

ORDINANCE NO. 748

AN ORDINANCE REPEALING AND REENACTING CHAPTER 17, ARTICLE 5 OF THE DACONO MUNICIPAL CODE REGARDING SUBDIVISION DESIGN STANDARDS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DACONO, COLORADO:

Section 1. Chapter 17, Article 5 of the Dacono Municipal Code is hereby repealed and reenacted to read as follows:

CHAPTER 17

Subdivisions

Article 5 Design Standards

- Sec. 17-90 General site considerations
- Sec. 17-91 Streets
- Sec. 17-92 Utility easements
- Sec. 17-93 Blocks
- Sec. 17-94 Lots
- Sec. 17-95 Setbacks to oil and gas operations

Sec. 17-90. General site considerations.

(a) A proposed subdivision shall dedicate adequate street rights-of-way, utility easements and open spaces for schools and recreation areas.

(b) A proposed subdivision shall not, by reason of its location or design, cast an undue burden on public utility systems and community facilities on or adjacent to the tract. Where extension and enlargement of public utility systems and community facilities is necessary, the subdivider shall make provision to offset higher net public cost or earlier incursion of public cost necessitated by the subdivision. Due consideration shall be given to the difference between anticipated public costs of installation, operation and maintenance and anticipated public revenue derived from the fully developed subdivision in determining added net public cost.

(c) No land shall be subdivided in areas where soil, subsoil or flooding conditions are potential danger to health and safety.

(d) Drainage areas wherever possible shall be left in a natural state, and no encroachment shall be made on the natural channel. A plan to prevent water pollution shall be submitted and adhered to wherever any modification of topography is required during construction.

(e) Provision shall be made to preserve groves of trees, streams, unusually attractive topography and other desirable natural landscape features. Provision shall be made for the perpetual maintenance of such features through private covenants or other means acceptable to the planning commission and city council.

(f) A proposed subdivision shall be designed in such a manner as to be coordinated with adjoining subdivisions with respect to the alignment of street rights-of-way and utility and drainage easements and open spaces.

(g) Where a subdivision borders a railroad right-of-way, freeway, arterial or collector street, a landscaped buffer area shall be provided for adequate reduction of noise.

Sec. 17-91. Streets.

(a) Design. The city “Standards and Specifications for the Design and Construction of Public Improvements,” as may be amended from time to time, shall be used for the design of all streets and other public improvements within the municipal limits.

(b) Street names. Names of new streets shall not duplicate names of existing streets, provided that new streets that are extensions of or are in alignment with existing streets shall bear the names of such existing streets.

Sec. 17-92. Utility easements.

(a) Where necessary for installation and maintenance of utility systems, easements of at least ten (10) feet in width shall be reserved along rear lot lines, or at other locations which will not interfere with the location of buildings.

(b) Where a subdivision is traversed by a watercourse, drainageway or stream, there shall be provided a perpetual drainage easement conforming substantially with the lines of such watercourse, and of such width as necessary and adequate to carry off the predictable volume of stormwater drainage from a one hundred (100) year frequency storm.

(c) In general, utility systems shall be arranged and located in such manner as to avoid cross-connections, minimize trenching and adequately separate incompatible systems.

Sec. 17-93. Blocks.

(a) The lengths, widths and shapes of blocks shall be determined with due regard to the following:

(1) Provision of adequate building sites suitable to the special needs of the type of use contemplated;

(2) Requirements of the zoning ordinance as to lot sizes and dimensions;

(3) Needs for convenient access and control, and safety of vehicular and pedestrian traffic circulation;

(4) Limitations and opportunities of topography.

(b) Maximum block length between intersecting streets shall be one thousand five hundred (1,500) feet.

Sec. 17-94. Lots.

(a) Lot size, width, depth, shape and orientation and minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated, and shall facilitate the placement of buildings with sufficient access, outdoor space, privacy and view.

(b) Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for off-street parking, landscaping and loading areas required by the type of use and development contemplated.

(c) Corner lots for residential use shall have extra width to accommodate the required building setback line on both street frontages.

(d) Each lot shall be provided with satisfactory access to an existing public street.

(e) Double frontage and reverse frontage lots shall not be permitted except where essential to provide separation of residential properties from arterial streets or commercial uses, or to overcome specific disadvantages of topography and orientation.

(f) A planting screen easement, across which there shall be no right of access, shall be provided along the property line of lots abutting an arterial street. A statement restricting access from individual lots to the arterial street shall be included with the final plat.

(g) Insofar as is practical, side lot lines shall be at right angles to straight streets and radial to curved streets.

Sec. 17-95. Setbacks to oil and gas operations.

Each subdivision plat shall provide for the following setbacks from existing oil and gas facilities, including oil and gas facilities for which city approval has been granted pursuant to chapter 16, article 22 of this code but which have not yet been constructed:

(1) Lots shall not be platted within one hundred fifty (150) feet of an existing oil or gas well or its production facilities unless a building envelope meeting all setback requirements is shown on the plat, and which building envelope is more than one hundred fifty (150) feet from the well and its production facilities.

(2) Lots intended for use for a school, educational facility, hospital, nursing home or congregate care facility, or any assembly building (as defined in COGCC regulations) shall not be platted within three hundred fifty (350) feet of an existing oil or gas well or its production facilities unless a building envelope meeting all setback requirements is shown on the plat, and which building envelope is more than three hundred fifty (350) feet from the well and its production facilities.

(3) Streets shall not be platted within one hundred fifty (150) feet of an existing oil or gas well or its production facilities. The foregoing shall not apply to flowlines, which shall be subject to paragraph (4), below.

(4) Any flowlines within or traversing an area proposed for platting shall be placed in a separate tract and shall not be placed within public rights-of-way, other public lands or lots intended for residential use. Streets may cross flowlines at right angles, or substantially at right angles as determined and approved by the city engineer. Lots shall not be platted to allow any building site within ten (10) feet of a flowline. Building envelopes for habitable structures shall not be platted within twenty-five (25) feet of a flowline.

(5) Lots and streets may be platted over well and production sites that have been abandoned and reclaimed in accordance with state law, COGCC regulations and section 16-531 of this code. Such platting shall occur only after the completion of the abandonment and reclamation process. Such platting may not be accomplished by a lot boundary adjustment.

Section 2. If any article, section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3. All other ordinances or portions thereof inconsistent or conflicting with this Ordinance, or any portion hereof, are hereby repealed to the extent of such inconsistency or conflict.

INTRODUCED, READ, ADOPTED ON FIRST READING, AND ORDERED PUBLISHED BY TITLE AND POSTED IN FULL THIS 22nd day of November, 2010.

PUBLIC HEARING AND SECOND READING WILL BE THE 13th day of December, 2010 AT 7:00 P.M. AT DACONO CITY HALL, 512 CHERRY STREET, DACONO, CO.

READ, ADOPTED ON SECOND READING, APPROVED, SIGNED, AND ORDERED PUBLISHED BY TITLE THIS _____ day of _____, 2010.

CITY OF DACONO, COLORADO

Charles Sigman, Mayor

ATTEST:

Valerie Elliott, City Clerk

Summary of Ordinance No. 748, “AN ORDINANCE REPEALING AND REENACTING CHAPTER 17, ARTICLE 5 OF THE DACONO MUNICIPAL CODE REGARDING SUBDIVISION DESIGN STANDARDS”: Updates the required design standards set forth in the City’s subdivision code.