility, indicated as such on the transportation plan of the City, passes through a proposed subdivision, such part shall be dedicated in the location and at the width indicated on the plan.

d. The dedication of a half street shall not be accepted unless the subdivider:
   1. Obtains for the City a dedication from the abutting landowner of the other one-half of the street; and
   2. Obtains from the said abutting landowner an agreement in a form satisfactory to the City Attorney which guarantees the cost and construction of the improvements on the half street within a time suitable to the Director of Public Works; and guarantees the construction of the improvements on the half street which he is dedicating; or
   3. Agrees to other similar arrangements recommended by the Manager of Public Works.
e. The layout of internal streets for residential subdivisions shall be designed to discourage the use of these streets by major vehicular through traffic.

f. When a subdivision abuts and controls access to public lands or existing streets, access shall be provided in the form required by the public agency involved.

g. Streets which are stub streets designated to provide future connection with adjacent unplatted land shall be provided with a temporary turnaround at the stub end.

h. Cul-de-sacs shall not exceed 400 feet in length and shall have a turnaround with a minimum radius determined by the Transportation Division, and agreed upon by the Fire Department. Alternative turnaround designs may be acceptable if approved by these agencies. In the event the Cul-de-sac drains into the closed end, storm sewers or other drainage structures shall be required to dispose of storm water satisfactorily.

![CUL de SACs Diagram]

i. Alleys open at both ends may be required in commercial and industrial districts.

j. All changes in street bearings shall be connected with curves tangent to the bearing at both ends. There shall be a tangent of at least 100 feet in length measured at the centerline at both ends.

k. When a subdivision abuts or contains an existing or proposed freeway or major arterial, restriction of access may require the platting of a frontage road and/or a visual screen planting easement.

l. Street design shall be in conformance with design standards in this document, the Transportation Division “Street Design Standards” and the proposed vehicular demands imposed by the development.

**Intersection Design**

a. Right angle intersections shall be used whenever practicable.

b. Intersecting collector and local streets shall not empty into the same side of an arterial street at intervals of less than 800 feet.

c. Street curb intersections shall be rounded by a tangential arc with a minimum radius of 15 feet for single-family local residential streets and cul-de-sacs, and 35 feet for intersections including multi-family residential, business, industrial, collector and arterial streets.
d. All proposed intersections with state highways will require approval of the Colorado Department of Transportation.

Street Construction
a. Roadways, curb and gutter, detached sidewalks, street trees, and pedestrian ramps are required as specified in current Department of Public Works standards.

b. Roadway drainage structures such as bridges, culverts, cross pans, inlets, curbs and gutters are to be provided as required and in conformance with current Department of Public Works standards.

c. In no case shall street grades exceed 4 percent within one hundred feet of an intersection.

d. Where railroad crossings are proposed or are affected, provisions for grade separations, buffer strips and safety protection devices shall be provided by the applicant as required. Obtaining approval from the affected railroad company and the Colorado Public Utilities Commission where applicable shall be the applicant’s responsibility.

Private Streets
a. The use of private streets will be limited and is permitted only upon approval of the plan by the Planning and Development Office. Private streets shall be confined to closed loops and dead-end streets and are not to be used for through traffic.

The Street Development Requirements
a. Prior to the approval of any subdivision plat that will require improvements to a public street, the Transportation Division will require the owner of the land proposed for subdivision to sign a “Street Development Requirements” document outlining the City’s requirements for the design and construction of streets, curbs, curb cuts, sidewalks and street lighting. (Note: some projects may require that plan and profile drawings, prepared by a licensed engineer, be submitted and approved). These requirements must be signed by the developer prior to the issuance of building permits or, if applicable, prior to the approval of PBG site plans, PUD site plans or subdivision plats.

b. A sample Street Development Requirements form is included in the Appendix.

c. The developer will be required to pay all or a portion of the construction cost of new improvements. All construction must be in accordance with City standards.

Responsibility for Street Construction
The dedication and construction of public streets is based on three general principles:

a. The developer is responsible for the dedication of right-of-way and the construction of streets to the extent required for proper service to the area being developed (Note: “Proper Service” is defined as the construction of all adjacent frontage and horizontal and vertical transitions so as to maintain safe operation).

b. The developer is responsible for the tree lawn landscaping within the right-of-way and for the improvements which may be required adjacent to the right-of-way.
c. The City is responsible for additional street facilities necessary for City service beyond the needs of the area to be developed. Improvements for which the City is responsible are subject to the appropriation of funds.

Allowance for Staged Street Construction

a. Local or collector streets: When a local or collector street is constructed in stages, the developer of the first one-half of the street opened for traffic shall construct the adjacent curb, gutter, and sidewalk in the standard location, and shall construct 26 feet of pavement from the flowline to a temporary edge of pavement. The developer is also responsible for end transitions, intersection paving, drainage facilities, grading, etc., as necessary for staged construction and safe traffic operation.

b. Arterial streets. The standard geometry for new arterial streets is based on staged street construction, with the adjacent landowners completing the outside roadways before the City completes the middle or median portion of the cross section. The construction details for staged construction of new arterial streets may vary according to the existing conditions at the site, such as the width and profile of the existing asphalt roadway relative to the plan and profile of new roadways. The following items will be required as necessary for proper staged construction and safe traffic operation:

1. The developer of the first new roadway opened for traffic (no existing street in place) is required to: construct 26 feet of pavement from the flowline to the center edge of the pavement; modify portions of existing streets as necessary to match grades with the new roadway; and to remove existing streets if they cannot be modified to match grades with the new roadway.

2. The developer of the second new roadway opened for traffic is required to grade and shape the median area as necessary to provide a crowned dirt median, and to remove the existing centerline street if present.

3. The developer of each new roadway opened for traffic is also responsible for end transitions, median crossovers, drainage facilities, grading, etc., as necessary for staged construction and safe traffic operation.

4. The standard geometry for new arterial streets uses 6 inch vertical curbs with gutters, 5 foot detached concrete sidewalks, two roadways with a minimum of 26 feet of pavement on each roadway, and an undeveloped median on a total of 120 feet of right-of-way.
Standards for Minor Local Public Streets in Single-Family Residential Neighborhoods

The design standard for single-family residential local streets shall be used in single-family residential districts which includes RS-4, R-0, R-1, and R-X Districts in the Denver Zoning Ordinance, as well as in single-family residential areas zoned PUD, Gateway, etc., provided the proposed density in those areas is comparable to the R-1 district. The local street plan for new projects should be designed to provide local neighborhood access and circulation connecting the abutting properties to the collector and arterial street system without encouraging through traffic on the local streets. Local streets generally should not intersect arterial streets, but may as necessary to provide adequate neighborhood access.

The standard geometry uses a drive-over curb, detached sidewalk with pedestrian ramps, street trees in the tree lawn with the spacing and species approved by the City Forester, and 32 feet of pavement (flowline to flowline) within a 50 foot of right-of-way.
Standards for Local Public Streets in Single-Family Residential Districts

The following standards for local public streets in single-family residential areas apply in the RS-4, R-0, R-1, and R-X zone districts, as well as to single-family residential developments zoned PUD and R-2, provided the proposed density in these areas does not exceed ten dwelling units per net acre. Local streets should be arranged so as to provide local, neighborhood access to and from the collector and arterial street system; and to discourage non-local, or through, traffic. Generally, local streets should not intersect arterial streets, but may have to in order to provide adequate neighborhood access.

The standard design for local streets in single-family residential areas uses a drive-over curb, detached sidewalks with pedestrian ramps, street trees of a species and spacing approved by the City Forester, and a street width of 36 feet (flowline to flowline) within a right-of-way of 50 feet.
Standards for Local Public Streets in Multi-family, Business and Industrial Districts

The design standards for local public streets in multi-family residential areas and in non-residential areas apply in all zone districts except the following: RS-4, R-0, R-1 and R-X zone districts, and PUD zone districts involving single-family residential development. Local streets should be arranged so as to provide local access to and from the collector and arterial street system, and to discourage non-local, or through, traffic.

The standard design for local streets in both multi-family residential areas and in non-residential areas uses a 6-inch vertical curb and gutter, detached sidewalks with pedestrian ramps, street trees in the tree lawn with the species and spacing approved by the City Forester, with a street width of 44 feet (flowline to flowline) within a right-of-way of 60 feet.

![Diagram of standard street design]

**LOCAL - COLLECTOR STREET**

**STANDARD CROSS SECTION**

60' Right-of-Way, 44 Street

**NOTE:** All Dimensions are symmetrical about Center Line
Standards for Collector Streets in All Zone Districts

The design standards for public collector streets apply in all zone districts. Collector streets should be arranged so as: to connect local neighborhood streets to the arterial street system, to be about one mile long, to extend about one-half mile on each side of arterial streets, and to intersect with arterial streets at intervals of approximately one-third of a mile.

The standard design for collector streets uses a six inch vertical curb with gutter, detached sidewalks with pedestrian ramps, street trees of a species and spacing approved by the City Forester, and a street width of 60 feet (flowline to flowline) within a right-of-way of 80 feet. Where a collector street approaches an intersection with an arterial street, it may be necessary to increase street width to 74 feet (flowline to flowline) within an increased right-of-way of 100 feet to provide needed turn lanes (an additional right-of-way triangle may be needed at the intersection to accommodate pedestrian ramps). On-street parking may not be permitted in the widened section, and the abutting land uses should be designed accordingly. In all cases, the adjoining property owner is responsible for providing right-of-way to the centerline of the street and for street construction to the centerline of the street.

In some cases, additional right-of-way may be required so as to accommodate a detached hike-bike path, eight feet in width. Detached hike-bike paths may be required on one or both sides of a collector street.
Standards for Arterial Streets in All Zone Districts

The design standards for arterial streets apply to all zone districts. Arterial streets are generally required at one mile intervals, usually on section lines. The specific design for arterial streets will be determined by the Transportation Division on a case-by-case basis. Subdivision developers adjacent to arterial streets are responsible for:

1. Deeding right-of-way as necessary to provide 60 feet of right-of-way from the property line to the center line of the arterial street;

2. Constructing curb, gutter, detached sidewalk, up to 26 feet of pavement, pedestrian ramps, street trees of a species and spacing approved by the City Forester, end transitions, intersection paving, drainage facilities, etc., as necessary for staged street construction and safe traffic operation; and

3. Surfacing or landscaping of any unimproved right-of-way (tree lawns and the area between the property line and the sidewalk) that is screened from private property by fences or walls. Detailed plans for the surfacing and landscaping of these areas, as well as plans for the maintenance of such surfacing and landscaping, must be presented to the Planning and Development Office for review and approval.

The City is responsible for completing the middle or median portion of the arterial street to the extent exceeding the construction responsibilities of the landowner. Completion by the City is subject to the appropriation of funds. However, the City will accept construction of the section of street normally deemed to be City responsibility as a donation from the adjacent developer to the City (in addition to any required construction).
Spacing of Intersections with Arterial Streets

a. Public streets and high traffic private streets (or entrances) may intersect with arterial streets only at specific locations that allow for proper traffic signal timing progression. Arterial streets are generally aligned with section lines and intersect with cross arterial streets at section corners. These circumstances allow for four possible signalized intersections between section corners.

b. The spacing of signalized intersections may vary if the arterial cross streets are not exactly on the section corners.

c. Traffic signals, median crossovers, and left-turn lanes will usually be limited to the locations described above unless prior approval is granted by the Transportation Division.

Minimum Centerline Offset of Adjacent Intersections

a. To avoid dangerous jogs, proposed streets that intersect another street should be laid out to intersect directly opposite each other or to be offset by a minimum distance. As long as an adequate offset between adjacent intersections is provided, T-type intersections are often recommended in residential subdivisions because they are safer than cross-type intersections. The Transportation Division requires offsets of at least 150 feet between centerlines for residential access streets, with increased offsets recommended for higher-order streets.

Minimum Curb Radius

a. Minimum curb radius standards must strike a balance between overly generous and substandard curb radii. The former encourage higher turning speeds, increase paving costs, and increase the area required for pedestrians to traverse; the latter result in unnecessary lane encroachment and higher accident potential. The Transportation Division recommends a curb radius between 15 and 35 feet, depending on the classification of the street. Arterial intersections will require larger radii.
Street Grade Standards

a. The minimum permitted street grade is 0.5 percent, which is the minimum grade at which water drains off a road. Topographical conditions in some locations make 0.5 percent the only practicable grade that can be used. However, because ponding occurs as grades become flatter, roads should be constructed at grades in excess of 0.5 percent where topographical conditions permit. If streets must be constructed at this grade, they should be closely monitored and construction techniques used to avoid ponding.

b. Maximum grades are generally based on road classification, speed, and terrain characteristics with flatter grades required for roads with higher traffic volumes and speeds. Maximum grade requirements must also reflect winter conditions, which may limit the maximum allowable street grade to 7 percent.

Minimum Intersection Angle

a. Streets should be laid out to intersect as nearly as possible at right angles, and multi-leg intersections (over four) should be avoided. Skewed intersections are not acceptable since they generally have higher accident rates than those intersecting at 90 degrees. Multi-leg intersections are also undesirable for traffic control and safety reasons.

Bond or Letter of Credit

a. Prior to permitting for construction, the City Engineer will require a Performance Bond, or letter of credit, necessary to assure that the subdivision improvements will be installed according to the standards as specified.

Cost Schedule for Bond or Letter of Credit

a. If a bond or letter of credit is required, a schedule of the cost of the proposed improvements shall be determined and agreed upon in writing between the subdivider and the City Engineer.

Time Schedule

a. Installation of the proposed improvements must proceed with all due diligence. Should the installation of proposed improvements not proceed with due diligence, or should the improvements not be acceptable as to quality or specifications, the City Engineer will withdraw adequate funds from the letter of credit, or notify the Surety, to assure the completion of the proposed improvements to the approved specifications and quality.

Maintenance Bond

a. Provision for the repair of any damage to existing improvements by the developer during construction of said improvement will be made by the posting of a maintenance bond from which funds will be withdrawn by the City Engineer in the event repairs are not made by the developer.
Inspections

a. The subdivider shall notify the City Engineer as scheduled stages of construction are completed. Upon notification, the City Engineer shall inspect the improvements without delay. When the particular phase of improvement is approved, the City Engineer shall issue a letter without delay to the subdivider indicating approval. This letter is adequate evidence to gain release of that part of any bond or letter of credit which may have been designated for a particular improvement.

Street Paving

a. Prior to the paving of any street, the permanent range point monuments must be adjusted to approximately 6 inches below the finish grade of the street. An adjustable cast iron box must be placed over the monument to finish grade. Its function is to make the monument readily accessible without disturbing the street paving. If the developer fails to install the monuments and boxes, he will be given notice to do so within 30 days. If they are not installed within this time, the City reserves the right to do the necessary work and the cost of installation and materials will be charged to the developer.

b. Streets will not be paved until all utility mains located in the street have been installed and the installation of at least 75 percent of the service connections to individual locations have been completed.

3 Lot Layout

The layout of subdivision lots must be done with consideration for the placement of future buildings and their relationships to the hierarchy of streets, topography, views, open space, and natural features.

a. The lot size, width, depth, shape and orientation should be appropriate for the type of development and the contemplated use.

b. Residential lot sizes and frontage dimensions must conform to the minimum requirements of the Zoning Ordinance.

c. Corner lots for residential use should have extra width to permit appropriate building setback from and orientation to both roads.

d. All lot lines should be at right angles to the centerline of an abutting street, or to a tangent of the arc of the centerline of a curved street.

e. Double frontage lots are not permitted except where essential to provide separation of residential development from arterials and limited access facilities, or to overcome specific constraints such as topography. Where double frontage lots must be used, the subdivider must commit to the improvement and perpetual maintenance of that portion of right-of-way between a “rear” fence or wall and the curb.
4 Storm Drainage and Detention

The layout of subdivisions must take into consideration the overall drainage of the subdivision and provide locations for facilities constructed to impound, control the rate of release, and enhance the water quality of storm runoff. Contact the Storm Planning Unit of the Wastewater Management Division for specific requirements for storm drainage and stormwater detention. Contact the NPDES Unit of the Wastewater Management Division for requirements concerning water quality enhancement.

5 Utility System Layout, Engineering, and Design

Utility lines may be placed either within public road rights-of-way within the subdivision in accordance with adopted standards and requirements, or within easements or rights-of-way provided for the particular facilities.

a. Telephone, electric, gas and other similar utility lines and services shall be placed underground except where this requirement is in conflict with the requirements of public and private utility companies or other regulatory agencies. Transformers, switching boxes, terminal boxes, metering, roadway lighting, signal devices, gas regulators, compressor stations or other similar facilities necessarily appurtenant to underground facilities may be placed above ground, but should be placed so that they do not compromise sight distance from site access points and so that they are as unobtrusive as possible with respect to the character of the streetscape.

b. The subdivider shall be responsible for all construction or installation charges including those required by the utility provider (except those installed at the expense of the utility company involved). Utilities are subject to all other applicable City, State and Federal regulations.

c. All utility systems and facilities, such as sewer, water, gas and electrical systems, installed in any area of special flood hazard shall be designed, located and/or constructed to eliminate damage from flood waters.

Easements

a. New utility easements shall be planned so as to be free from conflicting legal encumbrances, to avoid unnecessary removal of trees or excessive excavations, to avoid locations or routes where street tree plantings or landscape screening is either required or customary, and to be free from obstructions.

b. Standard easement widths required by Public Service Co. are as follows:
- 10 foot easements along the perimeter of the subdivision;
- 8 foot easements on both sides of all rear lot lines;
- 6 foot easements to be located outside of the tree lawns and adjacent to the sidewalk easements or adjacent to property lines of all platted roadways or streets within a subdivision.
- Enough area between building envelopes to allow for a minimum of five foot easements where needed, to allow for continuity of service.
c. Where easements are combined with a watercourse, drainage way, channel or stream, a usable utility easement of at least ten feet in width outside that required for water shall be provided if the use would be in conflict with drainage requirements. Multiple use of a given easement is encouraged. The developer is encouraged, in lieu of mechanically providing easements on each and every lot line, to propose a layout based upon a plan for providing the necessary utilities in order to reduce the number width, and complexity of easements. Such a proposal is subject to approval by the utility agencies involved and by the City.

d. Easements may also be required under certain conditions for right-of-way to include signs, walkways, and other special areas.
SUBDIVISION APPLICATION, REVIEW, AND APPROVAL PROCEDURES

The outline below is provided as a summary of the Subdivision approval process. The submittal, format, and review process is further explained in this section of the Subdivision Regulations. An example of an approved final plat is provided on pages 32a through 32d.

Subdivision Approval Process Outline

a. Pre-submittal conference with the Planning and Development Office.
b. Twenty-one (21) copies of Schematic Plat, and required fee, submitted to Denver Planning and Development Office (DPDO). DPDO distributes plans to Development Review Committee (DRC) for comments.
c. DRC members send comments to DPDO. DPDO assembles and forwards comments to applicant.
d. Applicant submits 14 copies of Preliminary Plat to DPDO. DPDO distributes plans to DRC for comments. Applicant provides required engineering studies and plans to the Engineering Division, Wastewater Management, and Water Department.
e. DRC members send comments to DPDO. DPDO assembles and forwards comments to applicant.
f. Applicant submits 14 copies of Final Plat to DPDO. DPDO distributes plans for final check. Approval sheets are circulated among agencies.
g. Applicant installs range points and requests field check.
h. Applicant submits signed original of Final Plat for review and signing by DRC agencies.
i. City Engineer requests City Attorney to prepare Ordinance and places it on Mayor-Council meeting agenda.
j. Ordinance presentation at Mayor-Council meeting. (possible referral to Public Works Committee of City Council)
k. City Council: Second reading of Ordinance and Council vote (approval or disapproval)
l. Ordinance approved, signed, and published.
m. Final plat is recorded with Denver Clerk and Recorder.
1 Schematic Plat: Format, Content, Submittal and Review

The purpose of a Schematic Plat is to propose and present a subdivision concept. The Schematic Plat drawing can be much less formal than the Preliminary Plat but must, at a minimum, include the information listed under “content” below.

Schematic Plat - Format

a. The Schematic plat shall be on a sheet size of 24” by 36”, used horizontally. A graphic scale of 1” = 100’ shall be used, or an alternate scale approved in advance by the Planning and Development Office. The left border on the sheet shall be 3” and all other borders shall be 1”.

b. The top of each sheet, or the left edge, shall be used as north reference, and a north arrow shall be shown. Note: To plan for the layout of the Final Plat, the applicant is advised to refer to Pages 32a through 32d to become familiar with the format required for the Final Plat.

Schematic Plat - Content

a. The Schematic Plat shall contain the following information:

(1) Name of Subdivision: The name of a subdivision shall not duplicate or closely resemble that of any existing subdivision within the City and County of Denver.

(2) The boundary lines of the subdivision, shown in a heavy solid line.

(3) A vicinity map showing the relationship of the proposed subdivision to the surrounding area. Features to be noted are: political jurisdictions, zone district boundaries, major streets, railroads and public facilities. Vicinity maps shall be of a scale no smaller than 1” = 2000’.

(4) A legal description of the subdivision boundary which includes reference to quarter section, section, township, and range. The subdivision survey shall be tied to a minimum of three land corners which will need state plane coordinates (NAD 83-92).

(5) Total acreage of the proposed subdivision.

(6) Dimensions, description and location of all easements of record, with book, page, reception number, year and county in which recorded.

(7) Location, widths and other dimensions of proposed streets and alleys with proposed street names. (Submit a separate sheet with the proposed addressing plan to the City Engineer) In most cases a traffic study, prepared by a traffic engineer, will be required to assist in determining street design width and possible signal locations.

(8) Description and location of benchmark. The benchmark used shall be relative to the existing benchmark network of the City and County of Denver. Contact the City Engineer with any questions.

(9) Proposed lot numbers and approximate dimensions of proposed lots.

(10) Existing and proposed contours with intervals of two feet. Note: this information may be excluded from very large subdivisions if not required by Wastewater Management.

(11) Drainage channels, wooded areas, and other significant natural features.

(12) Storm and sanitary sewers, water mains, culverts, and other underground structures within the subdivision area and immediately adjacent thereto.
Subdivision Regulations

Standard Subdivision Review and Approval Procedure

(13) Locations of storm runoff detention and water quality detention facilities.
(14) Location of existing 100-year floodplain and any proposed modifications to the
floodplain.
(15) Water and sanitation district boundaries and jurisdictional limits.
(16) Preliminary drainage study including the drainage pattern of adjacent subdivisions
or development.
(17) Location, widths and names of all existing or platted streets or other public ways
immediately adjacent to the proposed subdivision, existing permanent buildings, railroad
rights-of-way, section lines, unplatted adjacent land and other important features.

Schematic Plat - Submittal

a. The applicant shall submit with the Schematic Plat a completed official application
form provided by the Planning and Development Office and the required application
fee. The application shall include information listing all owners of land and
structures included in the proposed plat, the developer (applicant), the civil engineer,
the land surveyor, and the primary contact person.

b. The applicant shall provide 21 copies of blue or black line prints of the Schematic
Plat to the Planning and Development Office, folded so the subdivision name on the
top of the first sheet is visible. Within 3 working days after receipt of a complete
preliminary plat application, the Planning and Development Office shall transmit to
city agencies and utility companies copies of the plat for their review. The agencies
will have 14 days from the date they received the plat to review and return it with
their comments to the Planning and Development Office. In the event that additional
time is needed to complete a thorough and adequate review of the plat, the agency
shall notify the Planning and Development Office in writing within the 14 day period.

Schematic Plat - Review

a. The Development Review Committee shall review the Schematic Plat and shall
specify, in written comments to the Planning and Development Office, what
revisions, refinements and additional submittals are needed. All such comments
received by the Planning and Development Office by the deadline date will be
transmitted to the applicant within 18 days of the plat submittal.

b. If a Final Plat is not submitted within 12 months of the date of submittal of the
Schematic Plat, the Schematic Plat must be resubmitted prior to submittal of an
Preliminary Plat.
2 Preliminary Plat: Format, Content, Submittal and Review

The Preliminary Plat is a prerequisite to the Final Plat. The Preliminary Plat shall include the revisions required by the various City agencies and utilities after their review of the Schematic Plat, and shall include all final engineering and survey data, including range lines. The Preliminary Plat shall show range lines (normally located 20’ east and 20’ south of property lines). It is suggested that the legal description be approved by the City Engineer before placing it on the Final Plat.

a. The Preliminary Plat requires boundary closure. Computer printout sheets shall be submitted to the City Surveyor showing boundary closure and areas of all blocks, lots, and tracts.

b. An electronic copy of the Preliminary Plat will be required for final approval. The preferred format is Autocad Release 12 Compatible Drawing File. Contact the City Engineers Office for specific format issues.

Note: Any variation of the above requirements must be approved by the City Engineer.

Preliminary Plat - Format

a. The Preliminary Plat shall be on a sheet size of 24” by 36”, used horizontally. A graphic scale of 1” = 100’ shall be used, or an alternate scale approved in advance by the Planning and Development Office. The left border on the sheet shall be 3” and all other borders shall be 1”.

b. The top of each sheet, or the left edge, shall be used as north reference, and a north arrow shall be shown.

Note: To anticipate and prepare for the layout of the Final Plat, the applicant is advised to refer to the Final Plat Examples on pages 32a through 32d to become familiar with the format required for the Final Plat.

Preliminary Plat - Content

a. The Preliminary Plat shall contain the information required on the Schematic Plat, excluding Schematic Plat Content items a. (9) through a.(17), plus the following additional information:

(1) A legal description of the subdivision boundary.

(2) A description of all monuments, both found and set, which mark the boundary of the subdivision, and a description of all control monuments used in conducting the survey. (CRS 38-51-100, 101, 102)

(3) Areas in square feet of all lots and tracts; shown either on each lot and tract or in a table format.

(4) Description and location of benchmark.

(5) Dimensions, description and location of all easements of record, with book, page, and/or reception number, and year and county in which recorded.

(6) Proposed lot numbers and exact dimensions and angles of proposed lots.

(7) Signature blocks (in preparation for Final Plat format).
(8) All engineering and survey data, including boundary, land lines, block, range lines, lots and tracts; and shall show bearings and distance, and angles where applicable. Note: Orange ink is no longer required or acceptable for the range points and range lines on the mylar of the subdivision plat.

(9) Computer printout sheets showing closures and areas for blocks, lots, and tracts (submit as a separate document).

(10) Copies of reference material relating to easements and/or other land descriptions that affect the subdivision.

(11) Verification of the addressing plan.

**Preliminary Plat - Submittal**

a. The Preliminary Plat shall be submitted to the Planning and Development Office for distribution to the Development Review Committee. 14 copies are required to be submitted, folded so the subdivision name on the top of the first sheet is visible.

b. In addition to the above, specific engineering data shall be submitted to the City Engineer and to the Wastewater Management Division. Submit to the City Engineer four copies of the following:
   - Street plan and profile drawings
   - Street soil test data

Submit to the Wastewater Management Division copies of the following:
   - Storm drainage study - 2 copies
   - Stormwater Quality Control Plan (if not included as a portion of the Storm Drainage Report) - 2 copies
   - Sanitary drainage study - 2 copies
   - Overlot grading plan - 2 copies
   - Mainline storm and sanitary sewer construction drawings, including easements when applicable. - 2 copies
   - Construction Activities Stormwater Management Plan (with Erosion and Sediment Control Permit Application when required) - 6 copies (1 permit application)
   - Soils/Geotechnical report - 1 copy
Preliminary Plat - Review

a. The City Engineer and all other agencies involved in the Preliminary Plat review shall check the plat for accuracy, noting all corrections thereon. The plat will then be returned to the applicant for revisions to be placed on the Final Plat.

b. All streets names will be verified by the City Engineers Office.

Installation of Range Point Monuments

a. After the Preliminary Plat is approved by the City Engineer, the developer may install temporary range point monuments in accordance with City Engineer’s specifications. Permanent subdivision range point monuments must be capped or tagged with the Colorado registration number of the surveyor responsible for establishing the monuments upon completion of street improvements.

Note: Temporary range point monuments may be a #5 rebar with an identifiable cap with the PLS number of surveyor. (No range box is required at this time.)

Field Check

a. Once the temporary range point monuments are installed, the surveyor or the applicant must contact the City Engineer to request a field check. Following this contact, the City Engineer will then check the range point monuments for accuracy. The monuments must be in a position as delineated on the Preliminary Plat and have an accuracy of one part in 10,000 parts prior to adjustment. Those monuments which do not meet the above standards must be adjusted to balance within the required accuracy.

Note: Field measurements should be prorated against record section data and platted distances. Block and range line distances should be adjusted accordingly. If this is done properly, it will eliminate large errors in individual blocks. This will also allow a more accurate location of adjacent subdivisions in the section breakdown.
3  Final Plat: Format, Content, Submittal and Approval

The Final Plat shall conform to the approved Preliminary Plat and shall include all revisions required during the review process.

a. The Final Plat requires closure of all lots, blocks, and/or tracts. Computer printout sheets shall be submitted to the City Engineer showing boundary closure and area if there has been a change since the Preliminary Plat submittal.

b. It is the responsibility of the subdivision applicant to carefully investigate the ownership of the land proposed for subdivision and to determine all owners and holders of deeds of trust or promissory notes. All such parties shall be identified on the original mylar and their signatures shall be accompanied by a notarial seal.

c. All seals on the original mylar of the subdivision plat shall be so treated that they will reproduce clearly.

Final Plat - Format

a. The Final plat shall be on a sheet size of 24' by 36', used horizontally. A graphic scale of 1" = 100' shall be used, or an alternate scale approved in advance by the Planning and Development Office. The left border on the sheet shall be 3" and all other borders shall be 1".

b. The top of each sheet, or the left edge, shall be used as north reference, and a north arrow shall be shown.

c. If two or more sheets are required, the Certificates of Approval by the surveyor and City officials shall be located on sheet 1.

Note: see pages 32a through 32d for a Final Plat example.

Final Plat - Content

a. The Final Plat shall include all of the elements required in the Preliminary Plat submittal with the modifications requested by the City agencies or utility providers.

b. Final Plats and Preliminary Plats shall be prepared by, or under the supervision of, a licensed land surveyor, shall meet the technical requirements of Chapter 50, Denver Revised Municipal Code, and shall be in a form and contain such information as prescribed in these rules and regulations.

c. The Certification and Signature blocks shall be located on sheet 1 of the plat and shall appear as shown on pages 34 through 37.
LEGAL DESCRIPTION AND DEDICATIONS:

KNOW ALL MEN BY THESE PRESENTS THAT __________________________, AS OWNER,

AND __________________________ AS HOLDER OF DEED OF TRUST, HAVE LAID OUT,

PLATTED AND SUBDIVIDED INTO BLOCKS, LOTS AND TRACTS, AS SHOWN ON THIS
MAP, THE LAND DESCRIBED AS FOLLOWS:

(LEGAL DESCRIPTION)

UNDER THE NAME AND STYLE OF (NAME OF SUBDIVISION), AND BY THESE PRESENTS
DO HEREBY DEDICATE TO THE CITY AND COUNTY OF DENVER THE STREETS,
AVENUES, WASTEWATER EASEMENTS, AND OTHER PUBLIC PLACES HEREON SHOWN
AND NOT ALREADY OTHERWISE DEDICATED FOR PUBLIC USE, ALSO TO THE CITY
AND COUNTY OF DENVER AND APPLICABLE PUBLIC UTILITIES AND CABLE
TELEVISION EASEMENTS AS SHOWN.

OWNER:

(name of company or owner)

(type of company)

__________________________________
(owner or c.e.o)

STATE OF COLORADO   )
) SS
CITY AND COUNTY OF DENVER )

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS
_________________ DAY OF __________________, BY (name of owners and name of company):

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES ________________________

__________________________________
NOTARY PUBLIC    ADDRESS
HOLDER OF DEED OF TRUST:

__________________________
(name of owner)

__________________________
(signature)

__________________________
(printed name) (title)

STATE OF COLORADO  

                                 )SS
CITY AND COUNTY OF DENVER  

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS  

______________________DAY OF___________________, BY__________________________

(name)

AS__________________________
(title)

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES__________________________

NOTARY PUBLIC__________________________

ATTORNEY’S CERTIFICATION

I HEREBY CERTIFY THAT I HAVE EXAMINED THE EVIDENCE OF TITLE TO THE LAND  
DESCRIBED HEREON, AND FIND THE TITLE TO THE STREETS, AVENUES, TRACTS AND  
OTHER PUBLIC PLACES TO BE IN THE ABOVE-NAMED DEDICATORS  

THIS____________________DAY OF________________ A.D., 19____, AT_________ O’CLOCK,___M.,  

FREE AND CLEAR OF ENCUMBRANCES.

__________________________
ATTORNEY FOR THE CITY AND COUNTY OF DENVER

__________________________
ASSISTANT CITY ATTORNEY
SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY: THAT THE SURVEY FOR THIS PLAT HAS BEEN MADE IN AGREEMENT WITH RECORDS ON FILE IN THE OFFICE OF THE CITY ENGINEER OF THE CITY AND COUNTY OF DENVER; THAT THIS PLAT IS IN CONFORMITY WITH SUCH RECORDS; THAT ALL MONUMENTS SHOWN HEREON EXIST AS DESCRIBED; AND THAT ALL DIMENSIONAL AND GEODETIC DETAILS ARE CORRECT.

(land surveyor name and registration number)

APPROVALS

I HEREBY CERTIFY THAT THIS MAP AND THE SURVEY REPRESENTED THEREBY ARE ACCURATE AND IN CONFORMITY WITH THE REQUIREMENTS OF CHAPTER 49, ARTICLE III OF THE REVISED MUNICIPAL CODE OF THE CITY AND COUNTY OF DENVER, AND THAT THE REQUIRED IMPROVEMENTS HAVE BEEN PROVIDED FOR.

CITY ENGINEER

DATE

APPROVED BY THE MANAGER OF PUBLIC WORKS:

MANAGER OF PUBLIC WORKS

DATE

APPROVED BY THE PLANNING AND DEVELOPMENT OFFICE:

DIRECTOR OF PLANNING AND DEVELOPMENT

DATE

APPROVED BY THE MANAGER OF PARKS AND RECREATION:

MANAGER OF PARKS AND RECREATION

DATE

APPROVED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER, COLORADO, BY ORDINANCE NO. ___________ OF THE SERIES OF ________________ WITNESS MY HAND AND CORPORATE SEAL OF THE CITY AND COUNTY OF DENVER THIS ____ DAY OF ____________ A.D., 19___.

CLERK AND RECORDER, EX-OFFICIO CLERK OF THE CITY AND COUNTY OF DENVER

BY

DEPUTY CLERK AND RECORDER
CLERK & RECORDER'S CERTIFICATION

STATE OF COLORADO

)SS

CITY AND COUNTY OF DENVER

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN MY OFFICE
AT _____ O'CLOCK _____, M., __________________ 19 _____, AND DULY RECORDED IN
BOOK ___________ PAGE _______. RECEIPTION NO. ______________

__________________________
CLERK AND RECORDER

BY __________________________ DEPUTY

FEE __________

NOTE: All signatures requiring a seal must be located on the plat near the bottom or right side
for easy access of seal (see example, page 32a.)
Subdivision Regulations

Final Plat Submittal: For Review

a. The applicant shall submit 14 copies of the Final Plat, folded with the front sheet subdivision name visible, to the Planning and Development Office for review by those agencies and utilities requiring a review of the Final Plat. The original mylar (or photo mylar) is only submitted to the Planning and Development Office after the prints of the Final Plat have received final review and approval.

b. At the time of submittal of the Final Plat, the applicant shall submit to the Planning and Development Office the following information:

(1) an abstract of title, an attorney's opinion, or a title insurance policy;

(2) a tax receipt for all taxes due and payable;

(3) a certificate of taxes due, obtained from the department of revenue, showing that all current taxes and assessments against the property have been paid;

(4) a list of the names, addresses and phone numbers of each person and/or entity who has an ownership interest in or who holds a deed of trust for any part of the land being subdivided.

The Planning and Development Office will transfer this information to the City Attorney.

c. Approval of the prints of the Final Plat is coordinated by the Planning and Development Office by circulating the prints among the agencies and receiving their signed approval. The applicant is then notified to provide the original mylar, or photo mylar, for signatures by City officials. Prior to recording, engineering fees and document recording fees are payable in an amount set by the City Engineer.

Final Plat Submittal: For Recording

a. The applicant shall submit to the Planning and Development Office one mylar (either the original mylar or a photo mylar) along with a check payable to the Clerk and Recorder in the amount of $11 per first sheet and $10 per each following sheet. The Final Plat shall also be submitted in electronic format (Autocad Release 12 DWG File is preferred) in addition to hard copy.

The mylar submitted for recording must conform to the following specifications:

- 24" x 36" size
- Double-matted (matte finish on both sides) mylar having a minimum thickness of .003 inch.
- If an ink drawing, black ink only, with all ink on the top surface of the mylar.
- If a photo reproduction, black line only, with the emulsion on the top surface (or face) of the photo mylar.
- Original signatures with black acetone-based ink (Note: For photo mylars, all signatures must be obtained after the photo reproduction). The mylar must be correction-free at the time signatures are obtained.
- Raised (embossed), or ink, surveyor's seal and if applicable, raised (embossed), or ink, corporate seal.
Submittal of Final Plat in Phases

a. The developer may elect to finalize the subdivision in phases, with the first phase constituting only a portion of the land area included in the Schematic Plat. Under such phased finalization, the boundaries of each phase must be approved by the Planning and Development Office prior to submittal of a Final Plat for that phase. The Final Plat for each phase must conform to these regulations.

b. If more than two years elapses between the approval of the Schematic Plat and the approval of all phases of the Final Plats, the Planning and Development Office may declare the Schematic Plat to be invalid for all land area not subject to an approved Final Plat.

Approval by City Agencies

a. The Planning and Development Office shall circulate the Final Plat mylar to the Parks and Recreation Department and then to the City Engineer for their signatures. Upon approval by these agencies, the City Engineer shall refer the Final Plat to the Manager of Public Works for signature. The Manager of Public Works shall subsequently refer the Final Plat to the City Attorney for signature. The City Attorney shall be responsible for preparation of an ordinance of acceptance of the Final Plat by City Council and shall refer the plat to that body.

Approval by City Council

a. The City Council approval process takes approximately 4 weeks, between the time the City Attorney places the Ordinance on the Mayor-Council meeting agenda and the City Council approves the Ordinance. The sequence of events during this time period includes: (1) scheduling by the Engineering Division of Public Works; (2) the presentation at the Mayor-Council meeting; (3) possible referral to the Public Works Committee of City Council (which would add 1 or 2 weeks to the overall approval schedule); (4) first reading at City Council meeting and Ordinance publication; (5) second reading at City Council and final approval by Council; (6) Ordinance signed by the Mayor and published.

Recording of Plat

a. Upon the approval of the accepting ordinance by Council action, the original mylar will be recorded and filed with the Clerk and Recorder.

Withdrawal or Modification

a. Prior to approval or disapproval by the Council, any submitted plat may be withdrawn or modified.

b. If modified, the review process shall be repeated to the extent deemed necessary by the Planning and Development Office.
## APPENDIX 1

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APPENDIX 1

THE DEVELOPMENT REVIEW COMMITTEE

The Development Review Committee was established for the purpose of reviewing Planned Building Groups (PBGs), Planned Unit Development (PUD) Site Plans, Subdivision Plats and other required site plans. By ordinance, the Committee consists of the Director of Planning and Development, the Manager of Public Works, the Zoning Administrator, the Chief of the Fire Department, the Manager of Parks and Recreation, and the Manager of the Denver Water Board, or their designated representatives. Other City agencies, as well as Public Service Company and the Colorado Department of Highways, are represented on the Committee at the request of the agencies designated by ordinance. A Planning and Development Office representative functions as the coordinator of the Committee.

Generally, plans referred to the Committee for review must be approved by each affected reviewing agency as a condition for approval of the plan. Plans are not approved on the basis of consensus or on the basis of a vote. Instead, each reviewing agency must approve the plan on the basis of specific ordinances and regulations which that agency is responsible for administering. The Committee may not waive the requirements of any reviewing agency.

Meetings

The Committee meets regularly to review the status of development plans being processed. For the time and location of these meetings, contact the Committee representative at the Planning and Development Office. The Committee is available by appointment after these meetings to discuss development proposals or problems related to development plans under review. Committee meetings are open to the public.

Agencies Represented on The Development Review Committee

The following city agencies and other participants are represented on the Development Review Committee.

<table>
<thead>
<tr>
<th>City Agencies:</th>
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<tr>
<td>Asset Management</td>
<td>Colorado Department of Transportation</td>
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<td>Building Inspection Division</td>
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<td>Commission for People with Disabilities</td>
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<td>Fire Prevention Bureau</td>
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<td>Parks and Recreation</td>
<td>U.S. Postal Service</td>
</tr>
<tr>
<td>Planning and Development Office</td>
<td>U.S. West Communications</td>
</tr>
<tr>
<td>Police Department</td>
<td>Urban Drainage and Flood Control District</td>
</tr>
<tr>
<td>Transportation Division</td>
<td></td>
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<tr>
<td>Wastewater Management</td>
<td></td>
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<td>Water Department</td>
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<td>Zoning Administration</td>
<td></td>
</tr>
<tr>
<td>Mayor’s Office of Regulatory Reform</td>
<td></td>
</tr>
</tbody>
</table>

Please contact the Planning and Development Office for a current roster of representatives by name, address and phone number.
SUBDIVISION ORDINANCE

SUBDIVISION OF LAND

ARTICLE I. IN GENERAL

Sec. 50-1. PURPOSE.

Upon consideration of a recommendation that an ordinance be enacted for the purpose of protecting the health, safety and general welfare of the people of the city and their property therein situate, the Council finds that the subdivision and resubdivision of real property and the approval of plats should be regulated and restricted in order to insure an orderly growth and development of the city.

Sec. 50-2. Definition

Subdivision for the purpose of this chapter, shall mean the division of land into two (2) or more lots, blocks, tracts, plots or sites for the purpose of development. This term includes resubdivision, and when appropriate to the context, shall relate to the process of subdividing or to the land being subdivided. Any division of land ordered by a court or that creates cemetery plots shall not be deemed a subdivision.

Secs. 50-3 — 50-15 Reserved

ARTICLE II. PLATTING

Sec. 50-16. When subdivision is required

Where land being subdivided requires dedication of land for streets and other public purposes, it shall be subdivided in accordance with this chapter.

Sec. 50-17. Council shall approve plats.

All plats or maps of any proposed subdivision or resubdivision of real property shall be submitted by the city attorney to the council for approval or disapproval, and no plat shall be recorded until approved by council.

Sec. 50-18 Tax and zoning restrictions

No plat shall be approved by the council unless such plat is in full conformity with all requirements for an orderly growth and development of the city and no real property shall be subdivided or resubdivided unless all taxes and special assessments thereon shall have been paid, and unless such property is classified in a zoning district as defined in the zoning ordinance.

Sec. 50-19 Technical requirements of plats

All plats submitted to council shall meet the following requirements:

1. Shall be accompanied by an abstract of title and an attorney’s title opinion or a title insurance policy;

2. Shall be accompanied by a tax receipt for taxes due and payable;

3. Shall be accompanied by a certificate from the department of revenue that no delinquent taxes are assessed against the property;

4. Shall be in a form and contain such information as prescribed in Section 50-26.

Sec. 50-20. Restrictive covenants

No restrictive covenants shall appear on the face of the plat under this chapter.

Sec. 50-21. Development review committee created.

The development review committee is hereby created to consist of the director of planning, the manager of public works, the zoning administrator, the chief of the fire department, the manager of parks and recreation, and the manager of the water board.

Sec. 50-22. Development review committee shall examine all plats.

Prior to submission to the council, all plats submitted shall be reviewed by the development review committee. Additional public and private agencies may participate at the request of such public or private agencies.
Sec. 50-22.5 Fees for review of plats.

(a) Subdivision plat review fees shall be as follows:

1. Minimum on one acre of ground or any portion thereof $350.00
2. For each additional acre over one acre or portion thereof 25.00
3. Maximum fee 750.00

(b) Fees for review of subdivision overlay of planned building group or planned unit development shall be as follows:

1. Minimum on one acre of ground or any portion thereof $100.00
2. For each additional acre over one acre or portion thereof 10.00
3. Maximum fee 300.00

(c) Such fees are payable to the city planning office at the time of submission of the plat and shall include the cost of publications in the official newspaper.

Sec. 50-23. Council and city agencies may impose conditions.

As part of the approval of any plat, the council and city agencies may impose any reasonable conditions. No plat shall be deemed approved until the conditions imposed have been fully provided for.

Sec. 50-24. Plats shall not be recorded until conditions are met.

After all of the conditions imposed by the council and city agencies have been fully provided for, and after the approval of the plat by the council, it shall be recorded and one mylar or linen tracing of the plat filed with the clerk and recorder and one mylar or linen tracing of the plat shall be filed with the city engineer.

Sec. 50-25. Plats may be withdrawn.

Prior to approval or disapproval by the council any submitted plat may be withdrawn.

Sec. 50-26. Rules and regulations.

(a) The director of planning shall adopt subdivision rules and regulations establishing standards and procedures for the examination of plats. The subdivision rules and regulations shall make due provision for:

1. Adequate design of streets, grades, curbs and gutters, sidewalks, paving and drainage of all dedicated public streets;
2. Adequate design of sanitary sewer facilities;
3. Adequate design of bikeways and pedestrian walkways;
4. Adequate design of drainage elements to handle storm waters, ensure compliance with flood plain regulations, prevent erosion and minimize formation of dust;
5. Adequate access for fire fighting equipment;
6. Adequate water supply facilities;
7. Adequate easements for telephone, gas and electric lines;
8. Adequate street lighting facilities;
9. Preservation of attractive natural landscape features;
10. Proper legal description and monumenting of subdivided land;
11. Proper format, information and fee requirements for plats.

(b) Such rules and regulations shall be open to public inspection.
CITY AND COUNTY OF DENVER
APPLICATION TO SUBDIVIDE LAND

FEE OF $________ DATE PAID ______ RECEIVED BY

Signature of Applicant

Date

DESCRIPTION OF SITE:
Location___________________________
Land Area_________________________
Section____ Township____ Range_____
Assessors Parcel No._________________
Legal Description__________________________

APPLICANT:
Name______________________________
Title______________________________
Company___________________________
Address___________________________
City, State, Zip____________________
Phone____________________________

OWNER:
Name:____________________________
Title______________________________
Company___________________________
Address___________________________
City, State, Zip____________________
Phone____________________________

LAND PLANNER:
Name______________________________
Title______________________________
Company___________________________
Address___________________________
City, State, Zip____________________
Phone____________________________
Contact Person____________________

ENGINEER:
Name______________________________
Title______________________________
Company___________________________
Address___________________________
City, State, Zip____________________
Phone____________________________
Contact Person____________________
APPENDIX 4

EASEMENT AND INDEMNITY AGREEMENT (EXAMPLE)

THIS AGREEMENT, made and entered into this _____day of ____________, ____, by and between the CITY AND COUNTY OF DENVER, a municipal corporation of the State of Colorado, hereinafter referred to as the “City”, Party of the First Part, and ______________, hereinafter referred to as “Owner(s)”, Party of the Second Part.

WITNESSETH:

WHEREAS, the Owner(s) is about to develop, under a Planned Building Group premises situated in the City and County of Denver, State of Colorado, which property by virtue of the said development is to be known as ______________ and is more particularly described as set out on Exhibit “A” attached hereto, and by reference made a part hereof, and

WHEREAS, the Owner(s) will cause to be recorded a Planned Building Group Plan pertaining to a Planned Building Group to be constructed within the above referenced development, which Planned Building Group Plan will show thereon private sewers, drives, ways, and drainage facilities and otherwise conform to Standards approved by the City Development Review Committee;

WHEREAS, Owner(s) is charged with the maintenance of the common areas and private roadways, sewers, and drainage facilities within said development;

WHEREAS, the City and County of Denver is a municipal corporation within which the above development is located and which currently provides emergency and other municipal services to premises within the City using the public streets;

WHEREAS, the streets and roadways within said development are private roadways;

WHEREAS, Owner(s) is desirous of providing ingress and egress to the City on such private roadways, to enable the City to provide emergency and other municipal services in the described area, in, to and over said development.

NOW, THEREFORE, in consideration of the premises and in consideration of the Owner(s) receiving the benefits of emergency and other municipal services from the City, the Parties hereto agree as follows:

SECTION ONE
CONVEYANCE OF EASEMENT

1. The Owner(s) hereby grants and conveys a non-exclusive easement to the City, for ingress and egress over all private drives or ways shown on the Plan of ______________ above referred to, for purposes of providing in such areas public safety and other normal and usual municipal services to the citizens of the City and County of Denver, together with any and all rights-of-way, easements or rights of ingress and egress, necessary or convenient to the City to accomplish such purposes, PROVIDED, HOWEVER, that in non-dedicated streets, drives, alleys, or other privately maintained ways and places existing within the area, the City shall not be obligated or expected to perform any construction, re-construction, maintenance, repair, cleaning, snow removal, street lighting, traffic control, or regulation or any other services on the private drives or property of the development which it does not or cannot perform on any other private drive, road, street or property within the City and County of Denver.

2. It is the desire of the Owner(s) that the City use these private roadways to provide emergency and other municipal services within the above described development for so long as the City provides such services generally in the City.
3. The term Owner(s) as used herein shall be deemed to include the heirs, successors and assigns of the original owner(s). All duties and liabilities of the Owner(s) hereunder shall be joint and several as among such original owner(s), heirs, successors, and assigns.

SECTION TWO
CONSTRUCTION AND MAINTENANCE

4. It shall be the duty of the Owner(s) to construct, reconstruct, repair and maintain all private roadways within the development in such condition so as to be usable by the City for provision of services as set out herein.

5. If in the opinion of the City, the private roadways are not properly maintained or are closed, blocked, or vacated, the City shall give notice to the Owner(s) and if repairs or corrections are not made within the time designated in such notice, the City is authorized to, and will make or have made repairs or corrections and will charge and collect the cost thereof from the Owner(s).

6. The Owner(s) shall in no way consider or hold the City or its personnel guilty of a trespass in the performance of any of the municipal services, duties or responsibilities referred to herein.

7. The Owner(s) shall neither (a) alter the development nor (b) close, block or vacate the roadways or streets in the development so that as a result of (a) or (b) the provision of the above-stated services to the development is rendered impossible or materially impaired.

8. The Owner(s) shall comply with all operating rules, regulations and engineering standards of the Denver Board of Water Commissioners as the same shall exist from time to time.

9. No combustible construction shall start in the subject development until fire hydrants sufficient in number and location as determined by the Denver Fire Department have been installed, all in accordance with the provisions of the Uniform Fire Code and Uniform Building Code as adopted by the City and County of Denver.

10. The Owner(s) shall pay for and be responsible for all costs of installation and maintenance of sanitary sewers, sanitary sewer detention facilities, if required, storm sewers and storm drainage control facilities within the development area as determined necessary by and according to the specifications of the Department of Public Works of the City and County of Denver. While the City assumes no obligation for the maintenance or operation of such sewers, in the event of a malfunction of such sewers and the failure of the Owner(s) to correct the malfunction in a reasonable time the Owner(s) authorizes the City to make or have made the correction or repair and to charge and collect the cost thereof from the Owner(s).

11. It is understood the Owner(s) intends to cause the formation of a Homeowners Association to hold title to and administer the use and maintenance of the private roads and streets and other common facilities to be included within the development. IT IS FURTHER UNDERSTOOD THAT THE "DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS" OR ANY SIMILAR INSTRUMENT FOR SUCH HOMEOWNERS ASSOCIATION SHALL CLEARLY STATE THAT THE HOMEOWNERS HAVE JOINT AND SEVERAL FINANCIAL RESPONSIBILITY FOR THE MAINTENANCE AND REPAIR OF SUCH PRIVATE ROADS, STREETS, SEWERS, OR OTHER DRAINAGE FACILITIES, AND THE INDEMNITY PROVISIONS OF THIS AGREEMENT. IN ACCORDANCE WITH SECTION 41-20 OF THE REVISED MUNICIPAL CODE, THE OWNER(S) SHALL HAVE A COPY OF SUCH DECLARATION READILY AVAILABLE IN ITS SALES FACILITY AND SHALL PROVIDE A COPY TO EACH PURCHASER AT THE TIME OF EXECUTION OF EACH SALES AGREEMENT. THE OWNER(S) SHALL ALSO RECORD THE HOMEOWNERS DECLARATION WITH THE CLERK AND RECORDER OF THE CITY AND COUNTY OF DENVER, AND PROVIDE SATISFACTORY EVIDENCE OF SUCH RECORDATION TO THE CITY.
SECTION THREE
INDEMNITY AGREEMENT

12. The Owner(s) agree to: defend, indemnify, save harmless the City, its officers, agents and employees against any and all claims for liabilities, actions, causes of action, or legal or equitable proceedings for damage to property or injuries to or death of any person or persons which may result from City service operations at the development, provided, however that the Owner(s) need not indemnify or save harmless the City, its officers, agents, and employees from damages as aforesaid proximately resulting from the sole negligence of the City's officers, agents, and employees. By all claims for damages this Agreement specifically includes, but is not limited to:

(A) Any road deterioration or damage on the subject development.

(B) Any structural damage to buildings located on the subject development caused by City vehicle weight, or size, by vibration generated by City vehicle or any other cause not specifically described.

(C) Any damage to utilities such as water pipes, sewer pipes, gas pipes and electrical power lines.

(D) Any damage to landscaping including but not limited to shrubbery, trees and lawn.

(E) Any bodily injury to any person except a City employee, which is caused directly or indirectly by City service operations at the development, or by delay, or complication or prevention of provision of such services due to closure, blocking, vacation, or disrepair of the private roadways referred to herein.

13. The Owner(s), further agrees jointly and severally to reimburse the City for any bodily injury to City personnel, or damages to City property caused by a defective or dangerous condition of the development.

SECTION FOUR
DISPUTES

14. Disputes between the City and any Owner(s) regarding any aspect of this Easement and Indemnity Agreement including but not limited to breach or default of the Agreement shall be resolved by administrative hearing pursuant to D.R.M.C. Chapter 56-106.

SECTION FIVE
NO DISCRIMINATION IN EMPLOYMENT: NO THIRD PART BENEFICIARIES

15. In connection with the performance of work under this Agreement, the Owner(s) agrees not to refuse to hire, discharge, promote or demote, or to discriminate in matters of compensation against any person otherwise qualified, solely because of race, color, religion, national origin, gender, age, military status, sexual orientation, marital status, or physical or mental disability: and further agrees to insert the foregoing provision in all subcontracts hereunder.

16. It is expressly understood and agreed that enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly reserved to the City and the Owner(s), and nothing contained in this Agreement shall give or allow any such claim or right of action by any other or third party on such Agreement, including but not limited to subcontractors, subconsultants, and suppliers. It is the express intention of the City and the Owner(s) that any person other than the City or the Owner(s) receiving services or benefits under this Agreement shall be deemed to be an incidental beneficiary only.
SECTION SIX  
EASEMENT AND INDEMNITY AGREEMENT TO RUN WITH LAND

17. The grant of easement and duties contained herein shall run with the land and shall be binding upon, jointly and severally, and shall inure to the benefit of, the parties hereto, their heirs, successors, or assigns, and the Owner(s) agrees that upon sale of any portion of the described property a copy of this Easement and Indemnity Agreement will be given to the purchaser.

18. The Owner(s) agrees to the terms of this Agreement and gives evidence of its voluntary agreement by having the individuals below sign their names.

19. THIS AGREEMENT shall become effective upon its ratification by the Council of the City and County of Denver, and its execution by the parties hereto. The Owner(s) shall provide satisfactory evidence to the City of recorisation of the Agreement with the Clerk and Recorder of the City and County of Denver.

20. THIS AGREEMENT shall be binding upon any and all heirs, successors, assignees, or transferees of the Parties hereto and shall be considered a covenant running with the land.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the day and year first above written.

ATTEST:

________________________________________________________
Clerk and Recorder, Ex-Officio
Clerk of the City and County of Denver

APPROVED AS TO FORM:

(City Attorney), Attorney
for the City and County of Denver

By________________________________________
Assistant City Attorney

ATTEST:

________________________________________________________

REGISTERED AND COUNTERSIGNED:

By________________________________________
Auditor

PARTY OF THE FIRST PART
“CITY”

IRS No.____________________________________

By________________________________________
Title________________________________________

PARTY OF THE SECOND PART
“OWNER”

STATE OF COLORADO )
CITY AND ) S. S.
COUNTY OF DENVER )
The foregoing instrument was acknowledged before me this ______ day of ____________, 199__,
by________________________________________

(if natural person or persons, insert name or names; if by person acting in representative or official capacity or as attorney in fact, insert name of person as executor, attorney in fact, or other capacity or description: if by officer of corporation, insert name of such officer or officers as the president or other officers of such corporation, naming it).

WITNESS my hand and official seal.
My commission expires:____________________

Notary Public

Address
APPENDIX 5

STREET DEVELOPMENT REQUIREMENTS (EXAMPLE)

Department of Public Works  STREET DEVELOPMENT REQUIREMENTS  DENVER, COLORADO

NAME: _______________________________ FORM NO. _______________________________ PAGE 1 of 6

COMPANY NAME: __________________________ TELEPHONE NO. __________ DATE: __________

ADDRESS: ______________________________ PROJECT NAME: __________________________

PROJECT ADDRESS: __________________________

Authority: Chapter 49, Article III, Layout of streets
Article V, Development of streets
Article VI, Sidewalks, curbs, gutters, and driveways
Article VII, Private designing, planning, construction, reconstruction, and remodeling of the Right-of-way.

A. DESCRIPTION OF REQUIRED ITEMS

1. **PEORIA STREET - 170' ± FRONTAGE**
   a. Close two existing curb cuts with new curb, gutter, and sidewalk to match existing.
   b. etc

2. **45TH AVENUE - 170' ± FRONTAGE**
   a. Rebuild existing curb cut as a 30’ curb cut with arterial flares.
   b. etc

B. SPECIAL PROVISIONS

1. All pavement marking must be 3M Company Stamar 5730 or approved equal. All markings must be installed according to manufacturers specifications. A design drawing must be submitted for approval before installation.

2. Access to the alley shall not be allowed.


4. Any existing curb, gutter, and sidewalk that is in poor condition must be repaired or replaced at the direction of Construction Engineer.

5. Patch paving as necessary to join new gutters with the existing pavement.

6. Any relocation of utilities, as required by this project, such as power poles and fire hydrants that are in the public right-of-way will be the cost of the owner and should be coordinated with the appropriate utility or agency.

7. All construction activities are to be according to Denver Standards and Specifications.

8. Protection and replacement of damaged street improvements are the responsibility of the owner until fully completed and accepted by the City of Denver.
9. A monument record must be filed with the City Surveyor's Office for all crosses, bench marks, range points, and section corners so they can be replaced after construction. The monument record must be filed with the City Surveyor's Office before the plan and profile drawings can be approved. This must be done by a Professional Licensed Land Surveyor, and the monuments must be replaced by the owner's surveyor before new construction can be accepted by the City.

10. The right-of-way required by this agreement must be documented by the owner with a Level 1 Environmental Study. The results of this study may require additional studies and sampling. Any contamination must be removed by the owner before the land is conveyed to the City. Contact the Environmental Services Office at (303) 640-3335 for additional information.

The owner must submit a legal description of the required right-of-way to the City Engineer's Office, Right-of-Way Section 640-5405 for review and approval. The Asset Management Officer will prepare the Deed with the approved legal description and submit the Deed to owner for signature. The land must be conveyed to the City before the Certificate of Occupancy is issued.

11. Plan and profile drawings prepared and stamped by the Registered professional Engineer are required for the street improvements listed in this agreement.

12. All proposed light fixtures installed on private property, adjacent to the public right-of-way, shall be oriented in such a way or limited in lumens output so as not to create a glare problem (i.e. shall not exceed Nation I.E.S. lighting standards for disability glare) for approaching on-street traffic.

13. All privately installed and maintained pedestrian lights in the public right-of-way shall require a Type B Letter Revokable Permit from the Department of Public Works. These pedestrian lights shall be limited in light output to 6,000 lumens per lamp and 9,000 lumens per pole. Pedestrian lights cannot be located where the City Traffic Engineer determines they will be in conflict with a traffic control device.

14. Landscape right-of-way with sod and trees. No loose material (i.e., rock, bark, gravel, etc.) shall be allowed. Decorative concrete or low growing plant material may be allowed only with the specific approval of the Transportation Engineering Division. Trees shall be pre-approved by the City Foresters Office and shall be a minimum of 20' from property corner at intersections, 25' from street lights and 10' from driveways.

APPROVED FOR
DESIGN ENG. BY: ___________________________ DATE: ____________

APPROVED FOR
CONST. ENG. BY: ___________________________ DATE: ____________

APPROVED FOR
TRANS. DIV. BY: ___________________________ DATE: ____________

C. SPECIAL INSTRUCTIONS

1. This form must be signed by the owner of the property or authorized agent and returned along with any right-of-way deeds or plats, and any other engineering drawings as required before the Building Permit, Subdivision Plat, Planned Building Group Plan, or the Planned Unit Development Plan can be approved.
2. When you have signed this form, run copies as necessary for your file, and return the original to: Transportation Division, Plans Review Section, 200 West 14th Avenue, Room 352, Denver, Colorado 80204.

3. If you have any dispute with the agreement you may file for an administrative hearing, pursuant to Chapter 56, Section 56-106, Administrative Review and Court Proceedings, of the Revised Municipal Code.

4. THIS IS NOT A CONSTRUCTION PERMIT. A permit from the Construction Engineering division is required before any construction is started on the public right-of-way. All damaged improvements on the public right-of-way must be repaired by the owner at the direction of Construction Engineering. All construction on the public right-of-way must meet current design requirements and construction specifications at the time of construction.

SIGNATURE OF OWNER AND ACKNOWLEDGEMENT BY OWNER OF RECEIPT

OF STREET DEVELOPMENT

REQUIREMENTS ___________________________ DATE: ___________________________

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<tr>
<th>X</th>
<th>Street Construction Engineer</th>
<th>Traffic Operation Engineer</th>
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<td>___</td>
<td>Zoning</td>
<td>Environmental Services</td>
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CONTACT LIST

Richard Baur, City Surveyor, 200 West 14th Avenue, Room 204, Denver, Colorado 80204, 640-5409

Randy Schnicker, Chief Civil Engineer, 200 West 14th Avenue, Room 303, Denver Colorado 80204, 640-5412

Larry Grauberger, Chief Construction Engineer, 200 West 14th Avenue, Room 303, Denver, Colorado 80204, 640-5406

Wes Knapp, Plans Review Engineer, 200 West 14th Avenue, Room 302, Denver, Colorado 80204, 640-3958

Aaron Rivera, Right-of-Way Engineer, 200 West 14th Avenue, Room 301, Denver, Colorado 80204, 640-5405

Rudy Blea, Plans Tech, Colo Department of Transportation, 5640 Atlantic Place, Denver, Colorado 80224, 757-9901

Tony Cuiffo, Asset Management, Annex I, 1445 Cleveland Place, Room 401, Denver, Colorado 80202, 640-2281

Denver Planning Office, 200 West 14th Avenue, Room 203, Denver, Colorado 80204, 640-2736

Denver Zoning Administration, 200 West 14th Avenue, Room 201, Denver, Colorado 80204, 640-2191

Terry Sears, Signal Engineer, 200 West 14th Avenue, Room 302, Denver, Colorado 80204, 640-3958

Ed Demos, Director, Environmental Services, 216 16th Street, Suite 1500, Denver, Colorado 80202, 640-3335
COMMON INTEREST OWNERSHIP ACT

Developers considering the subdivision of land under Denver’s Subdivision Ordinance and Regulations should be aware of the Colorado Common Interest Ownership Act (CIOA) which became effective July 1, 1992. This state statute establishes organization and operating rules for most real estate developments that have a combination of separate ownership and common ownership. The Act primarily affects homeowners associations that impose mandatory assessments for maintenance and improvements. Contained within C.R.S. 38-33.3 are rules which cover such topics as a developer’s powers for expanding and contracting a project, minimum requirements in covenants and association documentation, a developer’s inherent liability to an association, how a developer may reserve and exercise development rights, and limitations on contracts between the developer and the association. Subdivision developers should be aware of how the Common Interest Ownership Act would influence the improvement and maintenance of common areas within their developments.
USEFUL PUBLICATIONS

Codes, Publications, and Handouts Available

Building Inspection Division, Department of Public Works (All of the following codes and handouts are available at the Permit Center cashier.)

- **Denver Building Code.** $18.00 (consists of amendments to the uniform codes of the International Building Officials).
- **Denver Building Code Interpretations and Policy Manual.** No Charge
- **Uniform Building Code.** $50.00
- **Uniform Mechanical Code.** $35.00
- **Uniform Plumbing Code.** $40.00
- **U.B.C. Standards.** $78.00
- **National Electrical Code.** $35.00
- Numerous Handouts, including:
  “Forms needed for commercial permitting”
  “Walk-in engineering service” (information on walk-through plan review for commercial and multi-family residential construction)
  “Log-in process” (for commercial and multi-family construction)
  “Check list for one and two family dwellings”

Engineering Division, Department of Public Works

- **Engineering Standards for Plan and Profiles.** No Charge
- **Standard Details.** $18.50

Transportation Division, Department of Public Works

- **Street Development Standards.** No Charge

Fire Prevention Bureau

- **Uniform Fire Code.** $44.45
Planning and Development Office and Zoning Administration (all of the following codes and publications, except the Denver Zoning Ordinance, are available at the Permit Center cashier)

- Denver Zoning Ordinance. Available from the Zoning Administration. (includes current supplements; future supplements are available at additional cost). $65.00
- PUD/PBG Rules and Regulations. $8.00
- Rules and Regulations for the Landscaping of Parking Areas $5.00
- Sign Code. $5.00
- Gateway Zone District: Ordinance. $5.00
- Gateway Zone District: Regulations and Guidelines. $5.00
- Subdivision Regulations. $8.00

Wastewater Management Division, Department of Public Works (All of the following publications are available from WMD)

- Rules and Regulations Governing Sewerage Charges and Management of Wastewater. $7.50
- Standards/Design Details. $10.00
- Sanitary Sewer Design Technical Manual. $10.00
- Storm Drainage Design and Technical Criteria. $20.00
- Stormwater Quality Control Plans; An information guide: No Charge

Water Department (All of the following publications are available at the Water Department)

- Engineering Standards. $10.00
- Operating Rules. $10.71
- Taps. Brochure; No Charge
- Xeriscape Information. Brochures; No Charge

Public Service Company of Colorado

- Guidelines for Residential Gas and Electric Service. No Charge
ACKNOWLEDGMENTS

Mayor of Denver
   Wellington E. Webb

Denver Planning Board
   William H. Hornby, Chairman
   Jan Belle                      Cyrus Hackstaff III
   Pat Cortez                     Mark Johnson
   James Daniels                  Marilyn Stokes
   Thomas H. Foster, Jr.          Mary Beth Susman
   Dan Guimond                   Stephan Velazquez

Denver Planning and Development Office
   Jennifer T. Moulton, Director
   Dave Wicks, Planning Program Manager, Development and Zoning Review Section
   Doug Goedert, Senior City Planner

Members of the Development Review Committee