

SUBDIVISION REGULATIONS

Dolores County, Colorado

As Amended December 3, 1998

SECTION 1 TITLE, AUTHORITY, JURISDICTION AND PURPOSES

1-1 Title and Short Title

- A title - A resolution establishing rules, regulations and standards governing the subdivision of land within the county, setting forth the procedure to be followed by the Board of County Commissioners 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.
- B short Title - These Regulations shall be known and may be cited as "The County Subdivision Regulations of the Dolores County Land Use Code, as Amended".

1-2 Authority, Jurisdiction and Enforcement

- A the County is enabled by law to control the subdivision of all of the unincorporated land within the county limits by virtue of Section 30-28-133 of the Colorado Revised Statutes of 1973, as amended.
- B Section 30-28-133, Colorado Revised Statutes 1973, as amended.

Any person, partnership, or corporation intending to subdivide land as defined in this Section 1-2 regulations shall submit plans and plats as required by and specified in these regulations to the Board of County Commissioners, Dolores County, located at the Dolores County Courthouse.

- (1) Plans and plats of proposed subdivision of land within the scope of these regulations located within the county shall be submitted for review and approval before the County Planning Commission. To ensure uniformity and environmental protection, such plans shall conform to and follow procedures and standards as specified in these regulations.
- (2) Such plats shall not be filed with the County Recorder of Deed unless a notation has been made on the Record Plat by the Board of County Commissioners certifying that the Board of County Commissioners has approved the plat in accordance with these regulations.
- (3) "Subdivision" or "subdivided land" means any parcel of land in the state, including land to be used for condominiums, apartments, or any other multiple

dwelling units unless such land when previously subdivided was accompanied by a filing which complied with the provisions of this article with substantially the same density, or which is divided into two or more parcels, separate interests, or interest in common, unless exempted under paragraph (a), (b), or (c) of this paragraph (3), or which is created by the combination of contiguous parcels of land into one larger parcel. If the resulting parcel is less than thirty-five acres in land area, only one interest in said land shall be allowed. If the resulting parcel is greater than thirty-five acres in land area, such land area, divided by the number of interests in the resulting parcel, must result in thirty-five or more acres per interest. Easements and rights-of-way shall not be considered interests for purposes of this paragraph (3).

- (a) The terms "subdivision" and "subdivided land" as defined in paragraph (3) of this subsection 1-2 shall not apply to any division of land which creates parcels of land each of which comprises thirty-five 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 terms "subdivision" and "subdivided land" as defined in paragraph (3) of this subsection 1-2 shall not apply to any division of land:
 - (i) Which creates parcels of land, such that the land area of each parcel, when divided by the number of interests in any such parcel, results in thirty-five or more acres per interest;
 - (ii) Which is created by order of any court in this state or by operation of law, or which could be created by any court in this state pursuant to the law of eminent domain;
 - (iii) Which is created by a lien, mortgage, deed of trust or any other security instrument;
 - (iv) 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;
 - (v) Which creates a cemetery lot;
 - (vi) Which creates an interest or interests in oil, gas, minerals, or water which are now or hereafter severed from the surface ownership or real property; or
 - (vii) Which is created by the acquisition of an interest in land in the name of a husband and wife or their persons in joint tenancy, or as tenants in common and any such interest shall be deemed for purposes of this subsection 1-2 as only one interest.