



CHAPTER 12: LAND USE REGULATIONS

ARTICLE 6: LAND SUBDIVISION

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See Ord. #02-1984	Adopted Jan. 9, 1984	See Ord. #08-1985	Adopted May 13, 1985
See Ord. #04-1986	Adopted Mar. 10, 1986	See Ord. #07-1986	Adopted July 7, 1986
See Ord. #02-1988	Adopted Mar. 14, 1988	See Ord. #05-1999	Adopted Aug. 23, 1999
See Ord. #04-2000	Adopted May 22, 2000	See Ord. #02-2004	Adopted Feb. 9, 2004
See Ord. #05-2005	Adopted July 11, 2005	See Ord. #06-2008	Adopted May 12, 2008
See Ord. #11-2008	Adopted Dec. 8, 2008	See Ord. #15-2009	Adopted Mar. 23, 2009
See Ord. #40-2009	Adopted Oct. 26, 2009	See Ord. #XX-2019	Adopted Apr. 22, 2019

CHAPTER 12: LAND USE REGULATIONS

ARTICLE 6: LAND SUBDIVISION

This is a condition of all amendments to the Original Ordinance adopting Subdivision Regulations as the same is contained in Ordinance 8-1983 contained in the Town Code. Since that time, the following ordinances have been adopted amending some aspect of the Land Subdivision Ordinance.

12-6-1 Title

An Article establishing rules, regulations and standards governing the Subdivision of Land and/or Structures (airspace condominiums and other types of property divisions) within or proposed to be annexed to the Town of Grand Lake, setting forth the procedure to be followed by the Planning Commission in applying and administering these rules, regulations and standards, and setting forth the penalties for the violation thereof as established by the State of Colorado.

Short Title

This Article shall be known, referred to and cited as the “Grand Lake Subdivision Article”.

12-6-2 Authority

The Town of Grand Lake is enabled by law to control the subdivision of all the incorporated land and/or structures (airspace condominiums and other types of property divisions) within the legal boundaries of the Town of Grand Lake by virtue of (C.R.S. 31-24-214, 1973, as amended).

12-6-3 Jurisdiction

Any person, partnership, or corporation intending to subdivide land property as defined in Section 12-6-5 of this Article shall submit plans and plats as required by and specified herein to the Town of Grand Lake Planning Commission.

It shall be unlawful for any owner or agent having control of any land and/or structures within the incorporated limits of the Town of Grand Lake to Subdivide or cause to be platted any such land and/or structures into lots, separate airspace units of any kind, blocks, streets, avenues, alleys, public ways or grounds unless by subdivision plat in accordance with this subdivision Article. No Building permit shall be issued nor shall any building be erected on any subdivided lot, or tract of land, and/or structure without the street giving access thereto having first been accepted for public use and for maintenance by the Board of Trustees of



the Town of Grand Lake.

12-6-4 Purpose

The Purposes of this Article are:

- (A) To ensure the orderly, efficient and integrated development of the Town.
- (B) To promote the health, safety and general welfare of the residents of the Town.
- (C) To ensure conformance and coordination of land and structure subdivision plans with the public improvement plans of the Town.
- (D) To encourage well-planned subdivisions by establishing adequate standards for design and improvement.
- (E) To improve land survey monuments and records by establishing standards for surveys and plats.
- (F) To safeguard the interests of the public, the homeowner and the subdivider.
- (G) To secure equitable handling of all subdivision plans by providing uniform procedures and standards.
- (H) To prevent loss and injury from fire in wooded terrain.
- (I) To preserve natural vegetation and cover and promote the natural beauty of the Town.
- (J) To prevent and control erosion, sedimentation and other pollution of surface and subsurface water.
- (K) To prevent flood damage to persons and properties and minimize expenditure for flood relief and flood control projects.
- (L) To control building on flood lands, shorelands, areas covered by poor soils, undermined areas, and areas poorly suited for building or construction.
- (M) To prevent loss and injury from landslides, mud flows, cave-ins, and other geologic hazards.

12-6-5 Definitions

For the Purposes of this Article the following terms shall have meaning as cited below:

Access – That location on a public road where a driveway or private road connects and is accessible for routine ingress and egress traffic circulation.

Alley - A minor way which is used primarily for vehicular service access to the rear or side of properties otherwise abutting on a street.



Apartment House – Shall mean any single structure containing two (2) or more individual dwelling units occupied on a rental basis.

Board – The Town Board of Adjustment of the Town of Grand Lake, Colorado.

Comprehensive Plan – The Comprehensive Plan as adopted for Grand Lake, Colorado, and which includes any unit or part of such Plan separately adopted and any Amendment to such Plan or parts thereof.

Condominium – A type of ownership which consists of a separate fee simple estate in an individual airspace unit of a multi-unit property together with an undivided fee simple interest in common elements. Use types include residential, commercial and industrial.

- a. Individual Airspace – Any enclosed room or rooms occupying all or part of a floor or floors in a building of one (1) or more floors to be used for residential, professional, commercial or industrial purposes.
- b. Common Element – Unless otherwise provided in the declaration or by written consent of all the condominium owners, means: the land or the interest therein on which a building or buildings are located; the foundations, columns, girders, beams, supports, main walls, roof, halls, corridors, lobbies, stairs, stairways, fire escapes, entrances and exits of such building or buildings; the basements, yards, gardens, parking area and storage spaces; the premises for lodging of custodians or persons in charge of the property; installations of central services such as power, light, gas, hot and cold water, heating, refrigeration, central air conditioning, and incinerating; the elevators, tanks, pumps, motors, fans, compressors, ducts, and in general all apparatus and installations existing for common use; such community and commercial facilities as may be provided for in the declaration; and all other parts of the property necessary or convenient to its existence, maintenance, safety, or normally in common use. “Limited Common Elements” are those to be reserved for the use of a certain number of condominium units such as special corridors, stairways, and elevators, sanitary services common to the units of a particular floor, and the like.
- c. Condominium Unit – An individual, three dimensional area or airspace unit of any type together with the interest in the common elements appurtenant to such unit and identified as such in the declarations and on the condominium plat and shall include all improvements contained within the area except those excluded in the declarations.
- d. Declaration – An instrument which defines the character, duration, rights, obligations and limitations of condominium ownership.
- e. Time Share or Interval Ownership Unit – Condominium or townhouse units that have been further subdivided into a stated number of additional interests in the unit, defined by the period of time during which the owner of the share may occupy it. Shares may be of two types: First, “fee time shares” or “interval estates” wherein diverse owners each own a present estate for years terminating on a date certain coupled with a future



- remainder interest in the unit as a tenant in common with the other diverse owners; second, “time-span estates” operating on a tenancy in common principle coupled with an exclusive right to use and occupy the unit during a fixed annual recurring period of time.
- f. Condominium Conversion – The development or use of the land and existing structures as a condominium project regardless of the present or prior use of such lands and structures, and regardless of whether substantial improvements have been made to such structures.
 - g. Condominium Hotel/Motel and Condominium Room – A hotel, motel, boarding house or similar structure that is built or converted into individual airspace units that are fee simple or time share interests. A Condominium Room is an airspace unit without a kitchen and which or may not have a separate bathroom within the unit.

Crosswalk or walkway – A right-of-way dedicated to public use, to facilitate pedestrian access through a subdivision block.

Dedication – An appropriation of land to some public use, made by the owner and accepted for such use by or on behalf of the public, and by which the owner reserves to himself no other right than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted.

Disposition – Means a Contract of Sale resulting in the transfer of equitable title to an interest in subdivided land; an Option to purchase an interest in subdivided land; a Lease or an assignment of an interest in subdivided land; or any other conveyance of an interest in subdivided land which is not made pursuant to one of the foregoing.

Disturbed Area – That area of land to be disturbed or altered in any manner, whether temporarily or permanently, as a result of the subdivision of land and the construction of buildings and improvements thereon. This includes, but is not limited to, temporary and permanent roads, streets and trails, disturbance or removal of vegetation, excavation, and the storage of fill materials.

Drainage and Erosion Control Structures – “Drainage and erosion control structures” are defined as all facilities necessary to control the direction, depth, velocity and volume of water flow within a proposed subdivision, and to mitigate the erosion and related water quality impacts resulting from development. Such facilities are included within the meaning of the term “public improvements,” as that term is defined in these Regulations.

Dwelling Unit – Any structure or part thereof, designed to be occupied as the living quarters of a single family or housekeeping unit – complete with a kitchen and bathroom that is not used in common by occupants of other dwelling units. A Dwelling Room is any structure or part thereof designed to be occupied but which does not have a kitchen and may or may not have a separate bathroom.



Easement – A right to land generally established in a real estate deed or on a recorded plat to permit the use of land by the public, a corporation, or particular persons for specified uses.

Evidence – Means any map, table, chart, contract or any other document or testimony prepared or certified by a qualified person to attest to a specific claim or condition, which evidence must be relevant and competent and must support the position maintained by the subdivider.

Family – An individual or two (2) or more persons related by blood or marriage, or a group of unrelated people not exceeding five (5) persons living together as a single housekeeping unit in a dwelling unit.

Hotel and Motel Unit – Any unit intended for rental on a less than monthly basis. Each unit shall have a minimum 275 square feet and shall contain a bathroom within the unit.

Impervious Cover – Material placed over the surface of the ground, such as pavement, sidewalks, roofs, driveways, which reduced below natural amounts the infiltration of precipitation into the ground.

Improvements – By improvements is meant street grading, street surfacing and paving, curb and gutters, street lights, street signs, sidewalks, water mains and lines, water meters, fire hydrants, sanitary sewers, storm drainage facilities, culverts, bridges, public utilities, or other such installations as designated by the Town Board of Trustees of the Town of Grand Lake or its specified approving authority.

Improvements Agreement Guarantee – Any security which may be accepted by the Town of Grand Lake in lieu of a requirement that certain improvements be made by the subdivider before the plat is approved, including performance bonds, escrow agreements, and other similar collateral or surety agreements.

Land Use Application – Shall include but not be limited to petitions for annexations, subdivision applications, planned development applications, rezoning application, or any other development or land use applications or requests.

Lot - A Lot is a portion of a subdivision intended as a unit for transfer of property ownership or for development.

Lot – Depth of - The mean horizontal distance between the front and rear lot lines.

Lot – Double Frontage – A Lot having a frontage on two non-intersecting streets.

Lot or Property Pin – A Lot or Property Pin is a marker establishing by certified land survey and set by a registered land surveyor registered in the State of Colorado to establish accurate location of property lines.

Lot – Reverse Frontage – A Reverse Frontage Lot is one which extends continuously



between two parallel (or approximately parallel) streets bounding a block and is abutted along one street frontage by an easement for screen planting. A block containing reverse frontage lots is composed of one tier of lots rather than the standard two tiers.

Lot – Width of – The width of a Lot is the average distance between side lot lines. Side Lot Lines are those which are neither front nor rear lot lines.

Lot Consolidation – The combination of two (2) or more contiguous legal lots under the same ownership into fewer lots

Lot Line Adjustment – The relocation of one (1) or more boundary lines between contiguous legal lots under the same or separate ownership that does not result in any additional lots

Master Plan – A plan for guiding and controlling the physical development of land use and circulation in the Town of Grand Lake and any amendment or extension of such a plan.

Mayor – The Mayor, or Mayor Pro-Tempore of the Town of Grand Lake, Colorado.

Mobile Home – Manufactured housing built on a chassis. A mobile home shall be construed to remain a mobile home, subject to all regulations applying thereto, whether or not wheels, axles, hitch, other appurtenances of mobility are removed and regardless of the nature of the foundation provided. A mobile home shall not be construed to be a travel trailer or other form of recreation vehicle.

Multi-Family Dwelling – A building providing separate dwelling units for two or more families.

Municipality – An incorporated city or town.

Official Map – The Official Map as adopted by the Town of Grand Lake.

Off-Street Parking Space – Parking requirements are contained in the Zoning Regulations of the Town of Grand Lake.

Open Space (Public) - Undisturbed, revegetated or improved land dedicated to the common use of the public to provide visual openness and recreational use. Changes in the open space utilization must be approved by the Planning Commission and Board of Trustees of the Town of Grand Lake.

Open Space (Private) - Undisturbed, revegetated or improved land dedicated to the common use of all residents of a subdivision, condominium, townhouse, or mixed-use development which is intended to provide visual openness and recreational use for that development. Open space, once created, can only be otherwise utilized by the concurrence of the owners, according to provisions in ownership declaration documents, which said open space was created to benefit. Changes in the open space utilization must be approved by the Planning Commission and Board of Trustees of the Town of Grand Lake. Permitted and Non-



Permitted Uses for Private Open Space land will be compliant with uses for Public Open Space land. Uses permitted and not permitted in the Open Space Calculation can be found in ARTICLE 2: ZONING REGULATIONS for the Town of Grand Lake.

Parcel of Land – A parcel of land is a contiguous quantity of land held under separate ownership.

Parking Area – A parking space plus that contiguous driving surface adjacent to each parking space necessary to provide ingress and egress to the parking space.

Permanent Monument – A permanent metal pin placed in the ground for surveying reference. Such monument shall be a steel pin no smaller than 5/8 inch in diameter and two feet (2') in length and shall be driven at least 18 inches into the ground, with a permanent cap or tag attached to the top and stamped “RM”.

Planning Commission – The Planning Commission of the Town of Grand Lake, Colorado.

Plan – Sketch – The sketch map or maps of a proposed subdivision, drawn and submitted in accordance with the requirements of these Regulations, to evaluate feasibility and design characteristics at an early stage in the planning of a subdivision.

Planned Development – Deleted from Article 6 by Ordinance #2-1984. Put in Article 2 of Chapter 12 under #12-2-25.

Plan – Preliminary – The map or maps of a proposed subdivision and specified supporting materials, drawn and submitted in accordance with the requirements of this Code, to permit the evaluation of the proposal prior to detailed engineering and design.

Plat – Final – A “Final Plat” as used in these Regulations means a map or maps of certain described land prepared in accordance with the Town of Grand Lake Subdivision Regulations and which is to be used as an instrument for the recording of real estate interests. Such Final Plat shall be recorded by Town Staff upon approval by the Town of Grand Lake Board of Trustees.

Regulations – Any of the provisions of this Article referred to herein or any other applicable Sections of this Code.

Re-Subdivision – The changing of any existing Lot or Lots of any Subdivision Plat previously recorded by Town Staff.

Roadway – The portion of the street right-of-way designed for vehicular traffic.

Street – Any street, avenue, boulevard, road, lane, parkway, viaduct, alley or other way for the movement of vehicular traffic which is an existing State, County, or Municipal roadway, or a Street or way shown upon a Plat, heretofore approved, pursuant to law or approved by official action, and includes the land between street lines, whether improved or unimproved,



and may comprise pavement, shoulders, gutters, sidewalks, parking areas and other areas within the right-of-way. For the purpose of this Article, streets shall be classified as defined in subsection (1) through (8):

- (A) Major – Highway – A major regional highway including an expressway, freeway or interstate highway designed to carry vehicular traffic:
 - 1. Into, out of, or through the regional area (inter-regional) or,
 - 2. Form one political subdivision of the region to another or from an interregional highway (intro-regional).
- (B) Major or Arterial Street – A street or road designed to carry vehicular traffic from one part of a town to another part.
- (C) Collector Street – A street or road designed to carry vehicular traffic from one or more residential or non-residential areas to and from a Major Street or Major Highway.
- (D) Local Street – A street or road designed to carry vehicular traffic from one or more individual residential or non-residential units to or from a collector street.
- (E) Cul-de-Sac – A short dead-end street terminating in a vehicular turn-around area.
- (F) Half Street – A street parallel and contiguous to a property line and of lesser right-of-way width than is required for minor or major streets.
- (G) Service Road – A street or road paralleling or abutting major streets to provide access to adjacent property so that each adjacent Lot will not have direct access to the Major Street.
- (H) Stub-Street – A street or road extending to a subdivision boundary and terminating thereat with no permanent vehicular turn-around. Stub streets are provided to permit adjacent undeveloped parcels of land to be developed later with an adjacent connecting street system.

Street Right-of-Way – That portion of land dedicated to public use for street and utility purposes.

Subdivider or Developer – Any person, firm, partnership, joint venture, association or corporation who shall participate as owner, promoter, developer or sales agent in the planning, platting, development, promotion, sale or lease of a subdivision. A subdivider shall provide proof of registration in accordance with the laws of the State of Colorado.

Subdivision – “Subdivision” means the division of property into two or more parcels, separate interest, or interests in common, sites or lots for the purpose whether immediate or future, or transfer of ownership or building development. The granting of easements, rights-of-way or dedication of land for public use shall not be considered a division of land unless the same is made or granted as a part and parcel of proposed subdivision.

A subdivision is the improvement of one or more parcels of land for residential or



commercial structures or groups of structures involving the division or allocation of land for the opening, widening, or extension of any street or streets, the division or allocation of land as open spaces for common use by owners, occupants or lease holders.

A subdivision is any parcel of land which is to be used for townhouses, condominiums, apartments or any other multiple dwelling units, unless such land was previously subdivided and the filing accompanying such subdivision complied with TOWN regulations applicable to subdivision of substantially the same density.

Exemptions are defined under paragraphs a, b, c, below:

- (A) The term “Subdivision” as defined in these Regulations shall not apply to any division of land which creates parcels of land, each of which comprise thirty-five (35) or more acres of land, none of which is intended for use by multiple owners.
- (B) Unless the method of disposition is adopted for the purpose of evading this Article, the term “Subdivision” shall not apply to any division of land;
1. Which creates parcels of land, such that the land area of each of the parcels, when divided by the number of interests in any such parcel, results in thirty-five (35) or more acres per interest; or
 2. Which is created by Order of any Court in this State or by the operation of law except that any such division of property created shall be recorded as a Subdivision Exemption Final Plat drawn in the manner required in Municipal Code 12-10. Such plats shall be signed by the Mayor after approval by the Board of Trustees, which approval shall not unreasonably be withheld. The cost of plat preparation shall be borne by others and not by the Town of Grand Lake; or
 3. Which is created by lien, mortgage, deed of trust, or any other security instrument; or
 4. Which is created by a security or unit of interest in any investment trust regulated under the laws of this State or any other interest in an investment entity; or
 5. Which creates Cemetery Lots; or
 6. Which creates an interest or interests in oil, gas, minerals, or water which are now or hereafter severed from the surface ownership of real property; or
 7. Which is created by the acquisition of an interest in land in the name of a husband and wife or other persons in joint tenancy, or as tenants in common and any such interest shall be deemed for purposes of this Subsection as only one interest.
 8. Nothing contained in this paragraph 2 shall be construed so as to limit the ability of the Town of Grand Lake to enforce applicable provisions of the Zoning Ordinance, the adopted Building Code or any applicable provision of the Grand Lake Code of Ordinances to any and all divisions of land created under this paragraph.
- (C) The Town Board of Trustees may, pursuant to Rules and Regulations of Resolution, exempt from this definition of the term “Subdivision”, any division of land if the Board of Trustees determines that such division is not within the purposes of this Article.

Subdivision Improvements Agreement – Means one or more security arrangements which may be accepted by the Town to secure the construction of such public improvements as are



required by Town Subdivision Regulations within the Subdivision and shall include collateral, such as, but not limited to, performance or property bonds, private or public escrow agreements, loan commitments, assignments of receivables, liens on property, deposit of certified funds, or other similar surety agreements.

Town – By Town is meant the Town of Grand Lake, Colorado.

Town Auditor – The Town auditor of the Town of Grand Lake, Colorado.

Town Clerk – The Town Clerk of the Town of Grand Lake, Colorado.

Town Staff – Member or Members employed by the Town of Grand Lake, Colorado.

Town Board of Trustees – The Town Board of Trustees of the Town of Grand Lake, Colorado.

Town Engineer – The Town Engineer of the Town of Grand Lake, Colorado.

Townhouse – A type of ownership which consists of a fee simple interest in an individually deeded lot and dwelling, plus a membership right in homeowners' association which shall own in fee simple the common areas subject to all rights and duties as provided in the declaration of the homeowners' association.

- (A) The term “Dwelling” as used herein means a single family dwelling constructed on an individually deeded lot, or as part of a series of two (2) or more dwellings, each of which is either attached to the adjacent dwelling or dwellings by party walls or is located immediately adjacent thereto with no visible separation between walls or roof.
- (B) The term “Common Areas” will be defined in each declaration and will include such items as the following: any open spaces, green belts, yards, parking areas, or storage spaces, located on the property owned and controlled by the homeowners through the homeowners' association, but which are not part of individual townhouse lots, and all community and commercial facilities or other parts of the property necessary or convenient to the existence, maintenance, or safety of all townhouses.
- (C) The term “Declaration” refers to an instrument which defines the character, duration, rights, obligations, and limitations of the townhouse ownership.

Town Planning Commission – The Town Planning Commission of the Town of Grand Lake, Colorado.

Town Surveyor – The Town Surveyor of the Town of Grand Lake, Colorado.

12-6-6 Preliminary and Final Plat Procedures – General

- (A) Plans and plats of a proposed subdivision of land or structures located within the incorporated limits of Grand Lake shall be submitted to the Town Planning Commission



and the Town Board of Trustees for review and approval, in accordance with the provisions of these regulations before such plats may be recorded by Town Staff. To ensure uniformity and environmental protection, such plans and plats shall conform to and follow procedures and standards as specified in these regulations.

1. Town Staff, the Planning Commission, and the Board of Trustees shall not review the plats or plans unless the applicant (its constituents or members) are current with the Town and all Town enterprises for all fees, assessments, charges, taxes, or amount due of any type.
- (B) In connection with any land use application the applicant shall pay the Town for any and all expenses incurred by the Town relating in any manner to the Town's processing, or review, or consideration of the land use application, including but not limited to engineering fees, administrative costs, attorney fees, expert consultation fees, inspection fees, review fees, research fees, copying costs, telephone costs, postage costs, and publication costs. All fees shall be established and amended by Resolution as adopted by the Board of Trustees. The procedure for payment of such costs and fees shall be as follows:
1. At the time a sketch plan, preliminary plan or other preliminary proposal or land use application is submitted, or in any event prior to the Town consideration of final approval of a land use application, the applicant shall pay to the Town the fee estimated by Town Staff to be necessary to cover the costs of engineering fees, administrative costs, attorney fees, expert consultation fees, inspection fees, review fees, research fees, copying costs, telephone costs, postage costs, and publication costs. Such fee may be provided by a schedule of fees prepared by Town Staff or by Town Staff's consideration of the application on a case-by-case basis. The Town will keep records of the costs it has incurred, and when the applicant's balance is below the amount the Town has incurred, the Town will notify the applicant and the applicant must pay an amount equal to the required minimum balance within three (3) days. No application or submittal will be scheduled on an agenda or reviewed until the initial payment has been made. No site plan or final plan approval will be given if the applicant does not have a minimum balance as set forth in this Code.
 2. No building permits or certificates of occupancy shall be issued by the Town or its designated agency unless and until all such costs have been fully reimbursed or sufficient funds have been deposited with the Town to cover all such costs.
 3. Within thirty (30) days after final approval or within thirty (30) days after the applicant has given written notice that he will not proceed with the proposed land use, the Town will determine the balance owing to the applicant, if any, being that amount deposited over the costs incurred, and the Town shall return that amount to the applicant's last known address.
 4. If the Town incurs costs beyond the amount deposited with the Town and the applicant does not pay those costs and fees within thirty (30) days after written notice from the Town, then the Town shall be entitled to certification of the assessment for sale or a lien for those costs and fees on the land being developed which lien may be perfected and foreclosed in the same manner as provided in (C.R.S. 38-22-101).
- (C) Final plats shall not be filed by Town Staff unless a notation has been made on the Plan



by the Board of Trustees certifying that the Board of Trustees has approved the plat in accordance with these regulations.

- (D) Subdivisions of all sizes, shall follow the Land Use Development Procedures and Standards outlined in CHAPTER 12:ARTICLE 9:LAND DEVELOPMENT REGULATIONS.

12-6-7 Minor Subdivision Regulations

(A) Purpose

Regulations 12-9-4 Minor Development, Submission Requirements are designed and enacted for the purpose of promoting the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of the Town of Grand Lake, Colorado. Those Regulations provide a means of dividing land and airspace on a small scale where a full compliance with all Land Use Development Standards and Procedures would cause undue hardship and the impact of the small scale subdivision is minimal.

Those Regulations are not for the purpose of developing repeated sequences of small subdivisions on larger tracts of land for the purpose of avoiding the more extensive review process of the “major” subdivision regulations, except in cases where a Development Plan has been previously approved by the Town. For this reason, those Regulations shall not apply to, or be available for use of, any division of land or airspace for residential use (dwelling units) that was created or divided pursuant to the Regulations of this Section or any other Minor Subdivision Regulation of any applicable jurisdiction, within ten (10) years preceding the date of any application made under Municipal Code.

(B) Jurisdiction

Those Regulations are intended to minimize the procedural requirements and review time for subdivisions involving developments of four (4) or less dwelling units per development project which have a relatively minimal impact on the planning area and linear subdivisions involving four (4) or less lots. This section does not apply to linear subdivisions which involve the redivision of previously approved platted subdivisions, unless four (4) or less lots are involved and no additional lots are created. Except as provided above, any such redivision shall fully comply with the requirements of Municipal Code.

12-6-8 Resubdivision Regulations

(A) Lot Line Adjustments

Any property owner requesting to relocate boundary lines between contiguous legal lots must apply for a Lot Line Adjustment to be submitted for review by the Planning Commission and approval by the Board of Trustees.

1. Lot Line Adjustments are defined as meeting all of the following criteria:
 - a. Affecting property that was previously subdivided into legally recognized lots or parcels
 - b. Not creating additional lots as a result



- c. Not creating or resulting in the creation of a lot or parcel of land that would violate or fail to conform to any applicable zoning or other standard or regulation including, but not limited to, lot area, minimum frontage, building height, setbacks, density, public or private road or private drive standards, parking, or access.
- d. Not altering public right-of-way or easements reserved for drainage or utilities of any kind located on the subject lots

2. Submittal Requirements

- a. The applicant shall provide the following submission materials:
 - 1. Application Form
 - 2. Application fee or deposit
 - 3. Proof of ownership in the form of a deed of title
 - a. If there is more than one owner, a deed transferring ownership of the parcel(s) with the legal description of the resultant parcel(s) is required
 - b. If there is only one owner, a legal description of the resultant parcel(s) is required on the plat or deed
 - 4. Project description (narrative) including the following:
 - a. Detailed description of lot and block numbers, new location of adjusted lot line with project coordinates, and resulting lot acreages
 - b. Detailed description of type, size, and location of existing structures on all lots.
 - 5. A list of and addresses for all owners of adjacent property and all owners of easements over, through, or across the property.
 - 6. Lot Line Adjustment Plat (24" x 34") prepared by a registered land surveyor and drawn to a scale of no less than 1" = 50' (see 12-9-2 (E) and 12-9-11 (K) for specific items)

3. Review Procedures

- a. The Town Planner will have fourteen (14) days from date of submission to determine completeness. Upon acceptance by the Town Planner for submission completeness, the Lot Line Adjustment request shall be reviewed by Town Planning Commission at the next regularly scheduled public meeting. After receipt of recommendation by the Planning Commission, the Board shall review the Lot Line Adjustment request at their next regularly scheduled public meeting.



4. Review Criteria

a. The Planning Commission and Board of Trustees shall apply the following review criteria in considering an application. No application shall be approved unless the Board of Trustees determines that all criteria have been met:

1. The resultant lots are legal lots as defined in section 12-6-8 (A) 1
2. The resultant lots are not in a recorded subdivision
3. The lot line adjustment would not adversely affect existing access, drainage, utility easements, or rights-of-way
4. The lot line adjustment would not adversely affect adjacent properties and the property owners' enjoyment of their property
The lot line adjustment would not create a nonconforming setback

5. Procedure Following Approval

a. Where the Board of Trustees has determined that a proposed Lot Line Adjustment complies with the requirements of these regulations, the Final Lot Consolidation Plat shall be endorsed by the Chair of the Planning Commission and the Mayor of the Town and thereafter the Town Clerk shall file the approved Plat with the Town and record it with the Grand County Clerk and Recorder.

1. for any existing building [NS: I am not sure what this item 1. Is referring to??]

(B) Lot Consolidations

Any property owner requesting to combine two or more contiguous legal lots in a previously recorded subdivision, planned development, or traditional residential development, which are owned by the same person or entity must apply for a Lot Consolidation to be submitted for review by the Planning Commission and approval by the Board of Trustees.

1. Lot Consolidations are defined as meeting all of the following criteria
 - a. Affecting property that was previously subdivided into legally recognized lots or parcels
 - b. Not relocating or reconfiguring previously established lot lines
 - c. Not resulting in a new lot that had previously been separate lots divided by a public or private road
 - d. Not creating or resulting in the creation of a lot or parcel of land that would violate or fail to conform to any applicable zoning or other standard or regulation including, but not limited to, lot area, minimum frontage, building height, setbacks, density, public or private road or private drive standards, parking, or access.



e. Not altering public right-of-way or easements reserved for drainage or utilities of any kind located on the combined lots

2. Submittal Requirements

a. The applicant shall provide the following submission materials:

1. Application Form
2. Application fee or deposit
3. Proof of ownership in the form of a deed of title
4. Project description (narrative) including the following:
 - a. Detailed description of lot and block numbers, new location of adjusted lot line with project coordinates, and resulting lot acreages
 - b. Detailed description of type, size, and location of existing structures on all lots.
5. A list of and addresses for all owners of adjacent property and all owners of easements over, through, or across the property.
6. Lot Consolidation Plat (24" x 34") prepared by a registered land surveyor and drawn to a scale of no less than 1" = 50' (see 12-9-2 (E) and 12-9-11 (K) for specific items)

3. Review Procedures

a. The Town Planner will have fourteen (14) days from date of submission to determine completeness. Upon acceptance by the Town Planner for submission completeness, the Lot Consolidation request shall be reviewed by the Planning Commission at the next regularly scheduled public meeting. After receipt of recommendation by the Planning Commission, the Board of Trustees shall review the Lot Consolidation request at their next regularly scheduled public meeting.

4. Review Criteria

a. The Planning Commission and Board of Trustees shall apply the following review criteria in considering an application. No application shall be approved unless the Board of Trustees determines that all criteria have been met:

1. The combined lot(s) are legal lots as defined in section 12-6-8(A)
2. The combined lot(s) would not subsequently create additional lots other than the resultant lot(s)
3. The lot consolidation would not adversely affect existing access, drainage, utility easements, or rights-of-way
4. *The lot consolidation would not adversely affect adjacent properties and the property owners' enjoyment of their property



5. Any covenants, deed restrictions, or other conditions of approval that apply to the original lots must also apply to the resultant lot(s)
** For regulations governing maximum permitted floor area of structures on properties with combined lots, see sections 12-2-10(C) to 12-2-18(C).*

5. Procedure Following Approval

- a. Where the Board of Trustees has determined that a proposed Lot Consolidation complies with the requirements of these regulation, the Final Lot Consolidation Plat shall be endorsed by the Chair of the Planning Commission and the Mayor of the Town and thereafter the Town Clerk shall file the approved Plat with the Town and with the Grand County Clerk and Recorder.

6. In Perpetuity

- a. Once a Lot Consolidation Plat has been approved, filed, and recorded, the resultant lot(s) are to be considered one (or more) new lot(s), in perpetuity, never to be sold separately or mortgaged separately. Only upon reapplication with the Town to re-subdivide the resultant lot(s) again can these lot(s) be sold or mortgaged separately.

12-6-9 Sales of Subdivision Parts

Whenever any subdivision of land is proposed, before any contract is made for the sale of any part thereof, and before any permit for erection of a structure in such proposed subdivision in accordance with the following procedure, approval of a Final Plat allows sales of the subdivision parts to proceed. In the case of subdivision, the Town of Grand Lake has the right to withhold approval of any Certificate of Occupancy until approval of the As-Built Final Plat by the Town.

12-6-10 Interpretation

The provisions of Land Use Development Standards and Procedures shall be regarded as the minimum requirements for the protection of the public health, safety, comfort, morals, convenience, prosperity and welfare, and shall therefore be regarded as remedial, and shall be liberally construed to further their underlying purposes.

- (A) Those Regulations are not intended to abrogate or annul any permits issued before the effective date of those Regulations or any applicable amendment thereto, or any easement, covenant, or other private agreement. Nor shall those Regulations be affected by any easement, covenant, subdivision restriction, private agreement or other matters to which the Town of Grand Lake was not a party or approving authority.