

Section 10-6-1.2 Applicability

A. Generally. Except as otherwise set forth below, this Chapter applies to all divisions of land into one or more parcels for transfer of ownership or development within the city.

B. When a Subdivision Plat is Required.

1. *Subdividing Land.* The owner or proprietor of any land who desires to subdivide such shall submit a plat to the Director according to the subdivision type and application procedures set out in Article [Repealed] 10-9-7, Subdivisions and Vacations.
2. *Subdividing Land without a Plat.* No person shall subdivide land without recording a plat.
3. *Transfer of Ownership.* No person shall sell or transfer ownership of any land or portion of land by reference to a plat before the plat has been recorded in the office of the applicable County Clerk and Recorder.
4. *Building Permit.* No building permit shall be issued and no construction shall be commenced for any parcel of land created by subdivision that does not comply with this Code, subject to the exemptions below.
5. *Finalization of a Subdivision Plat.* A subdivision plat shall be approved by the Director or Commission before the subdivision may be recorded. No land may be subdivided through the use of a legal description other than with reference to a plat approved in accordance with this Code.
6. *Preexisting Subdivision Plat.* A subdivision plat approved by the Council before the effective date of this Code is considered an approved subdivision in compliance with this Code.

C. Recordation of Unapproved Plat Prohibited. The applicable County Clerk and Recorder shall not record any plat until such plat has been approved in accordance with the regulations of this Code.

D. Exemptions. The following shall be exempt from the requirements of this Chapter:

1. Condo Plats. All condominium plats shall be submitted for recordation to the County, and prepared in compliance with C.R.S. Title 38-33.3-209, Creation, Alteration and Termination of Common Interest Communities.
2. *Estate Transfer.* Any division of land to heirs through an estate proceeding;
3. *Land Transfer.* Any transfer of land required by law;
4. *Fences.* Construction of fences;
5. *Conforming Repairs and Additions.* Repairs or additions which conform to this Code regarding setbacks, common open space, parking requirements, and lot coverage;
6. *Signs.* Construction or modification of signs;
7. *Manufactured Home Pad.* Leasing a pad site in a manufactured home park;
8. *Cemetery Plot.* Dividing land for a cemetery plot;
9. *Court Action or Foreclosure.* Dividing land through court action or foreclosure of a deed of trust;
10. *Accessory Structures.* Construction of accessory structures or buildings on property with a principal building; and
11. *Other.* Any other exemptions as defined by C.R.S. §30-28-101(10)(a) through (d), as amended.

(Ord. 18, Series of 2022)