

**PARK COUNTY APPLICATION FOR
MAJOR SUBDIVISION PRELIMINARY PLAN
NON-REFUNDABLE APPLICATION FEE: \$4000 + \$50 PER LOT OR
RESERVED AREA**

All applicants must submit one complete application and attend a pre-application conference with the Park County Planning Department Staff seven (7) to ten (10) working days prior to the application submittal deadline. Following the acceptance of the complete application the applicant must submit **thirty (30) collated paper copies or electronic media as requested** to the Park County Planning Department on or before the application submittal date.

If you have questions regarding this form please contact the Planning Department by phone at (719) 836-4254 or e-mail pcpd@parkco.us, fax (719) 836-4351, or write to us at P.O. Box 1598 Fairplay, CO 80440.

A. APPLICANT AND OWNERSHIP INFORMATION

Applicant's Name: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Telephone

(work) _____ (home) _____ (fax) _____

Owner's Name: _____

Mailing Address: _____

Telephone No.: _____

B. PROPERTY INFORMATION

Complete Legal Description of Property Proposed for the Major Subdivision Preliminary Plan (attach additional page, if necessary):

Street Address of Property: _____

Property's Total Acreage: _____

Current Zone District of Property: _____

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| <p>For County Use Only Planning Department Confirmation of Current Zone District: District: _____ _____ Print Full Name</p> |
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**Requirements for a Major Subdivision Preliminary Plan
Article VI, Division 4, Section 6-404**

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C. APPLICATION REQUIREMENTS

1. Application Fee. An application fee in the amount of \$3920.00 + \$50.00 per lot or RESERVED AREA must be paid at the time of submission of the application. Make the check or money order payable to the Park County Planning Department. The fee pays the typical cost to the County to process the application.. Any additional costs that may occur are the applicant's responsibility.
2. Tax receipt-showing payment of current taxes for the property proposed for subdivision. This can be obtained at the Park County Treasurer's office.
3. A properly executed Agreement for Payment of Development Review Expenses in the attached form. The Development Review Expense Deposit for a Major Subdivision Preliminary Plan is \$950. Make the check or money order to the Park County Planning Department
4. Evidence of ownership and Encumbrances as defined by Article IV of the Land Use Regulations.
5. A legal description for the property proposed for subdivision prepared by a licensed Colorado land surveyor.
6. A signed and notarized certification from the Applicant that proper notice has been provided to the mineral estate owner pursuant to C.R.S. § 24-65.5-103, or a certification that such notice is not required because the surface estate has not been separated from the mineral estate for the property described in the application. A form of certification is provided in Appendix B (attached).
7. A list of names and mailing addresses of all adjacent property owners to the property proposed for subdivision, (this information is at the Park County Assessor's Office).
8. Preliminary Plan The Preliminary Plan map shall be drawn, signed and stamped by a currently licensed Colorado land Surveyor at a commonly used engineering scale. The size of the map sheet shall be twenty-four by thirty-six inches (24' x 36"). Where the required data cannot be clearly shown on one plan sheet, additional plan sheets of the same size may be used with easily identifiable match lines. The Preliminary Plan must also be submitted in a digital format that will allow the Mapping Department to accurately reference it into the County's Geographic Information System. At a minimum, the Preliminary Plan shall contain:
 - a. The plat shall include a title that prominently identifies the proposed name of the subdivision together with the phrase "Preliminary Plan";
 - b. Date of preparation, map scale, and north arrow;

(1.) _____

(2.) _____

(3.) _____

(4.) _____

(5.) _____

(6.) _____

(7.) _____

(8a.) _____

(8b.) _____

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| (8c.) _____ |
| (8d.) _____ |
| (8e.) _____ |
| (8f1.) _____ |
| (8f2.) _____ |
| (8f3.) _____ |
| (8g.) _____ |
| (8h.) _____ |
| (8i.) _____ |
| (8j.) _____ |
| (8k.) _____ |

- c. Name, address and telephone number of the Applicant, land owner(s), planner, engineer, and surveyor;
- d. A general vicinity map illustrating the location of the property proposed for subdivision;
- e. Approval certification and plat language Forms A-2 and A-7, as identified in Appendix A (attached) of the Land Use Regulations. The Board of County Commissioners may modify the form of certification upon the advice of the County Attorney;
- f. If the property described in the Preliminary Plan is proposed for rezoning as a Planned Unit Development (PUD):
 - 1. The title of the Preliminary Plan shall also include the phrase "Planned Unit Development";
 - 2. The Preliminary Plan shall include information identifying all permitted land uses, setbacks, maximum heights, minimum and maximum lot sizes, proposed conditions or restrictions upon use, and other information governing the use of the property which is customarily associated with zone district restrictions or limitations;
 - 3. The Preliminary Plan shall include the following signature block in substitution and replacement for the County approval Form A-7

BOARD OF COUNTY COMMISSIONERS APPROVAL:

The Board of County Commissioners by Resolution No. _____ has approved the Preliminary Plan to accompany the conditional rezoning of the Property as a Planned Unit Development (PUD) on the _____ day of _____, 20__.

ATTEST: _____
BOCC Chairperson County Clerk (Seal)

- g. Topography at vertical intervals of five (5) feet where the average cross-slope of the proposed subdivision is more than ten percent (10%) and at vertical intervals of two (2) feet where the average cross-slope of the proposed subdivision is less than ten percent (10%). Elevation data shall be based on current United States Geological Survey datum and the benchmarks used shall be identified on the plat;
- h. Subdivision names, lot lines, and lot numbers for property within any adjacent subdivision(s), unsubdivided tracts with owner's names, and all public lands with the agency name;
- i. Zoning classification of property adjacent to the property proposed for subdivision;
- j. Proposed names of any new streets. New street names must not duplicate any current road names in Park County;
- k. Location and principal dimensions of all existing streets, pedestrian ways, alleys, easements, irrigation ditches and laterals, both of record and apparent from

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| (8l.) _____ |
| (8m.) _____ |
| (8n.) _____ |
| (8o.) _____ |
| (8p.) _____ |
| (8q.) _____ |
| (8r.) _____ |
| (8s.) _____ |
| (8t.) _____ |
| (8u.) _____ |
| (9a.) _____ |
| (9b.) _____ |
| (9c.) _____ |

inspection of the property within or adjacent to the property proposed for subdivision;

- l. Location and size of existing utilities within or adjacent to the property proposed for subdivision, including water, sewer, electricity, gas and phone lines (utilities may be illustrated on a separate map at a matching scale as used for the Preliminary Plan);
 - m. Location of streams, ditches, ponds, lakes, and other water features, including direction of flow, high water elevations, and the location and extent of those areas subject to inundation by the one hundred (100) year flood within or adjacent to the property proposed for subdivision;
 - n. Location and description of significant existing and proposed vegetation and landscaping within or adjacent to the property proposed for subdivision (this may be illustrated on a separate plan at a matching scale as used for the Preliminary Plan);
 - o. Location and dimensions of all proposed Lots, Blocks, and Outlots. Lots and Blocks (if any) shall be numbered; Outlots shall be lettered in alphabetical order. The Preliminary Plan shall clearly designate and restrict the use of any Outlot for its proposed purpose;
 - p. Location, dimensions, and areas expressed in acreage and as a percent of the total project area of all proposed streets, off-street parking areas, pedestrian ways, bike and equestrian ways, alleys, and easements and other public ways;
 - q. Location and dimensions in acreage and as a percent of the total of all property proposed to be set aside for park and/or open space purposes, or other private reservations;
 - r. Location and types of any existing structures;
 - s. Location, alignment, profiles, and cut and fill slope intercepts for streets and driveways for subdivisions with any slope area(s) of ten percent (10%) or greater;
 - t. Location of existing or proposed exterior lighting (street lights, parking lot lights) and signs, including subdivision monument or entry signs;
 - u. Location, alignment, dimensions, and type of any fencing and cattle guards proposed by the Applicant or required by Park County regulations.
9. Written Statement A narrative statement describing the addressing the following:
- a. A description of the overall development concept, purpose, and function of the proposed subdivision. If the property is or will be residentially zoned, the description shall include representations concerning the proposed quality and styles of residential structures, anticipated sales price ranges, and amenities,
 - b. Environmental considerations, including but not limited to geologic hazards and constraints, any flood plains and wetlands, and the anticipated effect of the development on local plant and animal life. Hazards and constraints should also be graphically depicted;
 - c. A phasing plan and development schedule for each phase or unit for the construction and/or installation of streets, utilities, buildings, and landscaping;

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| | (9d.)_____ |
| | (9e.)_____ |
| | (9f.)_____ |
| | (10.)_____ |
| | (11a.)_____ |
| | (11b.)_____ |
| | (11c.)_____ |
| | (11d.)_____ |
| | (11e.)_____ |

- d. Statements explaining the nature of all easements and reservations, if any;
 - e. A general description of the purpose and nature of covenants, homeowner’s association, or other contemplated private or contractual restrictions on the use, character and maintenance of the property proposed for subdivision;
 - f. If the subdivision will permit commercial, business, or industrial use, a description of the nature of the use, the trade area, and anticipated employment base shall be submitted in sufficient detail to demonstrate the economic viability of the proposed use.
10. Where applicable, the Board of County Commissioners approved resolution granting any required permits as required by the *Park County Regulations for Special Development Projects Designated as Matters of State Interest (1041 permits)*
11. Reports, Plans and Studies The following preliminary studies and reports shall be prepared by a professional deemed qualified to perform such study by the County at the Applicant’s cost and submitted with the application. Applicants may request that the Planning Director or Designee issue an administrative determination that a proposed professional is qualified to perform the study. A determination of qualification by the Planning Director or Designee does not constitute acceptance of the report, study, or conclusions, by the County. At a minimum each report shall address the existing conditions, proposed changes resulting from the subdivision, and evaluate risks and challenges presented by the subdivision together with recommendations for mitigation measures to address any identified risks and challenges presented by the property proposed for subdivision.
- a. A preliminary drainage, erosion, and sedimentation control plan as described in Article VII, Division 6 of these Land Use Regulations;
 - b. Preliminary soil report describing suitability of soils for building, road, and utility construction;
 - c. Preliminary utility plan for delivery of water, sewer, and electric services to and throughout the property;
 - d. Preliminary traffic impact analysis including and evaluation of the vehicular and pedestrian traffic patterns, together with estimated trips per day for roads within the subdivision and for all routes leading from the subdivision and connecting to highway and arterial roads;
 - e. Preliminary wastewater report detailing how the Applicant proposes to provide sewer service to the subdivision. The report shall demonstrate that wastewater services can be provided in accordance with Article VII, Division 8;
 - f. Preliminary water report detailing how the Applicant proposes to provide water service to the subdivision. All subdivisions proposing the use of five (5) or more individual wells shall submit to the County an analysis prepared by a professional deemed qualified by the County to evaluate water delivery systems that compares the efficiency, cost effectiveness, and adverse impacts upon other wells of the proposed individual wells to the efficiency, cost effectiveness, and adverse

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impacts of a common or community water delivery systems(s). Such reports shall include evidence that a water supply that is sufficient in terms of quality, quantity, and dependability and availability. The report shall demonstrate that water services can be provided in accordance with Division 7 of Article VII. Such evidence shall include, but shall not be limited to:

- 1. Evidence of ownership or right of acquisition of or use of existing and proposed water rights; (11f1.)_____
- 2. Historic use and estimated yield of claimed water rights; (11f2.)_____
- 3. Amenability of existing rights to a change in use; (11f3.)_____
- 4. Evidence that public or private water owners have the ability and will supply water to the proposed subdivision stating the amount of water available for use within the subdivision and the feasibility of extending service to that area. A letter from a municipality or special district stating that they will supply water to the proposed development may be deemed insufficient evidence of a water supply. The Planning Commission and/or the Board of County Commissioners may require a review and/or report on this information from the County’s water attorney at the applicant’s expense; (11f4.)_____
- 5. Evidence of compliance with the water quality standards in Division 7 of Article VII. (11f5.)_____
- g. A parks and open space plan documenting the location, proposed uses, phasing of development, and administrative and maintenance responsibilities for any parks or land to remain undeveloped; (11g.)_____
- h. A report detailing the existence of, and proposal to protect or enhance, the cultural and historic resources located within the property to be subdivided, including Historic Architectural Resources, Historic Archeological Resources, and Prehistoric Archeological Resources as these phrases are defined by Article IV of these Land Use Regulations; (11h.)_____
- i. A lighting plan identifying the locations of proposed lighting sources, in public rights-of-way or on commonly owned lots, buildings, and signs, including type(s) of fixtures and wattage as described in Article V; (11i.)_____
- j. A dust control and mitigation plan identifying the specific locations and methods to be employed in the subdivision to prevent, control, and manage dust created both during and following development of the subdivision; (11j.)_____
- k. A noxious weed control and mitigation play identifying the existing noxious weed species within the subdivision, and describing specific methods to ensure control and elimination of noxious weeds during and following development of the subdivision; (11k.)_____
- l. A parking plan demonstrating how the subdivision will accommodate vehicles in conformance with the requirements of Division 3 of Article VII; (11l.)_____
- m. If deemed applicable by the Planning Director or Designee, either a wildfire hazard mitigation plan approved by the local fire protection district or a letter from the local fire protection district saying that no such plan is necessary. (11m.)_____

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| (12a.)_____ |
| (12b.)_____ |
| (12c.)_____ |
| (13.)_____ |

12. Other Requirements: The following other materials and information shall be provided by the Applicant:

- a. A copy of any agreements, conveyances, restrictions, or private covenants that currently govern or are proposed for recordation to govern, the use and maintenance of the subdivision and any common private open space or private subdivision amenity;
- b. *Only where* Public Improvements are proposed to serve the subdivision, the Applicant shall also submit preliminary engineering plans and specifications for all Public Improvements in a form sufficient to enable final engineering and construction plans to be prepared for submission with the Final Plat application;
- c. Applicants are strongly encouraged to submit with the Preliminary Plan application additional documentation and information sufficient to demonstrate that the proposed subdivision will satisfy the standards for approval contained in Section 6-406.

13. The Planning Director, Planning Commission and/or Board of County Commissioners may require the Applicant’s submission of other studies and reports prepared by a qualified professional at the Applicant’s cost to address issues not covered by the above requirements. Any decision of the Planning Director pursuant to this paragraph may be appealed to the Board of county Commissioners in accordance with Article III, Division 2 of these Land Use Regulations.

Note: Refer to Park County Land Use Regulations Article VI Standards for Approval of a Major Subdivision).

D. APPLICANT AND LANDOWNER SIGNATURES:

The undersigned applicant and landowner hereby verify and affirm that the information contained in this application is complete and accurate. The undersigned applicant and landowner understands and acknowledges that the submission of inaccurate and incorrect information may result in the denial or rejection of the application and/or result in the invalidation of any approvals issued by Park County, Colorado.

Applicant: Signed: _____

Print name: _____

If company, state Title/Position: _____

E. VERIFICATION OF DATE OF DELIVERY OF APPLICATION

This application was submitted to the Park County Planning Department on the following date and time:

_____, 20____
 Month Day Year

| |
|---|
| <p>For County Use Only: Verification of Date of Delivery and County Receipt of Application Date: _____ Print Name: _____</p> |
|---|

Payment of the Applicant Fee was made by:

| | | |
|-------|------------------------|-----------------|
| _____ | Personal Check # _____ | Amount \$ _____ |
| _____ | Cash | Amount \$ _____ |
| _____ | Other _____ | Amount \$ _____ |

Payment of the **Development Review Expense Deposit** was made by:

| | | |
|-------|------------------------|-----------------|
| _____ | Personal Check # _____ | Amount \$ _____ |
| _____ | Cash | Amount \$ _____ |
| _____ | Other _____ | Amount \$ _____ |

APPLICANT MUST ATTEND THE HEARING. IF A REPRESENTATIVE ATTENDS THE HEARING ON BEHALF OF THE APPLICANT, A NOTARIZED LETTER OF CONSENT MUST ACCOMPANY THE APPLICATION.

ALL PLANNING COMMISSION HEARINGS WILL BE SCHEDULED FOR THE SECOND WEDNESDAY OF EVERY MONTH. IF A QUORUM IS NOT AVAILABLE, THE HEARING WILL BE SCHEDULED THE NEXT AVAILABLE DATE.

APPENDIX A

FORM A-2: SURVEYOR'S CERTIFICATE.

SURVEYOR'S CERTIFICATE:

I hereby certify that the survey and plat of the real property shown and described hereon were made by me or under my direct responsibility, supervision, and checking, in strict compliance with Colorado statutes, and that both survey and plat are true, accurate and complete.

[Insert if applicable statement by the land surveyor explaining how bearings were determined]

[Insert if applicable statement by the land surveyor indicating the type of monuments used.]

[Insert any required statement by the land surveyor certifying compliance with applicable provisions of the Colorado Revised Statutes]

Colorado License No.
Date: _____

Registered Land Surveyor

FORM A-7: COUNTY SKETCH PLAN OR PRELIMINARY PLAN APPROVAL

PARK COUNTY APPROVAL

APPROVED as a [insert either: Sketch Plan or Preliminary Plan] by the Park County Board of County Commissioners, this ___ day of _____ 20__ subject to all applicable provisions of the Park County Land Use Regulations.

ATTEST:

Park County Clerk and Recorder

Chairperson

APPENDIX B

APPLICANT CERTIFICATION REGARDING NOTICE TO MINERAL ESTATE OWNER

I, _____, submitted an application for land use approval from Park County generally described as:

- ___ Conditional Use Permit
- ___ Determination of Location and Extent of Public Facilities Use
- ___ Planned Unit Development with Rezoning
- ___ Special Use Permit; (Telecommunications, Wetlands)
- ___ Subdivision; (Major Preliminary Plan, Major Final Plat, Minor, Sketch, Combined)

I understand that state law, found at CRS 24-65.5-101 through 24-65.5-104, imposes specific legal requirements involving my providing written notice to the mineral estate owner of my application.

I HEREBY CERTIFY that I have complied with the notice requirements imposed upon me by CRS 24-65.5-101 through 24-65.5-104.

Signature of Applicant

Print Name

| |
|--|
| <p>For County Use Only</p> <p>Application Name/Case Number: _____</p> |
|--|

PARK COUNTY PLANNING AND ZONING DEPARTMENT
AGREEMENT FOR PAYMENT OF DEVELOPMENT REVIEW EXPENSE DEPOSIT

Park County (hereinafter the County) and _____
hereinafter Applicant) agree as follows:

1. Applicant has submitted to the County an application for _____
_____ (hereinafter, the Application).
2. Applicant understands and agrees that Park County Board of County Commissioners resolution 2011-12 establishes Development Review Expense Deposits for certain types of land use applications.
3. Applicant and the County agree that because of the size, nature, or scope of the proposed Application, it is not possible at this time to ascertain the full extent of the costs involved in processing the Application. Applicant agrees to make payment of the Development Review Expense Deposit established for the Application in resolution 2011-12 and to thereafter permit additional costs to be billed to the Applicant. The Development Review Expense Deposit shall be in addition to and exclusive of any non-refundable application fee established by resolution 2011-12.
4. For purposes of this agreement, "expenses" shall include all expenses, costs, fees, assessments, and other charges incurred by the County and directly related to the County's review of the Application which are not accounted for by the non-refundable application fee. Such expenses shall include, but not be limited to, engineering fees, attorney fees and other consultant fees reasonably incurred by the County in evaluating the Application.
5. The County shall maintain a record of all expenses incurred for the Application and paid for from the Development Review Expense Deposit. A current statement of such expenses incurred will be made available to the Applicant within a reasonable time following the Applicant's request. The Applicant understands that due to customary delays in billing by outside consultants, a current statement may only include expenses billed to the County as of the date of the Applicant's request.
6. The Applicant may contest an expense billed to the Applicant pursuant to this Agreement. The Applicant's contest shall be made in writing delivered to the County Planning Director within ten days after the Applicant's receipt of notice of the billed expense. The written contest shall specify in detail the expense challenged and reason for the contest. The Planning Director shall use his or her best efforts to review a timely written contest within five business days and to promptly respond in writing to the Applicant by: (1) affirming the expense as appropriate under this Agreement; (2) deleting or rescinding the expense as inappropriate under the Agreement; or (3) modifying or reducing the expense with reasons for the modification or reduction. The Applicant may appeal the Planning Director's decision to the Board of County Commissioners by

delivering a written request for appeal to the Planning Director within ten days after the Applicant's receipt of the decision. Such appeal shall be considered by the Board as an administrative matter (no notice or hearing required to be provided to the applicant) and the Board, following review of the Applicant's written contest and the Planning Director's written decision in response, shall: (1) affirm the expense as appropriate under this Agreement; (2) delete or rescind the expense as inappropriate under the Agreement; or (3) modify or reduce the expense. The Board of County Commissioner's administrative decision on appeal shall be final. Review and processing of an Applicant's timely written contest shall not be an expense within the meaning of this Agreement.

7. The Applicant shall make the required Development Review Expense Deposit at the time of Application submittal. At such time that the expenses charged against the Deposit exceed ninety percent of more of the Deposit, and within ten days of the Applicant's receipt of notice by the County of this, the Applicant shall supplement the Deposit by making an additional deposit with the Planning Director of an amount of at least fifty percent of the amount of the initial deposit for land use fees and expenses. The Planning Director may reduce the amount of, or may waive, the Applicant's making of an additional deposit where the Planning Director finds that the estimated or anticipated additional expenses for the processing of the Application will not likely exceed the remaining balance in the Deposit. The Applicant shall be obligated to maintain a positive balance in the Deposit at all times.

8. Except as otherwise precluded or prohibited by law or an agreement with the County, the Applicant may terminate the Application at any time by delivering written notice to the Planning Director. The Planning Director shall immediately take all reasonable steps necessary to terminate the accrual of additional and continuing expenses to the Applicant. In no event shall the Applicant be obligated to pay an expense associated with work or service performed on the Application that is more than forty-eight hours after the date and time of the delivery of the Applicant's notice of termination.

9. Upon final action regarding the Application, the remainder of the Deposit shall be returned to the Applicant after all outstanding expenses are paid.

10. The Applicant understands that approval of the Application is not consideration for any payment in accordance with this agreement.

APPLICANT

NOTARY'S SEAL

Signature

Date

Printed Name

COUNTY

NOTARY'S SEAL

Signature

Date

Printed Name