

18.20 - Preliminary Plan

Chapter 18.20 - PRELIMINARY PLAN

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18.20.010 Submittal requirements. Copies of all required material shall be officially submitted to the Planning Commission by the subdivider, or his authorized representative. The preliminary plan materials and documents shall be submitted to the Public Works Department/Planning office not less than two weeks prior to the Planning Commission meeting. Preliminary Plan submittals shall be accompanied at the time of filing by a fee as established by City Council by Resolution. (Ord. 1119-98, 1998: Ord. 673-87, 1987)

18.20.020 Receipt. A receipt shall be issued to the subdivider for the preliminary plan submission when it has been determined that the submission includes all the required documents set forth in these regulations. The date of the planning commission meeting to review the plans shall be specified on the receipt. (Ord. 673-87, 1987)

18.20.030 Drawing requirements--Data to be submitted.

A. The preliminary plan may consist of one or more sheets, depending on the size of the subdivision. It shall meet the minimum design standards set forth in Chapter 18.32 of this title.

B. A workmanlike execution of the plan shall be made in every detail. A poorly drawn or illegible plan is sufficient cause for its rejection.

C. The following data shall be submitted as part of the preliminary plan submission. Note: Any deviation from required scale and format of plans and maps shall be allowed only upon permission or requirement of the planning commission in the sketch plan review.

1. Ten copies of a vicinity map for the proposed subdivisions, and for a one-half mile perimeter area of the proposed subdivision at one inch equals six hundred feet (1" = 600') scale, showing:

- a. Location of the subdivision as a part of some larger subdivision or tract of land, and by reference to permanent survey monuments, with a tie to a section corner or a quarter-section corner;
- b. Existing streets, highways, roads and railroads;
- c. Existing land uses: subdivisions; utilities (lines, buildings, easements); buildings and structures, etc.;
- d. Existing zoning;
- e. School district;
- f. Water district;
- g. Fire district;
- h. Sanitation district;
- i. Additional information as specified by the planning commission in the sketch plan review;
- j. Date of preparation, map scale, and North sign.

2. Development Plan Maps.

a. Ten copies of an existing features map (twenty-four by thirty-six inch, black-on-white or blue-on-white prints at a scale of one inch equals one hundred feet (1" = 100')):

- i. Outer boundary;

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- ii. Existing topographic contours at two-foot intervals for predominant ground slopes within the tract between level and five-percent grade, and five-foot contours for predominant ground slopes within the tract over five percent grade. Elevations shall be based on National Geodetic Survey sea level data.
- iii. Location, by survey, of streams, washes, canals, irrigation laterals, private ditches, culverts, lakes, or other water features, including direction of flow, water level elevations, and typical depths, location and extent of areas subject to flooding by a one-hundred-year storm;
- iv. A traverse map of the monumented perimeter of the proposed subdivision, along with all survey notes of subdivision perimeter, and copies of all monument records. The traverse shall have an error of closure of not greater than one part in ten thousand. A survey tie to the state coordinate system or other permanent marker established by the city surveyor is required, if practical;
- v. Underground water tables (include profile showing annual highwater level);
- vi. Wooded areas;
- vii. Existing buildings, easements, telephone lines, gas lines, power lines, and other features located on the subdivision and within two hundred feet of the boundaries;
- viii. Other, as specified by the planning commission in the sketch plan review;
- ix. North arrow, date;
- x. Names and addresses of the subdivider, the designer of the subdivision, and the engineer and surveyor, both of whom shall be licensed by the State of Colorado Board of Registration for Professional Engineers and Land Surveyors;
- b. Ten copies of a proposed development map, twenty-four by thirty-six inches at one inch equals one hundred feet (1" = 100') scale:
 - i. General Requirements.
 - (A) Name of subdivision;
 - (B) North arrow, date and scale;
 - (C) Name and address of subdivider and owner;
 - (D) Name and address of engineer or designer responsible;
 - (E) Legal description and basis of bearings;
 - (F) Total acreage;
 - ii. Lot and street layout, including proposed future street layout, in dashed lines, for any portion or parcel of adjacent land within two hundred feet, not being subdivided now:
 - (A) Expected impact on local streets;
 - (B) Existing street names and names of proposed streets;
 - (C) Dimensions of all lots to nearest foot, which may be scaled values;
 - (D) Lots and blocks numbered consecutively;
- 3. Location of sites to be reserved or dedicated for public facilities or parks except streets and utility easements. The planning commission, upon consideration of city circulation and facilities and the future requirements of the subdivision, shall recommend to city council the dedication of areas or sites of a character, extent and location suitable for public use for schools and parks;
- 4. Proposed sites and acreage, if any, for multi-family dwellings, shopping centers, community facilities, industry, or other uses, exclusive of single-family dwellings;
- 5. Location, function, ownership and manner of maintenance of common open space not otherwise reserved or dedicated for public use;
- 6. Ten copies of a proposed utility system.
 - a. Location, size and use of all existing and proposed public and private easements. All utilities must be constructed within approved easements;
 - b. Existing and proposed water mains, fire hydrants, sewers, utility mains (electric, gas, telephone) or other underground structures within the subdivision and at least one hundred feet immediately adjacent to boundary streets;
- 7. Ten copies of a proposed drainage system.
 - a. Location of culverts and other proposed drainage structures to show the method of moving storm runoff water through the subdivision; also show runoff concentrations in acres of drainage areas on each street entering each intersection. Flow arrows should clearly show the complete runoff flow pattern at each intersection. For storm drainage facilities not on or adjacent to the tract, indicate the direction and distance to, size and invert elevation or nearest extensions of such utilities;
- 8. Preliminary Street Profiles.
 - a. Preliminary profiles based upon the contours and the sketched alignments should be provided showing graphic grades, proposed lengths of vertical curves, limits of horizontal curves, and locations of bridges and major culverts. Where streets are to be temporarily stubbed at site or plat boundaries, the profiles should extend sufficiently beyond the boundary to assure the feasibility of a future extension that can conform to standards. (Ord. 673-87,

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1987)

18.20.040 Supporting documents required. Ten copies of each of the following documents shall accompany the pre-liminary plan and be considered a part of the submission:

- A. A letter from each special district or utility company involved, addressed to the planning commission, stating that specific services and/or utilities are available, and they have reviewed the plan and are setting forth their comments concerning the extent of services and the design of utility easements;
- B. An affidavit that the applicant is the owner, equitable owner or authorized by the owner, in writing, to make application for the land proposed to be subdivided;
- C. A list prepared by a licensed title or abstract company of all owners of record of property adjacent to the area of the proposed subdivision, including their addresses. This information will be utilized for notification of meeting time and date;
- D. Location, function, ownership and manner of maintenance of common open space not otherwise reserved or dedicated for public use;
- E. The substance of all other covenants, grants of easements, or restrictions to be imposed upon the use of land, buildings and structures;
- F. Geologic maps and investigation report regarding area suitability for the proposed development. This report shall include a list of economically recoverable minerals in the land within the subdivision boundary;
- G. Such additional information as may be required by the planning commission in order to determine that the subdivision can be constructed without an adverse effect on the surrounding area and, by reason of its location or design, will not cause an undue burden on public utilities and community facilities;
- H. Application for rezoning, if required for the development of the subdivision;
- I. Any possible adverse environmental impact of the development; (Note: see Title 16 of the Evans Municipal Code for regulations regarding development in a flood plain.)
- J. Summary statement of application:
 - 1. Total development area,
 - 2. Total number of proposed dwelling units,
 - 3. Total number of square feet of nonresidential floor space;
 - 4. Total number of off-street parking spaces, excluding those associated with a single-family residential development;
 - 5. Estimated total number of gallons per day of water system requirements;
 - 6. Estimated total number of gallons per day of sewage to be treated, and the estimated composition of the sewage in terms of average pounds of BOD per day that will require treatment. Peak flow and other known characteristics of the effluent shall be included in the report;
 - 7. A list of all special districts involved. (Ord. 673-87 '1(part), 1987)

18.20.050 Review by planning commission.

- A. When a preliminary plan has been officially accepted by the planning commission, it shall be placed on the agenda of the planning commission meeting for subdivision review within forty-five days.
- B. Review. Notice shall be published once in a local newspaper of general circulation in the city at least seven days and not more than thirty days prior to planning commission review. Adjoining property owners shall be given not less than ten days' notice by certified mail. The copy of the preliminary plan filed with the planning commission shall be available for public viewing. Anyone may submit written statements recommending approval or denial of the preliminary plan, stating the reasons therefore, to the planning commission on or before the date for planning commission review. (Ord. 673-87, 1987)

18.20.060 Approval or denial conditions. A preliminary plan shall be approved by the planning commission unless it finds that the preliminary plan fails to meet the requirements specified herein, or that the proposed subdivision is detrimental to the public health, safety, or general welfare, as set forth in Section 18.20.070. (Ord. 673-87, 1987)

18.20.070 Approval--Health, safety and welfare criteria. Before approving the preliminary plan, the commission shall determine that the subdivision:

- A. Will be served by a public water system and will not create an unreasonable burden in the existing water supply;
- B. Will be served by a public sanitation system that will not result in water pollution. In making this latter determination, the planning commission and council shall consider the applicable health and water resources department regulations;
- C. Will not cause soil erosion or a reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result;

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D. Will not cause air pollution. In making this determination, they shall consider the elevation of the land above sea level, land topography, prevailing winds or the absence thereof, local and regional airsheds, increase in sources or quantity of emission as well as quality of such, and such other items as are deemed pertinent;

E. Will not:

1. Cause unreasonable street or highway congestion or unsafe conditions with respect to use of the streets or highways, existing or proposed;
2. Cause unreasonable burden on the ability of a school district to provide educational services;
3. Place an unreasonable burden on the ability of the city to provide water, sewage, fire, police, hospital, solid waste disposal, and other services.

F. Will not:

1. Have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites or rare and irreplaceable natural areas;
2. Have an undue adverse effect on wildlife and their habitat, and open space. (Ord. 673-, 1987)

18.20.080 Burden of proof for subdivider. The burden of proof shall be on the subdivider to show the reasonableness of his plan, the lack of adverse effect, and compliance welfare, as set forth in Sections 18.20.060 and 18.20.070. (Ord. 673-87, 1987)

18.20.090 Entry on land for investigations and tests. The commission and the council may conduct such investigations, examinations, tests and site evaluations as they deem necessary to verify information contained in the application. An applicant shall grant the commission and the council, or their agents, permission to enter upon his land for these purposes. (Ord. 673-87, 1987)

18.20.100 Planning commission--Decision. The planning commission shall issue its findings and decision as to preliminary plan approval or denial no later than the next regularly scheduled commission meeting after the review meeting. (Ord. 673-87, 1987)

18.20.110 Planning commission--Notice to council. After review of the preliminary plan at a public meeting, the planning commission shall send written notification to the council of its action. Notification shall include modification required, if any, to be included in the final plat. (Ord. 673-87, 1987)

18.20.120 Denial of plan--Notification, review and reapplication. A denial of a preliminary plan shall contain in writing the specific reasons for denial. A subdivider may, within six months, resubmit the plan application, which shall include an affidavit to the commission that the deficiencies in the previous application have been corrected, without paying an application fee. A review shall be held within forty days of acceptance of the re-application, and upon at least twenty-five days' notice to the adjoining property owners. Any re-application after six months will require a new application fee. (Ord. 673-87, 1987)

18.20.130 Appeals procedure.

A. Upon denial by the planning commission, the subdivider may appeal, in writing, to the council within thirty days. The appeal shall be submitted to the planning commission and the council, stating the reasons and facts supporting the appeal. The council shall conduct a review, within thirty days of filing of the appeal, to determine whether the decision of the planning commission shall be upheld.

B. If the decision of the planning commission is not upheld by the council, the council shall return the preliminary plan with their findings, to the planning commission for its reconsideration within thirty days before the city council takes final action. (Ord. 673-87, 1987)

Code Documents



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