



Woodland Park Unified Development Code

Chapter 5: Subdivision Standards

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5.01 Purpose

This Chapter provides regulations specific to the design of subdivisions.

5.02 Applicability

- A. It is declared to be the policy of the City to consider the subdivision of land and the subsequent development of the subdivided plat as subject to the control of the City pursuant to the comprehensive plan for the City.
- B. Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood or other menace. Land shall not be subdivided until provision has been made for drainage, water, sewage, electric, gas, telecommunication utilities, and public improvements such as schools, parks, recreation facilities, open space, trails and trail connections, transportation facilities and improvements.

- C. The existing and proposed public improvements shall conform to and be properly related to the proposals shown in the comprehensive plan and other City adopted plans (i.e. Comprehensive Plan; Parks, Trails and Open Space Master Plan; and Stormwater Master Plan).
- D. These regulations shall supplement and facilitate the enforcement of the provisions and standards contained in building and housing codes, the Municipal Codes, the City engineering specifications and the City Drainage Criteria Manual.

5.03 Compliance

- A. Regulations of the subdivision of land and the attachment of reasonable conditions to land subdivision is an exercise of power delegated by the state of Colorado to the City of Woodland Park. The applicant has the duty of compliance with reasonable conditions laid down by the City for design, dedication, improvement and restrictive use of the land so as to conform to the physical and economical development of the City and to the safety and general welfare of the future lot owners in the subdivision and to the community at large.
- B. Whoever divides, or participates in the combining or division of lots, tracts, or parcels of land for the purpose, whether immediate or future, of sale or building development, whether residential, commercial, industrial, or any other use shall make the transaction subject to the provisions of these regulations and a plat therefor must be submitted to and approved by the city with such approval entered in writing on the plat and signed by the mayor and attested by the City Clerk.
- C. No building shall be erected on any lot, nor shall a building permit be issued for a building unless the street giving access to the lot upon which such building is proposed to be placed shall have been dedicated and approved by the city as a part of an official subdivision.

5.04 Subdivision Classifications

- A. Whenever any subdivision of land is proposed, it shall be classified as a Minor Subdivision or a Major Subdivision.
- B. There are two procedural steps for approval of a Minor Subdivision and three steps for approval of a Major Subdivision. The steps are detailed in Subsection 6.06.020 – Subdivisions Generally.
 - 1. Minor Subdivision.
 - a. Sketch Plan;
 - b. Final Plat.

2. Major Subdivision.
 - a. Sketch Plan (also Overall Development Plan if applicable);
 - b. Preliminary Plat (also Overall Development Plan if applicable);
 - c. Final Plat.

5.05 Exceptions

- A. Any proposed replatting of existing lots of record shall be an exception to the lot area requirements of this Code if:
 1. The lots were originally platted prior to January 31, 1966;
 2. The lot dimensions as originally platted were substantially smaller than are presently required by title;
 3. The proposed replatting results in the same or a lesser total number of lots; and
 4. The proposed replatting is consistent with the general intent and purposes of this UDC and the current adopted comprehensive plan.

5.06 Plat Amendments

- A. Once approved and recorded, no plat may be changed, altered, or otherwise amended, except upon application for a change, alteration or amendment by the proper parties and the approval of the Planning Commission and the City Council of the plan for change, alteration or amendment. The proposed change shall be subject to the same procedures and requirements as if the land affected was being first proposed for plat approval; provided, that the Planning Commission and council shall have the right to waive procedures and requirements deemed to be in the best interest of the City.

5.07 Required Improvements

5.07.01. General Standards

- A. No improvements shall be made until all plans, profiles, and specifications have been reviewed and approved by the City Engineer for compliance with adopted City Engineering Specifications and Drainage Criteria Manual.
- B. Improvements to be provided by the applicant shall include but not be limited to:
 1. Survey Monuments. Permanent survey monuments, range points, and lot pins shall be set at locations approved by the City Engineer. Monuments shall be set not more than one thousand four hundred feet (1,400) apart along any straight boundary line, at all angle points, and at the beginning, end, and points of change of direction or change of

radius of any curbed boundary. In addition, half-inch steel pins (or larger) at least twenty-four inches in length shall be set at all lot corners. Affixed securely to the top of each monument shall be the Colorado registration number of the land surveyor responsible for the establishment of said monument.

2. Widening and Realignment of Existing Streets. Where a subdivision borders an existing narrow street or when the comprehensive plan indicates plans for realignment or widening of a street that would require use of land in the subdivision, the applicant shall be required to improve and dedicate such areas for widening or realignment of such streets. Frontage streets shall be improved and dedicated at the applicant's expense to the full width as required by this UDC. Land dedicated for any street purposes may not be counted in satisfying yard, setback, or area requirements of the zoning ordinance.
3. Street name and regulatory signs, including bicycle trail markings and hiking signs.
4. Bridges, culverts and open drainage channels (where required).
5. Non-motorized pathways where required. Bicycle and pedestrian easements shall be constructed according to City Engineering Specifications.
6. Debris and Waste. No cut trees, timber, debris, earth, rocks, stones, soil, junk, rubbish or other waste materials of any kind shall be in any land, or deposited on any lot at the time of the issuance of a certificate of occupancy and removal of same shall be required from each building site, prior to issuance of any certificate of occupancy for each respective building site.
7. Fencing. Each applicant shall be required to furnish and install fences wherever the City determines that such fencing is necessary to protect the public health, safety and welfare. The fences shall be constructed according to City specifications.

5.07.02. Deadline for Completion of Improvements

- A. Prior to the granting of Final Plat approval, the applicant and the City shall agree upon a deadline for the completion of all required improvements, such deadline not to exceed one year from the date of Final Plat approval. The City shall have the power to extend that deadline for one (1) additional year where the applicant can present substantial reason for doing so.
- B. Final Plat approval shall not be granted until the dedication of said improvements has been accepted by the City.

5.07.03. Inspection and Certification of Improvements

- A. The City Engineer shall regularly inspect for defects in the construction of required improvements. Upon completion of these improvements, the City Engineer shall provide a statement either certifying that the improvements have been completed according to City specifications or listing the defects in those improvements.
- B. No improvements shall be accepted by the City until all defects are corrected. If the City Engineer has certified that the contracted improvements are complete, free from defect, and comply with City specifications, then upon receipt of the other statements and agreements detailed above, the City shall accept the dedication of those improvements subject to the warranty provisions as outlined in the City Engineering Specifications. The City may, at its discretion, accept the dedication of any portion of the required improvements, provided that all statements and agreements specified above have been received for that portion of the improvements.

5.08 Development and Subdivision Improvement Agreements

- A. Purpose.
 - 1. Development agreements are for the purpose of arranging specific unique details of a development proposal in order to have a clear understanding of timing, responsibility, and other relevant details regarding a proposal and its supporting infrastructure.
 - 2. Subdivision Improvement Agreements are necessary in order to have a clear understanding of timing, responsibility, and other relevant details regarding the construction and installation of infrastructure and other public improvements associated with a development.
- B. Applicability.
 - 1. Before the City Council shall approve a major subdivision Final Plat, the applicant shall submit a signed Development or Subdivision Agreement with the City wherein the applicant shall agree to make and install all the required improvements per this Chapter.

5.09 Improvement Agreement Financial Guarantees

5.09.01. Subdivision Improvement Agreement

- A. Either prior to, or as part of, an application for Final Plat of a Major Subdivision, City Council shall approve a Subdivision Improvement Agreement for the development wherein the applicant shall agree to make and install all the required improvements. The agreement

shall be the City's standard subdivision development agreement with any amendments or additions as required by the City. Any special requirements unique to a particular subdivision due to terrain, etc., shall be defined in the agreement.

5.09.02. Types of Improvement Guarantee

A. In lieu of requiring the completion of all improvements prior to Final Plat approval, the City may, at its discretion, require the applicant to secure this contract, by providing one of the following guarantees:

1. The applicant shall deposit cash, in escrow, with a financial institution. In the case of an escrow account, the financial institution with which the funds are to be deposited, shall be subject to the approval of City Council. The amount of the deposit shall be at least equal to the cost, as estimated by the applicant and approved by the City Engineer, of installing all required improvements plus fifty (50) percent. In the case of an escrow account, the applicant shall file with the City an agreement between the financial institution and himself, guaranteeing the following:
 - a. That the funds of said escrow account shall be held in trust until released by the City and may not be used or pledged by the applicant as security in any other matter during that period;
 - b. And that in the case of failure on the part of the applicant to complete said improvements, then the financial institution shall immediately make the funds in said account available to the City for use in the completion of those improvements.
2. The applicant shall provide, from a financial institution, an irrevocable letter of credit. This irrevocable letter of credit shall be deposited with the City Treasurer and shall certify the following:
 - a. That the creditor does guarantee funds in an amount equal to the cost, as estimated by the applicant and approved by the City Engineer, of completing all required improvements plus fifty (50) percent;
 - b. That, in case of failure on the part of the applicant to complete the specified improvements within the required time period, the creditor shall pay to the City immediately, and without further action, such funds as are necessary to finance the completion of those improvements, up to the limit of credit stated in the letter;
 - c. That this letter of credit may not be withdrawn or reduced in amount, until released by the City.

3. The applicant shall deposit cash with the City Treasurer. The amount of this cash deposit shall be equal to the cost, as estimated by the applicant and approved by the City Engineer, of completing all required improvements plus 50 percent. The applicant shall certify the following:
 - a. That the funds shall be held by the City until all required improvements as approved by the City Engineer have been made.
 - b. That, in case of failure on the part of the applicant to complete the specified improvements within the required time period, the City shall use such funds as are necessary to finance the completion of those improvements.
- B. If any portion of the required improvements shall fail to be accepted for dedication within the allocated time period or within fifteen (15) days of guarantee expiration, whichever shall occur first, the City shall declare whatever security has been pledged as a guarantee to be forfeited. Where the City is not already in possession of said guarantee, it shall immediately take the actions necessary to obtain it. The City shall use them to finance the completion of contracted improvements or the rebuilding of such improvements to the proper specifications. Unused portions of these securities shall be returned to the applicant, bonding company or crediting institution, as is appropriate.

5.09.03. Reduction of Guarantee

- A. In those cases where improvement guarantees have been made, the amount of the guarantee may be reduced upon acceptance of the dedication of a portion of the required improvements. The amount of the reduction shall not exceed the percentage which the improvements just accepted for dedication made up of all originally required improvements. In no case, however, shall the guarantee be reduced to less than fifty percent of the original amount prior to acceptance of all improvements.

5.09.04. Release of Guarantee

- A. Upon acceptance, the City shall authorize the release of the remaining portion of the improvement guarantee.

5.09.05. Expiration of Guarantee

- A. If guarantees filed with the City expire, no building permits for building sites shall be issued. It shall be the responsibility of the applicant to keep current all assurances filed with the City. The City shall have the right at any time to adjust estimated cost of public improvements or utilities and to adjust the required amount of guarantee accordingly, it being the intent of this

provision that the applicant shall pay the entire cost of all improvements and in no way limits their liability therefore by the filing of guarantees based upon estimate.

5.10 General Design Standards

5.10.01. Purpose

- A. The character and environment of the City of Woodland Park for future years will be greatly affected by the design of subdivisions and the plats that are approved by the City. Planning, layout and design of a subdivision are of the utmost concern. The residents must have available to them within the area:
1. Safe and convenient movement to points of destination or collection.
 2. Modes of travel to achieve this objective should not conflict with each other or with abutting land uses.
 3. Lots and blocks should provide desirable settings for the buildings that are to be constructed, make use of natural contours and protect the view, afford privacy for the residents and protection from adverse noise and vehicular traffic.
 4. Natural features and vegetation of the area must be preserved if at all possible.
 5. Schools, parks, churches and other community facilities should be planned as an integral part of the area.
 6. In order to meet the above objectives, the City encourages innovative subdivision design.

5.10.02. Site Consideration

- A. Land which the City finds to be unsuitable for subdivision or development due to flooding, improper drainage, steep slopes, rock formations, adverse earth formations or topography, utility easements, or other features which will reasonably be harmful to the safety, health and general welfare of the present or future inhabitants of the subdivision and/or its surrounding areas, shall not be subdivided or developed unless adequate methods are formulated by the developer and approved by the City to solve the problems created by the unsuitable land conditions. If the problem cannot be suitably corrected, such land shall be set aside for uses which shall not involve a danger or a harmful situation.

5.10.03. Noise Reduction

- A. Where a residential subdivision borders on a state highway, design thereof shall include adequate provisions for the reduction of noise. A parallel street, a landscaped buffer area, or

lots with increased setbacks may be required. Arterial streets within the City may require similar provisions.

5.10.04. Access

- A. No subdivision shall be approved unless the area to be subdivided shall have access on an existing public street shown upon a plat approved by the Planning Commission and City Council and recorded in the county clerk and recorder's office. Wherever an area to be subdivided is to utilize an existing adjacent street, the applicant shall be required to improve said street to City specifications.

5.10.05. Blocks

- A. Blocks shall have sufficient width to provide for two tiers of lots of appropriate depths. Exceptions to this prescribed block width shall be permitted in blocks adjacent to collector streets, arterial streets, railroads, or waterways.
- B. The lengths, widths, and shapes of blocks shall be appropriate for the City and the type of development contemplated.

5.10.06. Lots

- C. The lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on all lots in compliance with this UDC and in driveway access to buildings on such lots from an approved street.
- D. Lot dimensions shall comply with the minimum standards of this UDC. Where lots are more than double the minimum required area for the zone district, the City may require that such lots be arranged so as to allow further subdivision and the opening of future streets where they would be necessary to serve such potential lots, all in compliance with this UDC and these regulations.
- E. Side lot lines shall be at right angles to street lines (or radial to curving street lines) unless a variation from this rule will give a better street or lot plan.

5.10.07. Reverse Corner Lots

- A. Reverse corner lots shall be avoided except where necessary to provide separation of residential development from traffic arterials or to overcome specific disadvantages of topography and orientation. Closed uniform fencing may be required where a rear yard backs to a collector or arterial street.

5.10.08. Lot Drainage

- A. Individual lot drainage shall be coordinated with the general storm drainage pattern for the area. Drainage shall be designed so as to avoid concentration of storm drainage water from each lot to adjacent lots.

5.10.09. Conservation Buffer Area

- A. A conservation buffer area shall be provided along the perimeter of a new residential subdivisions adjacent to commercially zoned tracts and platted subdivisions by establishing a minimum twenty-five (25) foot no build zone. The no build zone shall serve as a conservation buffer area that must remain unimproved with the exception of planted vegetation. Conservation buffer areas shall not apply to replats. Conservation buffer areas shall not be required if the perimeter of the subdivision is adjacent to platted park land or designated open space.

5.11 Street Design Standards

5.11.01. General

- A. All streets shall conform to the street element of the Comprehensive Plan of the City of Woodland Park.
- B. All new City streets and off street bicycle trails will be constructed in accordance with the City Engineering Specifications.

5.11.02. Integration of Streets

- A. All streets shall be properly integrated with the existing and proposed system of thoroughfares and dedicated rights-of-way and be properly related to special traffic generators such as industries, business districts, schools, recreation areas, churches, and shopping centers; to population densities and the pattern of existing and proposed land uses.

5.11.03. Intersections

- A. Streets shall be laid out so as to intersect as nearly as possible at right angles. A proposed intersection of two new streets at an angle of less than seventy-five degrees shall not be acceptable. An oblique street should be curved approaching an intersection and should be approximately at right angles for at least one hundred feet therefrom. Not more than two streets shall intersect at any one point unless specifically approved by the City.

- B. Proposed new intersections along one side of an existing street shall whenever practicable, coincide with any existing intersections on the opposite side of such street. Street jogs with center line offsets of less than one hundred fifty feet shall not be permitted, except where the intersected street has separated dual drives without median breaks at either intersection. Where local streets intersect arterial streets, their alignment shall be continuous. There shall be eight hundred feet between intersections along arterial streets.
- C. Minimum curb radius at the intersection of two local streets shall be fifteen feet; and minimum curb radius at an intersection involving a collector street shall be twenty-five feet. The minimum curb radius at an intersection in a commercial or industrial area shall be thirty feet. Alley intersections and abrupt changes in alignment within a block shall have the corners cut off in accordance with standard engineering practices to permit safe vehicular movement.
- D. The grade of any street shall not exceed six percent within seventy-five feet of any intersection. Twelve percent grades may be permitted on local streets for short distances by permission of the City where it is deemed that the safety and welfare of the resident would not be adversely affected.

5.11.04. Extension of Streets to Boundary Line

- A. Proposed streets shall be extended to the boundary line of the tract to be subdivided unless in the opinion of the City such extension is not necessary or desirable for the coordination of the layout of the subdivision with the existing layout or the most advantageous future development of adjacent tracts. Temporary cul-de-sacs shall be designated on the plat at the street terminus for all such streets.

5.11.05. Street Names and Numbers

Street names shall not be used which will duplicate or be confused with the names of existing streets and shall be subject to approval of the City. Street numbers shall be assigned by the City staff.

5.11.06. Half Streets

- A. Street systems in new subdivisions shall be laid out so as to eliminate or avoid new perimeter half-streets. Where an existing half-street is adjacent to a new subdivision, the other half of the street shall be improved and dedicated by the applicant. The City may authorize a new perimeter street where the applicant improves and dedicates the entire required street right-of-way width within the subdivision boundaries. In the event that the

entire required street right-of-way width is improved and dedicated, arrangements for reimbursement, at the time the adjoining land is subdivided, shall be contained in the subdivision agreement.

5.11.07. Alleys

Alleys, open at both ends, may be required in commercial areas if other provisions are not made and approved for service access. Alleys shall not be allowed in residential subdivisions unless requested by the City.

5.11.08. Local Streets

- A. Local streets shall be laid out to conform as much as possible to the topography, to discourage use by through traffic, to permit efficient drainage and utility systems, and to require the minimum number of streets necessary to provide convenient and safe access to property.
- B. Local streets should be curved wherever possible to avoid uniformity of lot appearance. The rigid rectangular gridiron street pattern need not necessarily be adhered to, and the use of curvilinear streets, cul-de-sacs, or U-shaped streets shall be encouraged where such use will result in a more desirable layout.
- C. All streets shall be arranged so as to obtain as many as possible of the building sites at, or above, the grades of the streets. A combination of steep grades and curves should be avoided.

5.11.09. Commercial and Industrial Development Streets

In commercial and industrial developments, the streets and other accessways shall be planned in connection with the grouping of buildings and the provision of alleys, truck loading and maneuvering areas, and walks and parking areas so as to minimize the conflict of movement between the various types of traffic, including pedestrian.

5.11.10. Arterial Streets

- A. Where a subdivision borders on or contains an existing or proposed arterial street, the City may require that access to such streets be limited by one of the following means:
 - 1. The subdivision of lots so as to back onto the arterial and front onto a parallel local street, no lot access shall be provided from the arterial, and some form of screening such as a strip of land shall be provided along the rear property line of such lots;

2. A series of cul-de-sacs, U-shaped streets, or short loops entered from and designated generally at right angles to such a parallel street, with the rear lines of their terminal lots backing onto the arterial;
3. A marginal access or service road separated from the arterial by a planting or grass strip and having access thereto at suitable points.

5.11.11. Street Type Design Standards

A. The following design standards shall apply to all street types.

Table 5.11.11-1

	ROW Width	Min. Paved Surface	Max. Grade	Min Grade	Min Horizontal Curve Radius	Min Length of Tangent Between Curves	Min Corner Site Distance
Alley (where permitted)	15 ft.	-	-	1.5%	-	-	-
Local street	60 ft.	24 ft.	10% ¹	1.5%	100 ft.	0 ft.	200 ft.
Local w/curb and gutter	50 ft.	24 ft.	10% ¹	1.5%	100 ft.	0 ft.	200 ft.
Collector street	60 ft.	36 ft.	8%	1.5%	200 ft.	100 ft.	300 ft.
Collector w/curb and gutter	50 ft.	36 ft.	8%	1.5%	200 ft.	100 ft.	300 ft.
Arterial street	80 ft.	48 ft.	8%	1.5%	500 ft.	300 ft.	300 ft.
Arterial w/curb & gutter	70 ft.	48 ft.	8%	1.5%	500 ft.	300 ft.	300 ft.

Notes:

1. Max grade of 12% for short distances may be approved by City Engineer
- B. Minimum Diameter of Cul-de-Sac shall be one hundred feet (100') with a minimum paved surface width of sixty feet (60').
1. Temporary cul-de-sacs for future street extensions shall be exempt from this requirement.

5.12 Subdivision, Bicycle and Pedestrian Trails

5.12.01. General

- A. If applicable, bicycle and pedestrian trails shall align with any existing rights-of-way or as identified by the Parks, Trails and Open Space Master Plan.

5.12.02. Design Standards

- A. The following design standards shall apply to all sidewalks, trails, and bicycle routes.

Table 5.12.02-1

	Min ROW Width	Min Width of Sidewalk, Trail, or Bicycle Route Surface
Minor Sidewalk	within ROW	5 to 6 feet
Major Sidewalk	within ROW	6 to 8 feet
On street Bicycle route	within ROW	4 feet
Off street Bicycle trail	20 feet	10 to 8 feet
Primitive Trail	15 feet	surface and width varies

5.13 Utilities

5.13.01. General Standards

- A. The following utilities shall be provided, installed and connected to existing public systems by the applicant according to City Engineering Specifications.
1. Water Lines and Fire Hydrants. Water shall be made available to each lot within the subdivided area. Adequacy of supply and sizes of water mains shall be determined by the City Engineer. Workmanship and details of construction shall be in accordance with City Engineering specifications. All water mains and service installations shall be subject to City ordinance and agreements relating thereto.
 2. Sanitary Sewer Lines. Where a public sanitary sewer is accessible within four hundred (400) feet of the subdivision tract, the development shall connect with such sanitary sewer and provide adequate sewer lines accessible to each lot. Sewer connections and subdivision sewer systems shall be installed in accordance with City Engineering Specifications. All sewer mains and service installations shall be subject to City ordinances and agreements relating thereto. Where a public sewer is not accessible, the

applicant may, upon approval of the City, either install individual sewerage facilities at their expense or require the builders to provide such facilities as part of the construction of buildings or structures. Where individual sewerage facilities are to be installed, with a design flow of over two thousand gallons per day, the individual system shall be designed by a licensed sanitary engineer and approved by the Colorado Department of Health. For individual sewage systems with a design flow of less than two thousand gallons per day, the system shall be designed in accordance with Teller County individual sewage disposal systems regulations.

3. Drainage improvements including storm sewers where required.
 4. All communication, gas, and electric distribution services, lines, and street lighting circuits shall be placed underground. The applicant shall be responsible for complying with all utility requirements of this UDC, and shall make the necessary arrangements including any construction or installation of such facilities and shall be subject to all applicable laws and regulations for the construction of the same. Furthermore, the applicant shall (A) give all dry utility providers (i.e. electric, phone and cable), who have a current franchise agreement with the City of Woodland Park at least sixty days' advanced written notice of the beginning of construction, (B) ten days advanced written notice of the availability of any open trenches, and (C) provide such electric, phone and cable utility providers with reasonable access to the open trenches. Transformers, switching boxes, terminal boxes, meter cabinets, pedestals, ducts and other facilities necessarily appurtenant to such underground utilities may be placed above ground. Such facilities shall be placed within easements or public right-of-way provided for the particular facility.
- B. Other improvements not specifically mentioned herein shall be required if the City determines that such improvements are necessary to protect the public's health, safety, and welfare.
- C. All utilities shall be extended to the boundary line of the tract to be subdivided unless, in the opinion of the City, such extension is not necessary or desirable for the coordination of layout of the subdivision with the existing layout or the most advantageous future development of adjacent tracts.

5.13.02. Reimbursement for Oversized Utilities

- A. In the event oversized water or sewer lines are required, the applicant may be allowed to recover the cost of the utility lines that have been provided beyond the needs of the development.
 - 1. The method and time of payment pursuant to the reimbursement agreement shall be established in accordance with the City of Woodland Park's then current policies relating to the emplacement of such oversized utilities, but in no event shall the reimbursement agreement exceed a maximum period of fifteen years.
 - 2. The initial reimbursement agreement shall be for a period not to exceed ten years. City Council retains the authority to extend the initial agreement, for good cause shown, for a period not to exceed the total allowable period of fifteen (15) years. After said fifteen-year period of time, no repayment provision shall continue and the applicant, heir heirs and assigns, shall not be entitled to any reimbursement pursuant to any such agreement.

5.13.03. Timing and Dedication of Utilities

- A. In new subdivisions, all utilities including service connections to the property line shall be installed prior to paving of any street. Water, sewer and gas lines, when the subdivision is served by natural gas, electricity, telephone and other utilities, shall generally be placed in the location specified by the City Engineering Specifications.
- B. Upon construction and acceptance of the water, storm and sanitary sewer mains, these mains shall be dedicated to public use and they become the property of the City, subject to all warranty provisions in the City Engineering Specifications.

5.13.04. Additional Studies

Special planning areas may require additional study or submittals as required by ordinance. In some cases, such as flood prone areas, state and/or federal agencies are also required to act on, or provide input to subdivision process. It is therefore imperative that such areas are identified early in the planning process in order to avoid delays and to allow time for the agencies to act on any request.

5.14 Easements

5.14.01. General Requirements

- A. Where required, easements for all utilities other than public sewer and water lines shall meet the following:
 - 1. Be a minimum of twenty feet wide, ten feet of which shall be on each side of common rear lot lines where said lines abut.
 - 2. Where the rear lot line abuts on property outside of the subdivision of which there are no easements provided for of at least ten feet in width, then the easement or alley on the rear lot lines in the subdivision shall be at least twenty feet in width.
 - 3. Side lot easements, where necessary shall be at least ten feet in width, five feet of which shall be on each side of a common lot line.
 - 4. Where required, easements for public sewer or water shall be required with the width to be determined in accordance with the City Engineering Specifications.

5.14.02. Stormwater Easements and Drainage Right-of-Way

- A. Where a subdivision is traversed by a watercourse, drainage way, channel or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such watercourse and such further width as may be required for necessary flood control measures.
- B. The requirements for the urban drainage system shall be based on the latest revision of the Pikes Peak Area Council of Governments "Area Wide Urban Run Off Control Manual." A non-motorized easement shall be required if advised by the parks and recreation advisory board, reviewed by the Planning Commission, and approved by City Council.
- C. The City determines that intermittent access to such watercourse drainage way, channel or stream is necessary to meet the goals and objectives of Parks, Trails and Open Space Master Plan.

5.15 Dedications

5.15.01. Dedication of Right-of-Way

- A. Where applicable, dedication of rights-of-way for public streets, bicycle paths, trails, sidewalks, drainage channels, and utilities shall be required in accordance with these regulations or as otherwise found necessary to protect public's health, safety and welfare. Dedication of rights-of-way shall be made on the Final Plat, unless otherwise directed by the

City Council upon recommendation of the Planning Commission and parks and recreation advisory board. Dedication of bicycle paths, trails and sidewalks shall be reviewed by the parks and recreation advisory board.

5.15.02. Dedication of Park Land or Payment in Lieu of Land Dedication

- A. For every new major or minor subdivision which is platted for residential use City Council shall require:
 - 1. Based upon advisement from the Parks and Recreation Advisory Board and subsequent recommendation by the Planning Commission, require the dedication of park land to the City in the amount of 0.027 acres per residential dwelling unit; or
 - 2. Pay a park capital fee in the amount established by City Council.
- B. For every parcel of land for which the owner applies and receives a Zone District Change or a Conditional Use Permit which results in increased density of dwelling units as a result of subdivision or Site Plan approval, the applicant shall pay the park capital fee or adhere to the park land dedication requirement as detailed in Clause 5.15.02.A.
 - 1. For the purpose of this Subsection, increased dwelling unit shall mean the increased number of dwelling units authorized for the parcel of land because of the Zone District Change or Conditional Use Permit as compared to the number previously authorized.
 - 2. Dwelling unit is defined in Chapter 7 – Definitions.
- C. In a clustered development, this park land dedication shall not count toward the minimum required open space
- D. All park capital fees collected shall be deposited in the specific line item for the park capital fee and shall be used by the City solely for the purposes of development, improvement or acquisition of parks, trails and recreation facilities and public open space.
- E. Any subdivision or replat of an existing subdivision when said existing subdivision has already dedicated park land or paid park capital fees-in-lieu shall be exempt from further park capital fees or park land dedication providing that said further subdivision or replat does not increase the dwelling units per acre density of the area. Any increase in density shall be compensated for using the standards of this Section 5.15 - Dedications.

5.15.03. Dedicated Park Land Size and Location Standards

- A. In determining payment of park capital fees or dedication of park land, the following will be considered:
 - 1. The size of the development and its adequacy for accommodating a suitable park or recreation area;

2. The City of Woodland Park's Parks, Trails and Open Space Master Plan;
 3. Existing parks and other public uses in the community;
 4. The topography, geology, obstacles and other hindrances to use; and
 5. The needs of the people in the community, and any other appropriate factors.
- B. When required, dedicated land for parks and recreation areas shall have a minimum area of twenty thousand (20,000) square feet. The City may require that the area be located at a suitable place on the edge of a subdivision so that additional land may be added as adjacent land is subdivided.
- C. The dedicated land shall have a frontage of sufficient length to allow access to pedestrian and vehicular traffic (for park maintenance when necessary). The area shall be in close proximity to the subdivision residents served by it. In addition, areas hazardous to the health, safety and welfare of the residents, especially children, shall not bisect the dedicated area from the residential area of the subdivision.
- D. Land dedicated for the residents shall be of a character and location suitable for use as a playground, ball field or other recreation purpose designed to meet the needs of the community. Sufficient documentation shall be provided to prove that the land being dedicated meets the parks and recreation areas needs of the community. The City reserves the right to decide whether the land is suitable or not. If the area to be dedicated is not acceptable to the City, an alternate suitable site shall be identified.
- E. Where the subdivision encompasses floodplains, drainage channels, unstable slopes or other geologic hazards, credit will not be given for said area towards park land dedication.
- F. All land dedicated for parks shall be free and clear of all liens and/or encumbrances.

5.15.04. Park Fee

- A. There shall be paid to the City upon approval and prior to the recording of a Final Plat of every major and minor subdivision a Park Fee, in the amount established in the City's fee schedule adopted by resolution, per dwelling unit in such subdivision. Such fees shall be used to develop any park or recreation area located within the City limits.
- B. The fees described herein, shall be increased by the amount of five percent annually as reviewed by City Council.

5.15.05. Open Space

- A. Land in excess of the parks and recreational needs of the subdivision and deemed unusable for such purposes may be dedicated as open space. Where feasible, and in the best

interests of the City and the neighborhood residents, credits for the additional land may be considered by the City Council.

5.15.06. Excess Dedicated Land

- A. Land dedicated for parks, and recreation areas, may be disposed of by the City in accordance with Article XV Miscellaneous Provisions of Section 15.2(a) of the Charter of Woodland Park if the land is found to be in excess of the community's requirements or is no longer required for the purpose for which it was intended. Where lands to be dedicated are contained in future filings of an approved master plan but are in the plat being considered, the City may accept a lot or lots within the plat being considered and exchange said lot or lots for land which meets the park dedication criteria in future filings as said filings are platted. Any proposed exchange shall be defined in the Development or Subdivision Improvement Agreement.

5.15.07. Additional Land Dedication

- A. Additional and may be dedicated to receive credit for future land dedication in accordance with the parks, trails and open space master plan for the community.

5.15.08. Dedication Process

- A. The deeding of land or payment of fees for parks, trails, recreation areas and open space shall be considered as a prerequisite to the Final Plat being recorded with the county.
- B. In the event of a replat which involves rezoning to a higher density, or conditional use permits, the City Council will determine whether park capital fees or land dedication is to be required, and if required the land must be dedicated or park capital fees paid prior to final recording of the request by City Council.
- C. Any subdivision or replat of an existing subdivision when said existing subdivision has already dedicated land or fees-in-lieu for open spaces and public sites shall be exempt from further fees or dedication providing that said further subdivision or replat does not increase the dwelling units per acre density of the area. Any increase in density shall be compensated for using the standards of Section 5.15 – Dedications.

5.15.09. Title to Dedicated Land

- A. All lands required to be dedicated to the City for parks, trails, recreation areas and open space shall be conveyed to the City by dedication on the Final Plat free and clear of all liens and encumbrances.

- B. Streets, roads, alleys, easements and rights-of-way shall be dedicated free and clear of all liens and encumbrances at the time of Final Plat approval.

5.16 Transfer of Development Rights

A. Transfer of development rights are allowed when:

1. Residential development projects within planned unit development (PUD) and suburban residential (SR) zoning districts with master plans approved and with substantial investments in the installation of infrastructure prior to April 30, 1997, the effective date of Ordinance 705, may be allowed to transfer densities as provided herein.
2. The maximum gross density of two dwelling unit per acre for PUD and one dwelling unit per acre for SR districts may be increased to a maximum of thirty percent, subject to site consideration review as provided in Subsection 5.10.012 – Site Considerations. All proposals for transfer of development rights shall be reviewed as provided in Subsection 6.06.190 – Modification to Previous Approval.