

ARTICLE 7A REPLAT - ADMINISTRATIVE PROCESSES

701A Intent (Amended 7/8/14)

To provide an *administrative* review process, ensuring that the intent of the original subdivision is not substantially altered, for a:

- plat correction
- lot line and/or easement vacation
- lot line and/or easement adjustment, including a subdivision boundary adjustment
- building envelope adjustment
- nonresidential replat in accordance with Section 703.02 of this Resolution
- residential replat in accordance with Section 703.03 of this Resolution

The Director may require that the replat request be processed in accordance with the provisions of Article 7 (Replat) if it is determined that the intent of the original subdivision is substantially altered based upon, but not limited to, the following factors: degree of change, design, size, impact to public facilities, access, services, roads, and overall impacts.

The Director may also modify the application procedures contained herein based upon the determination that adequate public notice and input on the replat request can be attained through the modified process and that the modified process will not substantially impair the intent and purpose of this Resolution.

702A Prerequisite (Amended 4/14/09)

Prior to submittal of an administrative replat application, the applicant shall meet with staff to discuss the request, the procedures and submittal requirements. The applicant is encouraged to meet with the Engineering Division and other referral agencies to identify potential issues and resolution of these issues.

703A Approval Standards (Amended 4/14/09)

An administrative replat may be approved upon the finding that:

- 703A.01 the administrative replat is in accordance with all applicable standards and Criteria, and the original conditions of approval;
- 703A.02 nonconforming lots are not created, and in the case of existing nonconforming lots, the nonconformity is not increased;
- 703A.03 the administrative replat is in compliance with this Resolution; and
- 703A.04 the approval will not adversely affect the public health, safety, and welfare.

704A Plat Correction - Submittal Requirements and Process (Amended 4/14/09)

Douglas County will administratively correct misspellings on recorded plats by issuing a Plat Correction Certificate. Staff shall mail an official notification form to affected landowners

The following administrative process is established for changes to recorded plats due to errors or omissions, e.g., dimensions, road names, plat notes:

704A.01 Submittal Requirements - Plat Correction

704A.01.1 Completed application form (available from the Planning Division)

704A.01.2 Written narrative describing the requested correction

704A.01.3 For a Road Name Change:

- (1) verification by Douglas County that the road name does not duplicate an existing road name in the County and that the proposed name is acceptable; proof of ownership of land abutting, or directly accessed by, such road;
- (2) a letter stating the reason for the requested change;
- (3) a list of landowners abutting or directly accessing land by the road with their addresses, prepared by a licensed title insurance or abstract company; and
- (4) notarized signatures of all such landowners supporting the road name change and the proposed name.

704A.02 Process - Plat Correction

704A.02.1 Staff shall review the information and send a referral to the Assessor's Mapping Division and other agencies, as deemed necessary.

704A.02.2 A Plat Correction Certificate shall be prepared by the staff planner identifying the error or omission, the plat to be corrected, its reception number, and the necessary corrective action.

704A.02.3 The Plat Correction Certificate shall be signed by the Director and recorded in the Office of the Clerk and Recorder by the staff planner.

704A.02.4 A final decision may be appealed to the Board at a regular business meeting, when the appeal is submitted to the Planning Division in writing, within 30 days of the decision by the Director.

704A.03 Process – Road Name Change Requiring Public Hearing

When agreement to change a road name cannot be reached by all affected parties, the applicant may initiate an application that will be decided by the Board at a public hearing. Notice of the hearing shall be as follows:

704A.03.1 WRITTEN NOTICE

At least 14 days prior to the Board hearing, the applicant shall mail a written notice of the hearing by first-class mail to the address of each abutting landowner or landowner directly accessing the road, as such address is shown in the records of the Douglas County Assessor’s Office. The notice shall read substantially the same as the published notice required by this Article.

The person completing the mailing of the written notice shall execute a certificate of mailing and submit it to the Planning Division at least 7 days prior to the hearing. Such certificate shall read as follows:

CERTIFICATE OF MAILING
I hereby certify that a true and correct copy of the attached written notice was placed in the U.S. mail, first-class, postage prepaid this _____ day of _____, 20____, and addressed as follows:
 <i>(list of addresses)</i>

<i>(signature of person completing the mailing)</i>

In the event the applicant fails to mail a notice to an abutting landowner or otherwise fails to comply with the written notice required in this section, the landowner who did not receive such complying notice may waive such notice by submitting a written waiver to the Planning Division prior to the hearing.

704A.03.2 POSTED NOTICE

At least 14 days prior to the Board hearing, the applicant shall post a notice. The notice shall consist of at least one sign at each end of the road to be renamed, visible from the road, placed on posts at least 4 feet above ground level. In the event the staff planner determines a sign cannot be placed abutting such street and be visible from such street or that there is no abutting public or private street open for travel, the staff planner may require an alternate location for a sign. Additional signs may be required by the staff planner. Each sign shall measure not less than 3 feet X 4 feet. Letter size shall be a minimum of 3 inches high, and a minimum of six inches high for the sentence that reads, “For more information call Douglas County Planning at 303-660-7460.”. Such notice shall read:

705A.01 Submittal Requirements - Lot Line and/or Easement Vacation

- 705A.01.1 Completed land use application (available from the Planning Division)
- 705A.01.2 Written narrative describing the request
- 705A.01.3 Application fee (fee schedule available from the Planning Division)
- 705A.01.4 Proof of ownership which includes an updated or current title insurance policy or title commitment, issued no more than 30 days prior to the date of application
- 705A.01.5 A notarized letter of authorization from the landowner permitting a representative to process the application, as applicable
- 705A.01.6 Lot Line and/or Easement Vacation Exhibit - A reproduction of the platted lots on an 8.5-inch X 11-inch sheet of paper, 24 inches X 36 inches on mylar, or another size approved by the staff planner, including the abutting street(s). Indicate the lot line(s) vacated and the new lot number.
- 705A.01.7 Vicinity map - a reduction of the filing showing the relationship of the lot to the filing
- 705A.01.8 A letter from all special districts providing service to the lots stating their recommendations regarding the vacation. Such letters may be obtained during the referral review period. *(Amended 7/8/14)*
- 705A.01.9 When an easement is vacated, a letter from any known beneficiary stating its recommendation regarding the vacation and any existing facilities over or across the land

705A.02 Process - Lot Line and/or Easement Vacation

- 705A.02.1 The applicant shall submit the required information to the Planning Division. Staff shall review the information and prepare the Lot Line and/or Easement Vacation Approval Certificate that identifies the affected plat, its reception number, the lot line(s) and/or easement(s) vacated, and reference to the Lot Line and/or Easement Vacation Exhibit, and the recommendation(s) of the special district(s) and easement holders, as applicable, to send as a referral to referral agencies, as deemed necessary.
- 705A.02.2 The applicant shall provide stamped envelopes addressed to the abutting landowners, and other landowners as required by staff,

notifying them of the lot line and/or easement vacation application. If the request includes vacation or adjustment of a building envelope, the notification shall be either an explanation of the request sent by certified mail, return receipt requested, at least 10 days prior to the Director's consideration of such request, or a signed statement from the abutting landowner(s) stating that they were notified of the request to vacate or adjust the building envelope.

- 705A.02.3 The Lot Line and/or Easement Vacation Approval Certificate shall be signed by the owner(s), beneficiaries of the deed of trust, and the Director.
- 705A.02.4 The Director shall either approve or deny the request based on the submittal documents and approval standards.
- 705A.02.5 Within 30 days of approval by the Director, the staff planner shall record the Lot Line and/or Easement Vacation Approval Certificate, Lot Line and/or Easement Vacation Exhibit and vicinity map in the Office of the Clerk and Recorder, and mail a copy of the recorded documents to the applicant.
- 705A.02.6 A final decision may be appealed to the Board at a regular business meeting, when the appeal is submitted to the Planning Division in writing, within 30 days of the decision by the Director.

706A Lot Line and/or Easement Adjustment (Amended 4/14/09)

The following administrative process is established for an adjustment or realignment of a lot line and/or easement, which can include replatting of several lots/tracts (e.g., 3 lots into 2), in which the original subdivision is not substantially modified and additional lots are not created. However, tracts may be created provided the intended use of the tract(s) does not include a structure. The Director may approve a lot line adjustment that also comprises the boundary between subdivisions, or platted and unplatted land, provided:

- no additional lots are created;
- the subdivision design is not significantly altered;
- the intent is not to circumvent the subdivision process; and,
- the zoning is not changed as a result of this action.

706A.01 Submittal Requirements - Lot Line and/or Easement Adjustment

- 706A.01.1 Completed land use application (available from the Planning Division)
- 706A.01.2 Written narrative describing the request

706A.01.3 Application fee (fee schedule available from the Planning Division)

706A.01.4 Proof of ownership which includes an updated or current title insurance policy or title commitment issued no more than 30 days prior to the date of application

706A.01.5 A notarized letter of authorization from the landowner permitting a representative to process the application, as applicable

706A.01.6 Lot Line and/or Easement Adjustment Exhibit

- (1) A certified boundary survey of the lots prepared by a professional land surveyor on an 8.5-inch X 11-inch sheet of paper, or another size approved by staff, that shows the existing and proposed lot and/or easement configuration with distances and bearings shall be provided when the lots affected can be clearly represented; or
- (2) A 24-inch X 36-inch mylar plan exhibit shall be provided in accordance with Article 706A.03 herein when the lots affected cannot be clearly represented on a smaller exhibit, as determined by staff, or if the adjustment requires adjusting a subdivision boundary; and
- (3) Vicinity map - a reduction of the filing showing the relationship of the lots to the filing.

706A.01.7 Letters from the following stating their recommendation regarding the lot line and/or easement adjustment and any existing facilities they have over or across the land:

- (1) all special districts providing service to the lots; and
- (2) all known easement beneficiaries, when applicable.

Such letters may be obtained during the referral review period.
(Amended 7/8/14)

706A.02 Process - Lot Line and/or Easement Adjustment

706A.02.1 The applicant shall submit the required information to the Planning Division. Staff shall review the information and prepare a Lot Line and/or Easement Adjustment Approval Certificate to send as a referral to the referral agencies, as deemed necessary. The certificate shall identify the affected plat, its reception number, the affected lots, easements or building envelopes, and reference to the Lot Line and/or Easement Adjustment Exhibit and the recommendation(s) of the special district(s) and easement holders, as applicable.

706A.02.2 The applicant shall provide stamped envelopes addressed to the abutting landowners, and other landowners as required by staff, notifying them of the lot line and/or easement adjustment application.

If the request includes the vacation or adjustment of a building envelope, the notification shall be either an explanation of the request sent by certified mail, return receipt requested, at least 10 days prior to the Director's consideration of such request, or a signed statement from the abutting landowner(s) stating that they were notified of the request to vacate or adjust the building envelope.

706A.02.3 The Lot Line and/or Easement Adjustment Approval Certificate shall be signed by the owner(s), beneficiaries of the deed of trust, and the Director.

706A.02.4 The Director shall approve or deny the request based on the submittal documents and approval standards.

706A.02.5 When multiple ownership is involved, the applicant shall provide deeds for the newly adjusted lots and the recordation fee for the deeds, to the staff planner, within 30 days of approval by the Director. The Director may grant an extension of time upon a written request from the applicant for good cause shown.

706A.02.6 Within 30 days of receipt of the deeds, the staff planner shall record the Lot Line and/or Easement Adjustment Approval Certificate, Lot Line and/or Easement Adjustment Exhibit, vicinity map, and deeds in the Office of the Clerk and Recorder, and provide a recorded copy to the applicant.

706A.02.7 A final decision may be appealed to the Board at a regular business meeting, when the appeal is submitted to the Planning Division in writing, within 30 days of the decision by the Director.

706A.03 Plan Exhibit - Lot Line and/or Easement Adjustment

706A.03.1 The plan exhibit shall be prepared by or under the supervision of a registered professional land surveyor licensed with the State of Colorado. The plan exhibit shall be an acceptable photographic or computer-generated drawing. Inaccurate, incomplete or poorly drawn plans, as well as, Diazo (sepia) or electrostatic-generated (Xerox) plans shall be rejected.

706A.03.2 The plan exhibit shall be drafted at a scale that best conveys the detail. All lines, rights-of-way, names and descriptions on the

plan exhibit which do not constitute a part of the administrative adjustment shall be depicted in dashed or screened lines.

706A.03.3 Sheet size shall be 24 inch X 36 inch with the long dimension horizontal. A margin, left entirely blank, a minimum of 1 inch on all sides, shall be provided on each sheet. The title shall be placed at the top of the sheet along the long dimension. The title shall include the name of the subdivision, filing number (when applicable), and appropriate amendment number. The subtitle shall provide a brief description of the plan exhibit.

EXAMPLE:

PINE VIEW Filing #1, 3RD AMENDMENT
AN ADMINISTRATIVE REPLAT OF PINE VIEW FILING #1, 2ND AMENDMENT
SW/4 OF SEC. 9, T6S, R67W OF THE 6TH P.M., DOUGLAS COUNTY, CO
26.2 ACRES LOTS 1-20, including the utility easements
SB__-_____

All 24 inch X 36 inch exhibits shall include the Surveyors Certificate, Title Verification Certificate, and Clerk and Recorder Certificate in accordance with Article 8 – Certifications, of this Resolution.

706A.03.4 A block in the lower right-hand corner shall include the following: the preparation date; a north arrow designated as true north; a written and graphic scale.

706A.03.5 Vicinity map - a reduction of the filing showing the relationship of the lots to the filing.

706A.03.6 When requested by the staff planner, vacated lot lines, easements, or building envelopes shall be shown on the plat in dashed lines, or screened, with a note and arrow pointing to the item to be vacated, stating that it is hereby vacated. Revised lot lines, easements, or building envelopes shall be shown in bold lines with a note and arrow pointing to the line to be granted, stating that it is hereby granted. (Dashed lines shall be graphically different for existing vs. proposed vs. vacated)

706A.03.7 Display ties to aliquot section corners and to the State Grid and County GPS, if available, which shows dimensions of all primary boundary survey control points with complete monument and location descriptions, all lot, easement, and/or building envelope lines showing dimensions with lengths, bearings, and curve data, including chord lengths and bearings, basis of bearings and relation to true meridian and similar data. Only circular curves shall be used. No spirals, parabolas, etc. shall be used unless

approved by the Engineering Division. All dimensions are to be shown to the nearest 0.01 foot or in the case of degrees, to the nearest second. An accuracy of 1:50,000 (second order) minimum for linear and angular (bearing) closure shall be required for the boundary. All lots or tracts shall have a closure accuracy of 0.01 foot. Include the acreage within each lot or tract to the nearest 0.01 of an acre.

706A.03.8 A plat note may be necessary regarding the purpose of the easements or tracts; or a statement referencing the plat notes of the original plat.

706A.03.9 The Lot Line and/or Easement Adjustment Approval Certificate shall be placed on the plan exhibit when a 24 inch X 36 inch exhibit is required.

707A Building Envelope Adjustment (Amended 4/14/09)

The following administrative process is for adjusting a building envelope:

707A.01 Submittal Requirements - Building Envelope Adjustment

707A.01.1 Completed land use application (available from the Planning Division)

707A.01.2 Written narrative describing the request and purpose for original building envelope configuration and how the new configuration will meet those concerns

707A.01.3 Application fee (fee schedule available from the Planning Division)

707A.01.4 Proof of ownership that includes an updated or current title insurance policy or title commitment issued no more than 30 days prior to the date of application

707A.01.5 A notarized letter of authorization from the landowner permitting a representative to process the application, as applicable

707A.01.6 Building Envelope Adjustment Exhibit

A certified boundary survey of the lot, prepared by a professional land surveyor on an 8.5-inch X 11-inch sheet of paper, or another size approved by staff, that shows the existing and proposed building envelope configuration, with distances and bearings. The vacated building envelope shall be shown in dashed lines, or screened, with a note and arrow pointing to the line to be vacated,

stating that it is hereby vacated. The revised building envelope shall be shown in bold lines with a note and arrow pointing to the line to be granted, stating that it is hereby granted. (Dashed lines shall be graphically different for existing vs. proposed vs. vacated).

707A.01.7 Vicinity map - a reduction of the filing showing the relationship of the lot to the other lots in the filing.

707A.01.8 Notification

When adjusting a building envelope, the applicant shall notify abutting landowners. Such notification shall be either an explanation of the request sent by certified mail, return receipt requested, at least 10 days prior to the Director's consideration of such request, or a signed statement from the abutting landowner(s) stating that they were notified of the request to relocate the building envelope.

707A.02 Process - Building Envelope Adjustment

707A.02.1 The applicant shall submit the required information to the Planning Division. Staff shall review the information and prepare a Building Envelope Adjustment Approval Certificate that identifies the affected plat, its reception number, the affected lot, and reference to the Building Envelope Adjustment Exhibit, to send as a referral to the appropriate referral agencies, as deemed necessary.

707A.02.2 The Building Envelope Adjustment Approval Certificate shall be signed by the owner(s) and the Director.

707A.02.3 The Director shall approve or deny the request based on the submittal documents and approval standards.

707A.02.4 Within 30 days of approval by the Director, the staff planner shall record the Building Envelope Adjustment Approval Certificate, Building Envelope Adjustment Exhibit and vicinity map in the office of the Clerk and Recorder, and provide a recorded copy to the applicant.

707A.02.5 A final decision may be appealed to the Board at a regular business meeting, when the appeal is submitted to the Planning Division in writing, within 30 days of the decision by the Director.

708A Replat to Add Lots (Amended 7/8/14)

The following administrative process is established for nonresidential and residential replats subject to the limitations set forth in Sections 703.02 and Section 703.03, respectively:

708A.01 Submittal Requirements

- 708A.01.1 Completed land use application (available from the Planning Division)
- 708A.01.2 Written narrative describing the request
- 708A.01.3 Application fee (fee schedule available from the Planning Division)
- 708A.01.4 Proof of ownership which includes an updated or current title insurance policy or title commitment issued no more than 30 days prior to the date of application
- 708A.01.5 A notarized letter of authorization from the landowner permitting a representative to process the application, as applicable
- 708A.01.6 Plan Exhibit (*per Section 708A.03, herein*)
- 708A.01.7 Additional reports as required by Douglas County or other referral agencies.
- 708A.01.8 Development reports as identified in Article 7 (Replat) if required by Engineering Services.
- 708A.01.9 A Subdivision Improvements Agreement if required by Engineering Services.

708A.02 Submittal Process

- 708A.02.1 The applicant shall submit the required submittal information to the Planning Division. The submittal shall be reviewed by staff and a determination of completeness shall be made. The applicant shall be notified in writing if the submittal is incomplete, and any inadequacies shall be specifically identified. An incomplete submittal will not be processed.
- 708A.02.2 Referral response requests shall be sent to agencies for review and comment as deemed necessary by staff. The referral period shall not exceed 21 calendar days.

708A.02.3 The applicant shall provide stamped letter sized envelopes addressed to the abutting landowners, and other landowners as requested by staff. Staff shall mail a courtesy notice of an application in process and applicable contact information to the landowners, along with a copy to the applicant.

708A.02.4 When multiple ownership is involved, the applicant shall provide deeds for the newly adjusted lots and the recordation fee for the deeds to the staff planner within 30 days of approval by the Director. The Director may grant an extension of time upon a written request from the applicant for good cause shown.

708A.03 Plan Exhibit

708A.03.1 The plan exhibit shall be prepared by or under the supervision of a registered professional land surveyor licensed with the State of Colorado. The plan exhibit shall be an acceptable photographic or computer-generated drawing.

708A.03.2 Sheet size shall be 24 inch X 36 inch with the long dimension horizontal. A margin, left entirely blank, a minimum of 1 inch on all sides, shall be provided on each sheet. The title shall be placed at the top of the sheet along the long dimension of each sheet and shall be identical to the previously recorded plat followed by the next consecutive amendment number. The title shall include the name of the subdivision, filing number (when applicable), and appropriate amendment number. The subtitle shall provide a brief description of the plan exhibit.

EXAMPLE:

PINE VIEW FILING #1, 1st Amendment
An administrative replat of lots 1-3 Pine View Filing #1 -Planning Area H-SW/4 of Sec. 9, T6S, R67W of the 6th P.M., Douglas County, CO
8.06 acres 3 nonresidential lots SB ____ - _____

708A.03.3 A block in the lower right-hand corner shall include the following: the preparation date; a north arrow designated as true north; a written and graphic scale the names and addresses of the applicant, developer, engineer or surveyor who prepared the exhibit; and the number of the sheet and the total number of sheets.

708A.03.4 Vicinity map - a reduction of the filing showing the relationship of the lots to the filing.

708A.03.5 When the land is zoned Planned Development, a vicinity map that depicts the replat area, superimposed on the development plan at

the same scale as the development plan that shows the limits of the replat superimposed on the planning areas.

- 708A.03.6 When requested by the staff planner, vacated lot lines, easements, or building envelopes shall be shown on the plat in dashed lines, or screened, with a note and arrow pointing to the item to be vacated, stating that it is hereby vacated. Revised lot lines, easements, or building envelopes shall be shown in bold lines with a note and arrow pointing to the line to be granted, stating that it is hereby granted. (Dashed lines shall be graphically different for existing vs. proposed vs. vacated)
- 708A.03.7 Display ties to aliquot section corners and to the State Grid and County GPS, if available, which shows dimensions of all primary boundary survey control points with complete monument and location descriptions, all lot, easement, and/or building envelope lines showing dimensions with lengths, bearings, and curve data, including chord lengths and bearings, basis of bearings and relation to true meridian and similar data. Only circular curves shall be used. No spirals, parabolas, etc. shall be used unless approved by the Engineering Division. All dimensions are to be shown to the nearest 0.01 foot or in the case of degrees, to the nearest second. An accuracy of 1:50,000 (second order) minimum for linear and angular (bearing) closure shall be required for the boundary. All lots or tracts shall have a closure accuracy of 0.01 foot. Include the acreage within each lot or tract to the nearest 0.01 of an acre.
- 708A.03.8 Accurately locate 100-year floodplains, all existing and proposed watercourses, retention and detention areas, wetlands, aquifer recharge areas, streams, lakes, or inlets on the affected land.
- 708A.03.9 The following certifications on a single sheet in accordance with Article 8 of this Resolution: Surveyor, Owner Statement, Title Verification, Clerk and Recorder, and Board of County Commissioners.
- 708A.03.10 For all replats within the Centennial Airport Review Area, as identified by the Douglas County Zoning Resolution, the following statement shall be placed on the plat:

Owner waives, remises, and releases any right or cause of action it may now have or which it may have in the future against the County of Douglas, its officers, employees, and agents related to, or resulting from, the passage of aircraft in the airspace above the property that is the subject of this replat.

708A.03.11 Plat notes that adequately explain the purpose of the proposal as well as information pertinent to the execution and maintenance of the subdivision including the ownership, purpose and maintenance of tracts and private drives.

709A Resubmittal (Amended 4/14/09)

An application shall not be resubmitted within 1 year of the date of denial. However, if the Director determines that the resubmitted application has been modified to correct the stated objections, then the resubmittal will be accepted.

710A Lot Numbering (Amended 4/14/09)

When vacating or replatting lots and/or tracts the following shall apply:

- 710A.01 When vacating a common lot line between two lots, use the original lot number followed by the letter A. e.g., vacating the common lot line between lot 1 and lot 2 - the newly created lot should be renumbered lot 1A.
- 710A.02 When replatting 3 lots into 2 lots, use the original lot numbers followed by the letter A. e.g., replatting lots 3, 4, & 5, into two lots - the new lots should be renumbered lot 3A and 4A.
- 710A.03 When adjusting the common lot line between two lots, use the original lot numbers followed by the letter A. e.g., realignment of the common lot line between lots 7 and 8 - the new lots should be renumbered 7A and 8A.
- 710A.04 When replatting one lot into two or more, use the original lot number followed by the letter A. e.g., replatting Lot 1 into three lots, the new lots should be renumbered Lots 1A, 1B, and 1C. (Amended 7/8/14)
- 710A.05 When replatting an entire subdivision filing, the lots shall be numbered consecutively starting with the number 1. Tracts shall be lettered alphabetically in consecutive order. Specify the acreage within each lot and tract.

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