

4.3 Administration

Authority.

The Planning Commission of the City of Cañon City, Colorado (hereinafter referred to as Planning Commission) has adopted these Subdivision and Development Regulations pursuant to the authority set forth in Section 14 of Article XV of the Charter of the City of Cañon City, Colorado (hereinafter referred to as City), and Article 23 of Title 31, Colorado Revised Statutes.

Jurisdiction.

Territorial jurisdiction. These Regulations shall be applicable to all land located within the corporate limits of the City. The major street plan (adopted as the Major Thoroughfare Plan) of the City shall be applicable to all land lying within three miles of the boundaries of the municipality not located in any other municipality; except that in the case of any such land lying within five miles of more than one municipality, the jurisdiction of each commission shall terminate at a boundary line equidistant from the respective municipal limits of such municipalities, as provided in Section 31-23-212 CRS.

Contractual Jurisdiction. These Regulations may be applicable to subdivisions outside the corporate limits of the City, by agreements between the City and the County of Fremont or through agreements with the City for provision of water service.

Dedications for public use.

All plans of streets or highways for public use, and all plans, plats, plots and replats of land laid out in subdivision or building lots, and the streets, highways, alleys or other portions of the same intended to be dedicated to a public use or the use of purchasers or owners of lots fronting thereon or adjacent thereto, shall be submitted to the City Council for review and subsequent approval, conditional approval or disapproval. Acceptance of proposed dedications for public use shall be given by separate action of the City Council.

Divisions of land – Recordation.

All divisions of lots, tracts or parcels of land into two or more lots or parcels, or the plat of any subdivision of land within the city, shall be filed and recorded in the office of the Fremont County Clerk and Recorder only after having been approved in accordance with the Subdivision and Development Regulations of the city. No plat shall be recorded in any public office unless the same shall bear thereon, by endorsement or otherwise, the approval of the City Council. (Prior code § 16.08.010)

Vesting of property rights.

No property rights as defined in Section 24-68-101, Colorado Revised Statutes, et seq., shall occur in the subdividing process until such time as the City Council has given approval of the final plat presented by the subdivider, after notice and public hearing and recordation of such plat with the Fremont County Clerk and Recorder, unless the subdivider and the City have reached a written agreement providing for the vesting of real property rights at a different time.

Responsibilities.

Developer. The property owner or his authorized agent shall prepare the plats and drawings for all aspects of the subdivisions, showing utilities and improvements in accordance with the rules and guidelines set forth in these Regulations. The owner or his duly authorized agent shall attend all hearings at which the plat is considered.

City Planner. The Planner shall review all subdivision plats, site plans, and other required documents. The Planner shall report to the Planning Commission and City Council as to whether the proposed subdivision is consistent with the regulations, ordinances and resolutions of the City.

City Engineer. The Engineer shall review the improvement plans, drainage plans, closure sheets, and site plans, cause developers to enter into Development Agreements for new subdivisions, and approve Improvement Guarantees, as set forth in these regulations.

Public Notice.

Published Notice. Where it is required that the City Planner publish a notice prior to any public hearing, that notice shall be published in a newspaper of general circulation within the city, and shall state the subject matter of the action, the body conducting the hearing (Planning Commission or City Council), the legal description and address of the property, and the time, date and location of the hearing. Said notice shall be published no less than fifteen (15) days prior to the date of the public hearing.

Posted Notice. Where it is required that the City Planner cause a sign of Notice to be posted on any property prior to any public hearing, that sign shall clearly state the subject matter of the action, the body conducting the hearing (Planning Commission or City Council), the legal description and address of the property, and the time, date and location of the hearing. Said sign shall be prepared by the City Planner and posted on the property by the applicant, no less than fifteen (15) days prior to the public hearing. Where the subject property abuts on more than one street frontage, or is larger than five (5) acres in area, the City Planner may require more than one sign of Notice.