ARTICLE VI. SUBDIVISION STANDARDS, PUBLIC IMPROVEMENTS, AND DESIGN REQUIREMENTS

DIVISION 1. GENERAL PROVISIONS
Sec. 21-6100. Restriction on Subdivisions, Exemptions, and Review
Sec. 21-6110. Unlawful Subdivisions
Sec. 21-6120. Floodplain Compliance Required
Sec. 21-6130. Construction Standards

DIVISION 2. SUBDIVISION DESIGN
Sec. 21-6200. Overriding Subdivision Design Principal
Sec. 21-6210. Subdivision and Street Names
Sec. 21-6220. Lots
Sec. 21-6230. Blocks
Sec. 21-6240. Streets and Circulation
Sec. 21-6250. Alleys
Sec. 21-6260. Sidewalks and Ramps

DIVISION 3. REQUIRED PUBLIC IMPROVEMENTS
Sec. 21-6300. Cost and Installation of Public Improvements
Sec. 21-6310. Sanitary Sewage Facilities
Sec. 21-6320. Water Facilities
Sec. 21-6330. Stormwater Management Facilities
Sec. 21-6340. Street Lights on Publicly Traveled Rights-of-Way
Sec. 21-6350. Underground Utilities
Sec. 21-6360. Benchmarks and Property Corners

DIVISION 1: GENERAL PROVISIONS

Sec. 21-6100. Restriction on Subdivisions, Exemptions, and Review

(1) **General Restriction.** Unless exempted below, no land within the city shall be split or divided in any manner, regardless of whether into lots or parcels, except in compliance with the provisions of this land development code. It shall be unlawful for any person to sell or otherwise convey land for the purpose of laying out any subdivisions, suburban lots, building lots, tracts or parcels or any owner of any land to establish any street, alley, park or other property intended for public use or to offer for development purposes any land without reference to a legal, recorded plat.

(2) **Exemptions.** The standards related to the subdivision of land contained in this land development code shall not apply to the following:

(a) The division of land by inheritance through an estate proceeding;

(b) The division of land by virtue of the foreclosure of a deed of trust, mortgage or other lien;

(c) The division of land which creates an easement, right-of-way, or site for the use of governmental agencies or public utilities possessing the power of condemnation;

(d) Any division, parcel, or interest in land, which creates an interest in oil, gas, coal, gravel, minerals or water, which is severed from the surface ownership of real property;

(e) Any division, parcel, or interest in land which creates cemetery lots;

(f) Condominium ownership with no public right-of-way dedications, drainage or utility easements; or

(g) Any other division of land if it is determined by the city council, after review by the planning commission, that the division of land is not within the purpose of these regulations and that the exemption would be in the best interests of the city.

(3) **Review.** Unless exempted above, any person wishing to subdivide land must submit a plat or plats for review and approval in accordance with the provisions contained in article III of this land development code.

(4) **Construction.** Any construction or development across existing subdivision lot lines is in violation of this article.

Sec. 21-6110. Unlawful Subdivisions

A subdivision of land that was not lawful at the time of the adoption of this land development code shall not become or be made lawful solely by reason of adoption of this land development code.

Sec. 21-6120. Floodplain Compliance Required

All subdivisions shall conform to the requirements of the city floodplain regulations and policies. In addition, all newly created subdivisions within floodplains shall comply with these additional regulations:

(1) All subdivision proposals shall be consistent with the need to minimize flood damage;

(2) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water located and constructed to minimize flood damage;

(3) All subdivision proposals shall have adequate drainage provided by the developer to reduce exposure to flood damage;

(4) All lots within the floodplain shall be noted. When deemed necessary for the health, safety, or welfare of the present and future population of the area, the city may prohibit the subdivision of any portion of the property that lies within the flood plain of any stream or drainage course; and

(5) The base flood elevation data shall be provided for subdivision proposals and other proposed development that contain at least 50 lots or 5 acres, whichever is less.

Sec. 21-6130. Construction Standards

All improvements required by this land development code shall be constructed in accordance with: the design standards and plan requirements of these subdivision regulations; the city's engineering construction standards and specifications; the parks and recreation master plans; and, where applicable, the requirements and authorization of the appropriate state, county, local agency or utility company.

DIVISION 2: SUBDIVISION DESIGN

Sec. 21-6200. Overriding Subdivision Design Principal

All subdivisions shall conform to the policies for subdivision design in the comprehensive plan and the standards contained within this land development code and shall be designed according to "best practices" that emphasize good landform and drainage, the preservation of natural features, safe transportation facilities, and promote the goals of pedestrian and traffic connectivity with respect to the alignment of street right-of-ways, utility and drainage easements, open space, view corridors, pedestrian/bicycle paths, and other relevant design considerations.

Sec. 21-6210. Subdivision and Street Names

(1) **Subdivision Name**. The proposed name of the subdivision shall not duplicate or be deceptively similar to the name of any other subdivision in the city. The city shall have final authority to designate the name of any subdivision.

(2) **Street Names.** Street names shall not be used that will duplicate or be confused with names of existing streets unless approved by the city. All street names shall conform to the Denver Metropolitan Grid System. Collector streets that provide access to residential, commercial, or industrial development may be named to accommodate the theme of the development, upon approval by the city.

Sec. 21-6220. Lots

(1) **Access Required.** No lot shall be created which does not abut a public street or other approved access which has been suitably improved, except as hereinafter provided.

(2) **Design.** All lots shall be platted in accordance with the following general standards:

(a) The lot size, width, depth, shape, and orientation, and the minimum building setback lines shall be appropriate for the location of the subdivision, the type of development, and the use contemplated.

(b) Lots shall be arranged and designed to provide positive drainage away from structures and into the municipal storm sewer system. Drainage shall be designed so as to avoid concentration of storm drainage water from each lot to adjacent lots.

(c) Side lines of lots shall be at right angles or radial to the street lines. Lot lines shall be straight when not adjacent to street right-of-way.

(d) A lot shall not be divided by a road, alley, or other lot.

(e) Flag lots or private travel easements shall not be permitted.

(f) The minimum lot areas and widths shall conform to the requirements of this land development code.

(g) Lots that front upon a cul-de-sac or curved street having a radius of 200 feet or less shall be measured at the building setback line along an arc parallel to the right-of-way of such cul-de-sac or curved street. Such lots shall also be laid out so that their lot frontage, as measured on the arc of such right-of-way line, is not less that 50 percent of the required lot as measured at the building setback line.

(h) The maximum depth of all lots shall not exceed three times the width of the lot.

(i) Corner lots for residential use shall contain an extra width of a minimum of five additional feet to permit appropriate building setback from an orientation to both streets.

(j) Double frontage and reverse corner lots should be avoided except where they are needed to provide for the separation of residential development from arterial streets or to overcome specific disadvantages of topography or orientation.

(k) As much solar access as feasible shall be provided to each lot in every new subdivision, considering topography, development pattern and existing vegetation. New subdivision development shall orient streets north/south to maximize solar access where practical.

(l) Unless otherwise approved, residential lots that are located next to a public park, private park, or school shall front directly onto these uses or shall be connected via a public road.

Sec. 21-6230. Blocks

In order to promote efficient vehicular and pedestrian circulation along parallel and connecting streets throughout the city, land divisions and site development shall produce complete blocks bounded by a connecting network of public and/or private streets, in accordance with the following standards:

(1) **Width.** Blocks planned for residential purposes 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 railroads, state or federal highways, and waterways or as otherwise authorized. Blocks intended for commercial or industrial use shall be designed specifically for such purpose, with adequate space set aside for off-street parking and loading.

(2) **Intersections.** Intersecting streets determining block lengths shall be provided at such intervals as to serve cross traffic adequately and to meet existing and future streets. Intersection spacing must meet the requirements as set forth in the engineering construction standards and specifications. Block lengths and widths shall be suitable for the uses contemplated and the zoning requirements pertaining to minimum lot sizes and dimensions.

(3) **Length.** In residential districts, blocks shall not exceed 600 feet, unless previous adjacent layout or topographical conditions justify a variation from this requirement. If blocks are longer than 600 feet, the city may require the reservation of an easement through the block to accommodate utilities, drainage facilities, pedestrian or bicycle traffic, or emergency access.

Sec. 21-6240. Streets and Circulation

The plan for general circulation and the development of all streets shall be prepared in accordance with the following standards:

(1) **Classification.** The arrangement of arterial, collector, and local streets shall conform to the major thoroughfare system and policies identified in the comprehensive plan.

(2) **Topography.** Streets shall be related appropriately to the topography. Local streets may deviate from the Denver grid to a curvilinear, gridiron, or modified-grid system if the topography prevents a grid network. Grades of streets shall conform as quickly as possible to the original topography. Steep grades and curves shall be avoided.

(3) **Arrangement.** All streets shall be properly integrated with the existing and proposed system of streets and dedicated rights-of-way. Additionally, all streets shall be properly related to specific traffic generators and to the pattern of existing and proposed land uses.

(a) Where required by the city, rights-of-way shall be provided for extending streets to adjacent unplatted property. Land in such rights-of-way shall be dedicated to the city.

(b) Rights-of-way shall be designated along all section and quarter section lines. Section line right-of-way shall be for arterial streets; quarter-section right-of-way shall be for collector streets at their designated widths, unless topographic conditions or other circumstances justify otherwise.

(c) Where a proposed subdivision abuts an approved subdivision containing future street rights-of-way, the developer of the proposed subdivision shall construct the street and all required improvements from the proposed subdivision to the approved street in the existing subdivision.

(d) New streets shall be extended to the boundaries of the subdivision to provide access to adjoining property, and shall intersect with existing streets.

(e) When a subdivision borders on, or contains a railroad right-of-way or a limited access highway, the city may require a street approximately parallel to and on each side of such right-of-way, at a distance suitable for the appropriate use of the intervening land. Such distances shall also be determined with due regard for the requirements of approach grades and future grade separations.

(f) Where a residential subdivision borders a railroad right-of-way, a limited access highway, or a major arterial, a landscaped buffer area of not less than 30 feet shall be provided for adequate reduction of noise pollution. This buffer is in addition to any required right-of-way and exclusive of any lot size requirements.

(g) Generally, streets shall be laid out to intersect, as nearly as possible, at right angles. Where topography or other conditions justify a variation from the right angle intersection, the city may authorize a variation with a maximum of 10 degrees.

(h) When deemed necessary by the city, the developer shall provide appropriate city approved traffic calming.

(i) No more than two streets shall intersect at one point.

(4) **Connectivity.** In order to promote connectivity to adjacent properties, every plat shall provide multiple access points, to the maximum extent feasible. Streets in a proposed subdivision must connect, where feasible, to existing streets in abutting platted subdivisions.

(5) **Public Streets.** Unless otherwise stated, all streets in a new subdivision shall become public streets and the right-of-way dedicated to the city on the subdivision plat. Upon completion of construction, the subdivider shall warrant all construction of the streets for a period of time to be determined by the city.

(6) **Half-Streets.** Dedication of half-streets shall not be approved.

(7) **Private Streets.** Private streets are generally discouraged; however, when private streets are approved as part of a subdivision, they shall meet the design standards for public streets unless otherwise approved in writing by the city engineer. Applications for a private street shall be accompanied by a development agreement which shall establish the conditions under which the street will be constructed and maintained, as well as the conditions controlling an offer of dedication, and shall stipulate:

(a) The street shall be constructed and maintained to conform to the city's engineering construction standards and specifications;

(b) The owners of the abutting lots will include, with any future offer for dedication, sufficient monies, as estimated by the city, to restore the street to conformance with city standards;

(c) An offer for dedication of the street shall be made only for the street as a whole;

(d) All signage shall comply with the manual for uniform traffic control devices (MUTCD); and

(e) The method of assessing maintenance and repair costs.

(8) **Grading and Construction.** All streets required herein shall be designed, graded, and improved in accordance with the engineering construction standards and specifications of the city.

(9) **Sidewalks, Curbs, and Gutters.** All street designs shall include concrete curb, gutter, and sidewalk.

(10) **Temporary Turnaround.** When a temporary turnaround is provided on a street that is to be extended in the future, the city shall establish the width of the turnaround and the need for temporary easements. Temporary cul-de-sacs shall have, at a minimum, the same dimensions as a permanent cul-de-sac.

(11) **Pedestrian and Bicycle Access Corridors.** Where appropriate at cul-de-sacs, or along blocks of more than 600 feet in length, pedestrian and bicycle access corridors shall be provided to minimize travel distance between subdivisions, parks, schools, primary trails, and collector or arterial streets. These access corridors shall be maintained by the developer or home owner's association. The city may determine that construction of a separate access corridor is unnecessary or impractical. Such decision may result from a number of situations, including but not limited to:

(a) The nature of abutting existing development makes construction of an access corridor impractical;

(b) The access corridor would cross a natural area with significant natural habitat and construction would be incompatible with protection of natural values; or

(c) The access corridor would cross topography where slopes exceed 30% or where path grade would exceed 18% slope.

(12) **Cul-de-Sacs.** A cul-de-sac shall only be used when the applicant demonstrates that environmental or topographical constraints, existing development patterns, or compliance with other standards in this land development code preclude street extension and through circulation.

(a) All cul-de-sacs shall terminate with a circular turnaround which shall have a curb radius of no less than 50 feet.

(b) The length of the cul-de-sac shall be measured along the centerline of the roadway from the near side of the intersecting street to the farthest point of the cul-de-sac.

(13) **Access Management.** New lots created through the subdivision process that front arterial or collector streets shall provide access as detailed in article VII of this land development code.

Sec. 21-6250. Alleys

(1) **Private Ownership.** Alleys in developments approved after the effective date of this land development code shall be privately owned and maintained. Easements in such alleys shall be granted to the city and/or other service providers for installation and maintenance of utilities, refuse collection, and similar facilities and services.

(2) **Design.** In residential districts, alleys should be parallel, or approximately parallel, to the frontage of the street. Alleys in residential districts shall provide a minimum of 16 feet of right-of-way when no utilities are located within them, and 34 feet when utilities are located within them.

(3) **Surfacing.** Alleys shall be paved in accordance with city engineering construction standards and specifications.

(4) **Length.**

(a) No dead-end alley shall exceed 150 feet.

(b) In residential districts, no through-alley shall exceed 600 feet.

Sec. 21-6260. Sidewalks and Ramps

Sidewalks shall be provided by the developer. Access ramps for disabled persons shall be installed whenever new curb or sidewalks are constructed or reconstructed in the city.

Sec. 21-6270. Private Parks and Open Space

(1) **General Requirements**. At least three percent of all usable land in residential developments shall be set aside as private parks or open space for the use and enjoyment of the inhabitants of such development. For purposes of this section, “usable land” shall mean all land in the subdivision (including private streets and oil and gas sites) except floodplains, public right-of-way dedications, commercial sites, industrial sites, public school sites, public library sites, police station sites, fire station sites, and public parks, trails, and recreation facilities. Private parks shall comply with the design standards contained in article VII of this land development code.

(2) **Ownership and Maintenance**. Ownership of the private parks and open space required by this section shall be retained by a property owners association or a metro district and these owners shall be responsible for the maintenance of such properties.

Section added by Ord. 1785, June 2010

DIVISION 3: REQUIRED PUBLIC IMPROVEMENTS

Sec. 21-6300. Cost and Installation of Public Improvements

When land is developed, public improvements shall be installed by the developer. Public improvements shall include, but not be limited to, landscaping in rights-of-way and common areas, roadways, storm sewers, curbs, gutters, and sidewalks. Where it is determined by the city engineer that the installation of public improvements is not feasible at the time of development, the developer shall enter into a development agreement with the city which guarantees payment to the city of the costs of constructing such public improvement. When installation is required to be completed at the time of development, no certificate of occupancy may be issued unless the city engineer inspects and certifies that all public improvements have been properly installed.

Sec. 21-6310. Sanitary Sewage Facilities

(1) **General Requirements.** All subdivisions platted after the adoption date of this land development code shall install sanitary sewer facilities in the manner prescribed by the applicable water district. All plans shall be designed in accordance with the rules and regulations and standards of the applicable water or sanitation district(s) and the county health department.

(2) **Connection to a Sanitation District.**

(a) If connection to facilities run by a sanitation district is reasonably accessible to the property being subdivided, the owner thereof shall be required to connect to such facilities for the purpose of disposing of waste, and it shall be unlawful for any such owner or occupant to maintain an individual sewage disposal system.

(b) If connection to facilities run by a sanitation district is not reasonably accessible, but will become available within a reasonable time, the applicant may choose one of the following alternatives, subject to approval by the city:

(i) Central sewerage system with the maintenance cost to be assessed against each property benefited. Where future plans provide for the applicable sanitation district to install the sewer lines, the laterals and mains of the development shall be in conformance with the specifications of such district and shall be ready for connection to the proposed sewer mains of the district.

(ii) Individual disposal systems, provided the applicant shall install sanitary sewer lines, laterals and mains from the

street curb to a point in the subdivision boundary where a future connection with the system of the applicable sanitation district shall be made. Sewer lines shall be laid from the building to the street line and a connection shall be available in the structure to connect from the individual disposal system to the applicable sanitation district system when it becomes available. The sewer systems shall be capped until ready for use and shall conform to all existing plans for installations of the sanitation district and shall be ready for connection to the sewer main.

(c) Where sanitation district facilities are not reasonably accessible, and will not become available within a reasonable period of time, the applicant may not develop the property except for low-density residential (R-1 or AG) areas that are provided with individual disposal systems, subject to approval of the applicable water and sanitation district(s) and county health department.

(3) **Individual Disposal Systems.** Where individual disposal systems are proposed, minimum lot areas shall conform to the requirements of this land development code and all applicable tests as required by the county health department shall be performed. The individual disposal system, including the size of the septic tanks and size of the tile fields or other secondary treatment device, shall be approved by county health department prior to final approval of the plat by the city.

Sec. 21-6320. Water Facilities

(1) **General Requirements.** All subdivisions platted after the adoption date of this land development code shall extend or create a potable water supply system capable of providing domestic water use and fire protection, according to the requirements of the applicable fire, water, and sanitation districts and the county health department.

(2) **Public Mains.** Where a public water main is reasonably accessible, the subdivider shall install adequate water facilities (including fire hydrants) subject to the specifications of the applicable water and fire districts.

(3) **Individual Wells, Central Water Systems.** At the discretion of the applicable water district and with approval by the city, individual wells may be used or a central water system provided in such a manner that an adequate supply of potable water will be available to every lot in the subdivision. Water samples shall be submitted to the county health department and the appropriate agency for the state as deemed necessary by such entities to ensure a potable water supply.

(4) **Future Connection.** As a condition of approval for an individual well or central water system, the applicant shall be required to agree that a connection to a public water main eventually shall be provided. The applicant shall make arrangements for future public water service at the time the plat receives final approval, which may include surety.

Sec. 21-6330. Stormwater Management Facilities

(1) **General Requirements**.

(a) A stormwater management facility shall be separate and independent of any sanitary sewer system.

(b) A drainage report that meets the requirements of the city's storm drainage design and technical criteria manual must be reviewed and approved by the city engineer.

(c) The city shall not approve any application for development which does not make adequate provisions for stormwater or floodwater runoff channels or basins.

(2) **Construction and Design.**

(a) Stormwater management facilities shall comply with the engineering construction standards and specifications.

(b) The applicant may be required to divert any spring or surface water which may exist either previous to or as a result of the construction of the subdivision.

(c) Where public storm sewer is accessible, the applicant shall install connecting storm sewer facilities from on-site detention facilities.

(d) All drainage ways which cross areas with existing physical features such as streams, ponds, ravines, wooded areas, or other natural features, must be approved by the city engineer.

(e) All storm drainage systems shall be designed by a registered engineer and sized with capacity to permit ultimate development of the drainage basin, and the improvements shall be constructed to the extremities of the development where necessary to accommodate future extension.

(f) The developer shall dedicate to the city all required public stormwater management facilities. If any stormwater management facilities are not located within public right-of-way, the developer shall convey permanent stormwater maintenance easements to the city for all such facilities.

(3) **Maintenance, Records, and Inspection of Private Stormwater Management Facilities.**

(a) The owner of the property on which a stormwater management facility is located shall be required to maintain such facilities in accordance with all BMPs and in such a manner that the facilities do not become a danger to public health or safety. In furtherance of this requirement, the owner shall conduct an annual inspection of all stormwater management facilities located on his or her property

(b) The owner shall make records of: annual inspections; the installation of equipment; and the performance of any maintenance or repairs affecting the facility. The owner shall retain such records for a period of three years and make these records immediately available to the city for inspection upon request.

(c) The owner of the property on which a stormwater management facility is located shall allow the city access to the facility to conduct inspections for compliance with the BMPs.

Paragraphs (1), (2), and (3) amended by Ord. 1785, June 2010

Sec. 21-6340. Street Lights on Publicly Traveled Rights-of-Way

The city may require the installation of streetlights capable of illumination of streets and pedestrian walkways to ensure the safe movement of vehicles and pedestrians at night.

Sec. 21-6350. Underground Utilities

All new utility lines and mains shall be installed underground in accordance with the design standards of section 21-7720 (Placing Utilities Underground).

Sec. 21-6360. Benchmarks and Property Corners

(1) **Benchmarks.** All elevations shown on plats shall be based on NAVD 1988 datum. The permanent bench mark location and description that is used to extend datum to the project shall be noted on the final plat.

(2) **Property Corners.**

(a) Property corners shall be set at each property corner on the boundary of the parcel or tract being subdivided.

(b) Where the placement of a property corner at its proper location is impractical, it shall be permissible to set reference monuments close to that point. If such reference monument is set, its location shall be properly shown on the plat. When conditions warrant

setting a monument on an offset, the location shall be selected so that the monument lies on a line of the survey or on the prolongation of such line.

(c) All property corner and interior controlling corners shall be set prior to the filing of the final plat.