

**TOWN OF MEAD, COLORADO  
ORDINANCE NO. 717**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO, AMENDING THE FOLLOWING SECTIONS OF THE *MEAD MUNICIPAL CODE*: SECTION 16-4-40, WITH REGARD TO THE REPLACEMENT OF THE PHRASE "PARTIES OF INTEREST" WITH THE PHRASE "PARTIES IN INTEREST"; SECTION 16-4-50 (b) (3), WITH REGARD TO PROCEDURES FOR PROCESSING PRELIMINARY PLATS; SECTION 16-4-50 (b) (4), WITH REGARD TO PROCEDURES FOR PROCESSING PRELIMINARY PLATS; SECTION 16-4-50 (b) (7), WITH REGARD TO PROCEDURES FOR PROCESSING PRELIMINARY PLATS; SECTION 16-4-50 (b) (8), WITH REGARD TO PROCEDURES FOR PROCESSING PRELIMINARY PLATS; SECTION 16-4-50 (b) (9), WITH REGARD TO PROCEDURES FOR PROCESSING PRELIMINARY PLATS; SECTION 16-4-50 (b) (10), WITH REGARD TO PROCEDURES FOR PROCESSING PRELIMINARY PLATS; SECTION 16-4-60 (b) (2), PROCEDURES FOR PROCESSING PRELIMINARY PLATS; SECTION 16-4-60 (b) (2) c., PROCEDURES FOR PROCESSING PRELIMINARY PLATS; SECTION 16-4-60 (b) (2) e., PROCEDURES FOR PROCESSING PRELIMINARY PLATS; SECTION 16-4-60 (b) (3), PROCEDURES FOR PROCESSING PRELIMINARY PLATS; SECTION 16-4-60 (b) (10), PROCEDURES FOR PROCESSING PRELIMINARY PLATS; SECTION 16-4-70 (b) (1), PROCEDURES FOR PROCESSING FINAL PLATS; SECTION 16-4-70 (b) (1) c., PROCEDURES FOR PROCESSING FINAL PLATS; SECTION 16-4-70 (b) (1) e., PROCEDURES FOR PROCESSING FINAL PLATS; SECTION 16-4-70 (b) (2), PROCEDURES FOR PROCESSING FINAL PLATS; SECTION 16-4-70 (b) (8), PROCEDURES FOR PROCESSING FINAL PLATS; SECTION 16-4-80 (b) (2), PROCEDURES FOR PROCESSING MINOR SUBDIVISION PLATS; SECTION 16-4-80 (b) (2) c., PROCEDURES FOR PROCESSING MINOR SUBDIVISION PLATS; SECTION 16-4-80 (b) (2) f., PROCEDURES FOR PROCESSING MINOR SUBDIVISION PLATS; SECTION 16-4-80 (b) (3), PROCEDURES FOR PROCESSING MINOR SUBDIVISION PLATS; SECTION 16-4-80 (b) (10), PROCEDURES FOR PROCESSING MINOR SUBDIVISION PLATS; SECTION 16-4-100 (1) c.3., PROCEDURES FOR PROCESSING SITE PLANS; SECTION 16-4-100 (1) c.4., PROCEDURES FOR PROCESSING SITE PLANS; SECTION 16-4-100 (1) d., PROCEDURES FOR PROCESSING SITE PLANS; SECTION 16-4-100 (1) k., PROCEDURES FOR PROCESSING SITE PLANS; SECTION 16-4-110 (2), REGARDING ADMINISTRATIVE PLAT PROCESS; SECTION 16-4-110 (3) f., REGARDING ADMINISTRATIVE PLAT PROCESS; SECTION 16-4-130 (e), REGARDING TIME FOR COMPLETION OF IMPROVEMENTS; SECTION 16-4-130 (f), REGARDING IMPROVEMENT GUARANTEE FOR REQUIRED IMPROVEMENTS; SECTION 16-4-130 (h), REGARDING IMPROVEMENT GUARANTEE FOR REQUIRED IMPROVEMENTS; SECTION 16-4-140 (1) b, 3., REGARDING VACATION OF RIGHT-OF-WAY; SECTION 16-4-140 (1) b, 5., REGARDING VACATION OF RIGHT-OF-WAY; SECTION 16-4-140 (1) c., REGARDING VACATION OF RIGHT-OF-WAY; SECTION 16-4-140 (1) h.,**

**REGARDING VACATION OF RIGHT-OF-WAY; SECTION 16-8-40 (a) (3), REGARDING ANNEXATION; SECTION 16-8-40 (a) (6) e., REGARDING ANNEXATION; SECTION 16-8-70, REGARDING THE ANNEXATION AGREEMENT.**

**WHEREAS**, the purpose of this amendment to the Land Use Code is to address various issues that have arisen since the adoption of the 2009 Land Use Code; and

**WHEREAS**, the Board of Trustees desires to regulate land use in a manner that promotes the public health, safety and general welfare;

**NOW THEREFORE, BE IT ORDAINED** by the Board of Trustees of the Town of Mead, Weld County, Colorado, that:

**Section 1.** Section 16-4-40 of the *Mead Municipal Code* is hereby amended with the replacement of each occurrence of the phrase "parties of interest" with the phrase "parties in interest."

**Section 2.** Section 16-4-50 (b) (3), of the *Mead Municipal Code* is hereby amended to read as follows:

"(3) Step 3. Sketch plan application submittal. The applicant shall submit five (5) copies of the complete sketch plan application package, in individual D-ring binders, to the Town Clerk and shall request that the application be reviewed by the Town staff. In addition to any hard copies required, the complete sketch plan application package in electronic format will be provided on three (3) CDs. The original application and all documents requiring a signature shall be signed in blue ink. The sketch plan application package shall include the following items:

- a. Completed land use application form, sketch plan – technical criteria form, application fee and fee agreement;
- b. A legal description for all property within the area encompassed by the sketch plan;
- c. Current proof of ownership in the form of title insurance issued within thirty (30) days of submission of the application.
- d. Surrounding property ownership report. Provide the Town Clerk with a current list, not more than thirty (30) days old, of the names and addresses of all property owners of record within three hundred (300) feet of the property in question, all mineral estate owners of record and appropriate ditch companies. The property owner list should also be submitted on a CD in an Excel™ spreadsheet. The applicant shall certify that the report is complete and accurate.
- e. Application fee and cash deposit. The applicant shall submit the application fee, cash deposit and a signed application fee agreement. Application fees will be assessed in accordance with the Application Fee and Cash Deposit Schedule contained in the *Mead Land Use Code*. The cash deposit is non refundable and is collected to cover the cost of review by the Town Attorney, the Town Engineer and any other expert whom

the Town may wish to employ, for notice and publication expenses and for recording fees. Actual costs may exceed the deposit, in which case, the applicant is liable for costs in excess of the deposit. The application fee agreement form shall be obtained from the Town Clerk.

f. Context/vicinity map. The context/ vicinity map shall show the proposed development in relation to the surrounding area (a one-and-one-half-mile radius around the property). The map shall be submitted on a twenty-four (24) inches high by thirty-six (36) inches wide hard copy providing the following information:

1. Title of project.
2. North arrow, scale (not greater than 1" = 1000') and date of preparation.
3. Boundary of proposed project.
4. Existing (for developed land) or proposed (for vacant/agricultural land) land uses for the properties shown on the map (i.e., residential, commercial, industrial, park, etc.) – label land use and whether it is existing or proposed.
5. Major streets (show and label street names).
6. Existing public water and sewer lines and proposed connections.
7. Regional open space/trail networks per the Town Comprehensive Plan.
8. Major ditches, rivers and bodies of water.
9. Adjacent properties identified by subdivision name or zoning district.

g. Sketch Plan. A map of the area included in the proposed sketch plan, twenty-four (24) inches high by thirty-six (36) inches wide, with the following information:

1. Title of project.
2. North arrow, scale (1" = 100' or 1" = 200') and date of preparation.
3. Vicinity map.
4. Legal description.
5. Acreage of property.

6. USGS topographic contours.
  7. Location and approximate acreage of proposed land uses.
  8. Existing easements and rights-of-way on or adjacent to the property.
  9. Existing streets on or adjacent to the property (show and label street names).
  10. Note indicating how the public/semi-public land dedication will be met.
  11. Table providing the following information for each proposed land use area: total acreage; proposed density or floor area ratio; proposed number of dwelling units and approximate size of proposed residential lots.
  12. Proposed collector and arterial streets.
  13. General locations of existing utilities on or adjacent to the property.
  14. Graphic and/or verbal explanation of how the property will be served with utilities.
  15. Location of any proposed sewer lift stations.
  16. Trails - show how the development will tie into the regional trail network.
  17. Floodplain boundary with a note regarding the source of information (if a floodplain does not exist on the property, please state this on the plan).
  18. Geologic hazard areas.
  19. Existing and proposed zoning on and around the property.
  20. Land use table - the table shall include: land uses, approximate acreage of each land use and percentage of each land use.
- h. Conceptual open space and ecological plan. The conceptual open space plan shall be a generalized graphic and written description of the size, location, characteristics and function of the public and private open spaces within the subdivision.
- i. General development information. Provide a written description of the existing conditions on the site and the proposed development. Include the following items in the description:

1. Design rationale - Discuss how the development is connected to and integrated with surrounding area, how it responds to site features and constraints and how it is consistent with this code. If it is not consistent with the community design principles and development standards section, explain how the intent of the criteria in the section is met.

2. Proposed number of residential lots or dwelling units, typical lot width and depth, price ranges of lots and dwelling units (not needed if information is shown on the sketch plan).

3. General description of plan for drainage and storm water management.

4. Water supply information, including: the number of water taps needed for development and the amount of raw water and its source that will be provided to the Town for public park irrigation.

5. Statement indicating whether or not any commercial mineral deposits are located on the site.

6. Description of any floodplain hazards on the site (only if additional information is needed than what is shown on the sketch plan map).

7. Show how the proposed development complies with the Town Comprehensive Plan.

j. Other Information. Any other information as may be requested by the Town.”

**Section 3.** Section 16-4-50 (b) (4), of the *Mead Municipal Code* is hereby amended to read as follows:

“(4) Step 4: Certification of completion - sketch plan application. Within a reasonable period of time, staff shall either certify the application is complete and in compliance with all submittal requirements or reject it as incomplete and notify the applicant of any deficiencies. The applicant shall then correct any deficiencies in the application package, if necessary, and submit the forty-four (44) copies of the application to the Town Clerk. Nineteen (19) of the copies shall be bound in D-ring binders. Fewer copies of the application package may be submitted at the discretion of the Town staff after reviewing the numbers of referrals necessary for the project being reviewed. In addition to any hard copies required, the complete sketch plan application package in electronic format will be provided on three (3) CDs. The original application and all documents requiring a signature shall be signed in blue ink.”

**Section 4.** Section 16-4-50 (b) (7), of the *Mead Municipal Code* is hereby amended to read as follows:

“(7) Step 7: Set sketch plan public hearing dates and complete public notification process. The Town Clerk shall set the dates of the public hearings before the Planning Commission and the Board of Trustees. The Town Clerk shall send notice of the Planning Commission and Board of Trustees public hearings by certified mail to the applicant, to all surrounding property owners of record within three hundred (300) feet of the property, to mineral estate owners of record, to appropriate ditch companies, and to the appropriate referral agencies, no less than fifteen (15) days before the Planning Commission and Board of Trustee public hearings. The notices shall include the time and place of the public hearing(s), the nature of the hearing(s), the location of the subject property and the applicant's name. The Town Clerk shall also publish notice of the public hearing(s) in a newspaper of general circulation no less than fifteen (15) days before the Planning Commission and the Board of Trustee hearings. The hearings may be held no less than fifteen (15) days from the date of the newspaper publication.

Not less than fifteen (15) days before the Planning Commission hearing, the applicant shall post signs on the property within one hundred (100) feet of each adjacent public street right-of-way bordering the property, at least once for every six hundred (600) feet of frontage, or as otherwise approved by the Town. The applicant shall submit photos of the signs, and a signed, notarized affidavit certifying that the property was posted on the required date and in the locations as approved by the Town prior to the Planning Commission public hearing. The applicant is responsible for ensuring that the posted signs remain in place, in legible condition until the public hearings are concluded, and for removal of the signs after the public hearings are concluded. The signs shall be a minimum of three (3) by four (4) feet in size and shall state: “This property is under land use review by the Town of Mead. Call 970-535-4477 for further information.” The signs shall have a white background with black and/or red lettering.

If the sketch plan application is accompanying another application which is scheduled for public hearings before the Planning Commission and Board of Trustees, one (1) public hearing may be held on both applications.”

**Section 5.** Section 16-4-50 (b) (8), of the *Mead Municipal Code* is hereby amended to read as follows:

“(8) Step 8: Planning Commission public hearing and action on the sketch plan. The Planning Commission shall hold a public hearing to review the sketch plan application and Town staff comments and provide input regarding how well the project addresses the sketch plan review criteria. The Planning Commission shall then make a recommendation to the Board of Trustees to approve, conditionally approve, or deny the sketch plan.”

**Section 6.** Section 16-4-50 (b) (9), of the *Mead Municipal Code* is hereby amended to read as follows:

“(9) Step 9: Board of Trustees public hearing and action on the sketch plan. The Board of Trustees shall, after receiving the report and recommendations from the Planning Commission, hold a public hearing and act upon the proposed sketch plan. The public hearing may be continued at the discretion of the Board of Trustees to another date without additional notification to the public and publication. Following the required hearing, the Board of Trustees shall consider the comments and evidence presented at the hearing and evaluate the application in accordance with the criteria listed below and approve, approve with conditions, or deny the

application, in whole or in part. Approval shall be by ordinance.”

**Section 7.** Section 16-4-50 (b) (10), of the *Mead Municipal Code* is hereby amended to read as follows:

“(10) Step 10: Post approval actions. Failure to proceed with the preliminary or joint preliminary/final plat application within twelve (12) months of the sketch plan approval shall require the applicant to commence the sketch plan review procedure again; provided, however, that for good cause shown, the Board of Trustees may extend the time period for filing the preliminary or final plat application.”

**Section 8.** Section 16-4-60 (b) (2), of the *Mead Municipal Code* is hereby amended to read as follows:

“(2) Preliminary plat application submittal. The applicant shall submit five (5) copies of the complete sketch plan application package, in individual D-ring binders, to the Town Clerk and shall request that the application be reviewed by the Town staff. In addition to any hard copies required, the complete preliminary plat application package in electronic format will be provided on three (3) CDs. The original application and all documents requiring a signature shall be signed in blue ink. The preliminary plat application package shall include the following items:”

**Section 9.** Section 16-4-60 (b) (2) c., of the *Mead Municipal Code* is hereby amended to read as follows:

“c. Application fee and cash deposit. The applicant shall submit the application fee, cash deposit and a signed application fee agreement. Application fees will be assessed in accordance with the Application Fee and Cash Deposit Schedule contained in the *Mead Land Use Code*. The cash deposit is non refundable and is collected to cover the cost of review by the Town Attorney, the Town Engineer and any other expert whom the Town may wish to employ, for notice and publication expenses and for recording fees. Actual costs may exceed the deposit, in which case, the applicant is liable for costs in excess of the deposit. The application fee agreement form shall be obtained from the Town Clerk.”

**Section 10.** Section 16-4-60 (b) (2) e., of the *Mead Municipal Code* is hereby amended to read as follows:

“e. Surrounding property ownership report. Provide the Town Clerk with a current list, not more than thirty (30) days old, of the names and addresses of all property owners of record within three hundred (300) feet of the property in question, all mineral estate owners of record and appropriate ditch companies. The property owner list should also be submitted on a CD in an Excel™ spreadsheet. The applicant shall certify that the report is complete and accurate.”

**Section 11.** Section 16-4-60 (b) (3), of the *Mead Municipal Code* is hereby amended to read as follows:

“(3) Step 3: Certification of completion - preliminary plat application. Within a

reasonable period of time, staff shall either certify the application is complete and in compliance with all submittal requirements or reject it as incomplete and notify the applicant of any deficiencies. The applicant shall then correct any deficiencies in the application package, if necessary, and submit the forty-four (44) copies of the application to the Town Clerk. Nineteen (19) of the copies shall be bound in D-ring binders. Fewer copies of the application package may be submitted at the discretion of the Town staff after reviewing the numbers of referrals necessary for the project being reviewed. In addition to any hard copies required, the complete preliminary plat application package in electronic format will be provided on three (3) CDs. The original application and all documents requiring a signature shall be signed in blue ink.”

**Section 12.** Section 16-4-60 (b) (10), of the *Mead Municipal Code* is hereby amended to read as follows:

“(10) Step 10: Set preliminary plat public hearing dates and complete public notification process. The Town Clerk shall set the dates of the public hearings before the Planning Commission and the Board of Trustees. The Town Clerk shall send notice of the Planning Commission and Board of Trustees public hearings by certified mail to the applicant, to all surrounding property owners of record within three hundred (300) feet of the property, to mineral estate owners of record, to appropriate ditch companies, and to the appropriate referral agencies, no less than fifteen (15) days before the Planning Commission and Board of Trustee public hearings. The notices shall include the time and place of the public hearing(s), the nature of the hearing(s), the location of the subject property and the applicant's name. The Town Clerk shall also publish notice of the public hearing(s) in a newspaper of general circulation no less than fifteen (15) days before the Planning Commission and the Board of Trustee hearings. The hearings may be held no less than fifteen (15) days from the date of the newspaper publication.

Not less than fifteen (15) days before the Planning Commission hearing, the applicant shall post signs on the property within one hundred (100) feet of each adjacent public street right-of-way bordering the property, at least once for every six hundred (600) feet of frontage, or as otherwise approved by the Town. The applicant shall submit photos of the signs, and a signed, notarized affidavit certifying that the property was posted on the required date and in the locations as approved by the Town prior to the Planning Commission public hearing. The applicant is responsible for ensuring that the posted signs remain in place, in legible condition until the public hearings are concluded, and for removal of the signs after the public hearings are concluded. The signs shall be a minimum of three (3) by four (4) feet in size and shall state: “This property is under land use review by the Town of Mead. Call 970-535-4477 for further information.” The signs shall have a white background with black and/or red lettering.

If the preliminary plat application is accompanying another application which is scheduled for public hearings before the Planning Commission and Board of Trustees, one (1) public hearing may be held on both applications.”

**Section 13.** Section 16-4-70 (b) (1), of the *Mead Municipal Code* is hereby amended to read as follows:

“(1) Step 1. Final plat application submittal. The final plat application shall conform to the preliminary plat as approved at the public hearing and shall address all conditions of approval



required by the Board of Trustees. The final plat application for the first phase of development must be submitted not more than twelve (12) months after approval of the preliminary plat unless otherwise approved by the Board of Trustees. Unless otherwise approved by the Board of Trustees, final plat applications for subsequent phases must be submitted not more than twelve (12) months after approved by the Board of Trustees of a previous phase. Unless an extended time is approved by the Board of Trustees, preliminary plat approval expires if complete final plat applications are not submitted within the required time period. The applicant shall submit five (5) copies of the complete final plat application package, in individual D-ring binders, to the Town Clerk and shall request that the application be reviewed by the Town staff. In addition to any hard copies required, the complete final plat application package in electronic format will be provided on three (3) CDs. The original application and all documents requiring a signature shall be signed in blue ink. The final plat application package shall include the following items:"

**Section 14.** Section 16-4-70 (b) (1) c., of the *Mead Municipal Code* is hereby amended to read as follows:

"c. Application fee and cash deposit. The applicant shall submit the application fee, cash deposit and a signed application fee agreement. Application fees will be assessed in accordance with the Application Fee and Cash Deposit Schedule contained in the *Mead Land Use Code*. The cash deposit is non refundable and is collected to cover the cost of review by the Town Attorney, the Town Engineer and any other expert whom the Town may wish to employ, for notice and publication expenses and for recording fees. Actual costs may exceed the deposit, in which case, the applicant is liable for costs in excess of the deposit. The application fee agreement form shall be obtained from the Town Clerk."

**Section 15.** Section 16-4-70 (b) (1) e., of the *Mead Municipal Code* is hereby amended to read as follows:

"e. Surrounding property ownership report. Provide the Town Clerk with a current list, not more than thirty (30) days old, of the names and addresses of all property owners of record within three hundred (300) feet of the property in question, all mineral estate owners of record and appropriate ditch companies. The property owner list should also be submitted on a CD in an Excel™ spreadsheet. The applicant shall certify that the report is complete and accurate."

**Section 16.** Section 16-4-70 (b) (2), of the *Mead Municipal Code* is hereby amended to read as follows:

"(2) Step 2: Certification of completion - final plat application. Within a reasonable period of time, staff shall either certify the application is complete and in compliance with all submittal requirements or reject it as incomplete and notify the applicant of any deficiencies. The applicant shall then correct any deficiencies in the application package, if necessary, and submit the forty-four (44) copies of the application to the Town Clerk. Nineteen (19) of the copies shall be bound in D-ring binders. Fewer copies of the application package may be submitted at the discretion of the Town staff after reviewing the numbers of referrals necessary for the project being reviewed. In addition to any hard copies required, the complete final plat application package in electronic format will be provided on three (3) CDs. The original application and all

documents requiring a signature shall be signed in blue ink.”

**Section 17.** Section 16-4-70 (b) (8), of the *Mead Municipal Code* is hereby amended to read as follows:

“(8) Step 8: Set final plat public hearing dates and complete public notification process. The Town Clerk shall set the dates of the public hearings before the Planning Commission and the Board of Trustees. The Town Clerk shall send notice of the Planning Commission and Board of Trustees public hearings by certified mail to the applicant, to all surrounding property owners of record within three hundred (300) feet of the property, to mineral estate owners of record, to appropriate ditch companies, and to the appropriate referral agencies, no less than fifteen (15) days before the Planning Commission and Board of Trustee public hearings. The notices shall include the time and place of the public hearing(s), the nature of the hearing(s), the location of the subject property and the applicant's name. The Town Clerk shall also publish notice of the public hearing(s) in a newspaper of general circulation no less than fifteen (15) days before the Planning Commission and the Board of Trustee hearings. The hearings may be held no less than fifteen (15) days from the date of the newspaper publication.

Not less than fifteen (15) days before the Planning Commission hearing, the applicant shall post signs on the property within one hundred (100) feet of each adjacent public street right-of-way bordering the property, at least once for every six hundred (600) feet of frontage, or as otherwise approved by the Town. The applicant shall submit photos of the signs, and a signed, notarized affidavit certifying that the property was posted on the required date and in the locations as approved by the Town prior to the Planning Commission public hearing. The applicant is responsible for ensuring that the posted signs remain in place, in legible condition until the public hearings are concluded, and for removal of the signs after the public hearings are concluded. The signs shall be a minimum of three (3) by four (4) feet in size and shall state: “This property is under land use review by the Town of Mead. Call 970-535-4477 for further information.” The signs shall have a white background with black and/or red lettering.

If the final plat application is accompanying another application which is scheduled for public hearings before the Planning Commission and Board of Trustees, one (1) public hearing may be held on both applications.”

**Section 18.** Section 16-4-80 (b) (2), of the *Mead Municipal Code* is hereby amended to read as follows:

“(2) Minor subdivision plat application submittal. The applicant shall submit five (5) copies of the complete minor subdivision plat application package, in individual D-ring binders, to the Town Clerk and shall request that the application be reviewed by the Town staff. In addition to any hard copies required, the complete minor subdivision plat application package in electronic format will be provided on three (3) CDs. The original application and all documents requiring a signature shall be signed in blue ink. The minor subdivision plat application package shall include the following items:”

**Section 19.** Section 16-4-80 (b) (2) c., of the *Mead Municipal Code* is hereby amended to read as follows:

“c. Application fee and cash deposit. The applicant shall submit the application fee, cash deposit and a signed application fee agreement. Application fees will be assessed in accordance with the Application Fee and Cash Deposit Schedule contained in the *Mead Land Use Code*. The cash deposit is non refundable and is collected to cover the cost of review by the Town Attorney, the Town Engineer and any other expert whom the Town may wish to employ, for notice and publication expenses and for recording fees. Actual costs may exceed the deposit, in which case, the applicant is liable for costs in excess of the deposit. The application fee agreement form shall be obtained from the Town Clerk.”

**Section 20.** Section 16-4-80 (b) (2) f., of the *Mead Municipal Code* is hereby amended to read as follows:

“f. Surrounding property ownership report. Provide the Town Clerk with a current list, not more than thirty (30) days old, of the names and addresses of all property owners of record within three hundred (300) feet of the property in question, all mineral estate owners of record and appropriate ditch companies. The property owner list should also be submitted on a CD in an Excel™ spreadsheet. The applicant shall certify that the report is complete and accurate.”

**Section 21.** Section 16-4-80 (b) (3), of the *Mead Municipal Code* is hereby amended to read as follows:

“(3) Step 3: Certification of completion - minor subdivision plat application. Within a reasonable period of time, staff shall either certify the application is complete and in compliance with all submittal requirements or reject it as incomplete and notify the applicant of any deficiencies. The applicant shall then correct any deficiencies in the application package, if necessary, and submit the forty-four (44) copies of the application to the Town Clerk. Nineteen (19) of the copies shall be bound in D-ring binders. Fewer copies of the application package may be submitted at the discretion of the Town staff after reviewing the numbers of referrals necessary for the project being reviewed. In addition to any hard copies required, the complete final plat application package in electronic format will be provided on three (3) CDs. The original application and all documents requiring a signature shall be signed in blue ink.”

**Section 22.** Section 16-4-80 (b) (10), of the *Mead Municipal Code* is hereby amended to read as follows:

“(10) Step 8: Set minor subdivision plat public hearing dates and complete public notification process. The Town Clerk shall set the dates of the public hearings before the Planning Commission and the Board of Trustees. The Town Clerk shall send notice of the Planning Commission and Board of Trustees public hearings by certified mail to the applicant, to all surrounding property owners of record within three hundred (300) feet of the property, to mineral estate owners of record, to appropriate ditch companies, and to the appropriate referral agencies, no less than fifteen (15) days before the Planning Commission and Board of Trustee public hearings. The notices shall include the time and place of the public hearing(s), the nature of the hearing(s), the location of the subject property and the applicant's name. The Town Clerk shall also publish notice of the public hearing(s) in a newspaper of general circulation no less than fifteen (15) days before the Planning Commission and the Board of Trustee hearings. The hearings

may be held no less than fifteen (15) days from the date of the newspaper publication.

Not less than fifteen (15) days before the Planning Commission hearing, the applicant shall post signs on the property within one hundred (100) feet of each adjacent public street right-of-way bordering the property, at least once for every six hundred (600) feet of frontage, or as otherwise approved by the Town. The applicant shall submit photos of the signs, and a signed, notarized affidavit certifying that the property was posted on the required date and in the locations as approved by the Town prior to the Planning Commission public hearing. The applicant is responsible for ensuring that the posted signs remain in place, in legible condition until the public hearings are concluded, and for removal of the signs after the public hearings are concluded. The signs shall be a minimum of three (3) by four (4) feet in size and shall state: "This property is under land use review by the Town of Mead. Call 970-535-4477 for further information." The signs shall have a white background with black and/or red lettering.

If the minor subdivision plat application is accompanying another application which is scheduled for public hearings before the Planning Commission and Board of Trustees, one (1) public hearing may be held on both applications."

**Section 23.** Section 16-4-100 (1) c.3., of the *Mead Municipal Code* is hereby amended to read as follows:

"3. Application fee and cash deposit. The applicant shall submit the application fee, cash deposit and a signed application fee agreement. Application fees will be assessed in accordance with the Application Fee and Cash Deposit Schedule contained in the *Mead Land Use Code*. The cash deposit is non refundable and is collected to cover the cost of review by the Town Attorney, the Town Engineer and any other expert whom the Town may wish to employ, for notice and publication expenses and for recording fees. Actual costs may exceed the deposit, in which case, the applicant is liable for costs in excess of the deposit. The application fee agreement form shall be obtained from the Town Clerk."

**Section 24.** Section 16-4-100 (1) c.4., of the *Mead Municipal Code* is hereby amended to read as follows:

"4. Surrounding property ownership report. Provide the Town Clerk with a current list, not more than thirty (30) days old, of the names and addresses of all property owners of record within three hundred (300) feet of the property in question, all mineral estate owners of record and appropriate ditch companies. The property owner list should also be submitted on a CD in an Excel™ spreadsheet. The applicant shall certify that the report is complete and accurate."

**Section 25.** Section 16-4-100 (1) d., of the *Mead Municipal Code* is hereby amended to read as follows:

"d. Step 4: Certification of completion - site plan application. Within a reasonable period of time, staff shall either certify the application is complete and in compliance with all submittal requirements or reject it as incomplete and notify the applicant of any deficiencies. The applicant shall then correct any deficiencies in the

application package, if necessary, and submit the forty-four (44) copies of the application to the Town Clerk. Nineteen (19) of the copies shall be bound in D-ring binders. Fewer copies of the application package may be submitted at the discretion of the Town staff after reviewing the numbers of referrals necessary for the project being reviewed. In addition to any hard copies required, the complete site plan application package in electronic format will be provided on three (3) CDs. The original application and all documents requiring a signature shall be signed in blue ink.”

**Section 26.** Section 16-4-100 (1) k., of the *Mead Municipal Code* is hereby amended to read as follows:

“k. Step 11: Set site plan public hearing dates and complete public notification process. The Town Clerk shall set the dates of the public hearings before the Planning Commission and the Board of Trustees. The Town Clerk shall send notice of the Planning Commission and Board of Trustees public hearings by certified mail to the applicant, to all surrounding property owners of record within three hundred (300) feet of the property, to mineral estate owners of record, to appropriate ditch companies, and to the appropriate referral agencies, no less than fifteen (15) days before the Planning Commission and Board of Trustee public hearings. The notices shall include the time and place of the public hearing(s), the nature of the hearing(s), the location of the subject property and the applicant’s name. The Town Clerk shall also publish notice of the public hearing(s) in a newspaper of general circulation no less than fifteen (15) days before the Planning Commission and the Board of Trustee hearings. The hearings may be held no less than fifteen (15) days from the date of the newspaper publication.

Not less than fifteen (15) days before the Planning Commission hearing, the applicant shall post signs on the property within one hundred (100) feet of each adjacent public street right-of-way bordering the property, at least once for every six hundred (600) feet of frontage, or as otherwise approved by the Town. The applicant shall submit photos of the signs, and a signed, notarized affidavit certifying that the property was posted on the required date and in the locations as approved by the Town prior to the Planning Commission public hearing. The applicant is responsible for ensuring that the posted signs remain in place, in legible condition until the public hearings are concluded, and for removal of the signs after the public hearings are concluded. The signs shall be a minimum of three (3) by four (4) feet in size and shall state: “This property is under land use review by the Town of Mead. Call 970-535-4477 for further information.” The signs shall have a white background with black and/or red lettering.

If the site plan application is accompanying another application which is scheduled for public hearings before the Planning Commission and Board of Trustees, one (1) public hearing may be held on both applications.”

**Section 27.** Section 16-4-110 of the *Mead Municipal Code* is hereby amended to renumber the second occurrence of subsection (2) to read as follows:

“(3) Administrative plat process.”

**Section 28.** Section 16-4-110 (3) f, of the *Mead Municipal Code* is hereby amended to read

as follows:

“f. Record administrative subdivision plat. Upon approval of the fully executed administrative subdivision plat by the Town Manager, the Town Clerk shall record one (1) original Mylar drawing of the administrative subdivision plat in the office of the Weld County Clerk and Recorder.”

**Section 29.** Section 16-4-130 (e), of the *Mead Municipal Code* is hereby amended to read as follows:

“(e) Time for completion. The required time for the completion of all required improvements shall be three (3) years from the recording date of the final plat. However, the Board may extend such time for completion upon request from the applicant. Upon completion of such improvements within the required time and approval thereof by the Board, the Town shall cause the cash or letter of credit to be released within thirty (30) days of the Town’s final acceptance of such improvements and receipt of the required as-built drawings. When such improvements are not completed within the required time, the Town may cause the proceeds of the cash or letter of credit to be used to construct and/or complete the required improvements.”

**Section 30.** Section 16-4-130 (f), of the *Mead Municipal Code* is hereby amended to read as follows:

“(f) Improvement guarantee for required improvements. Before final plat consideration by the Board of Trustees, the applicant shall provide to the Town an irrevocable letter of credit or other security acceptable to the Town in a form approved by the Town Attorney, guaranteeing construction of and payment for all public improvements, landscaping and survey monumentation to be constructed within and necessary for the subdivision, and complete Mylar and electronic as-built drawings for all public improvements in a format as specified by and as required by the Town Engineer. The amount of the guarantee shall be one hundred fifteen percent (115%) of the estimated cost as approved by the Town Engineer of constructing all required improvements, unless otherwise provided in the SIA.”

**Section 31.** Section 16-4-130 (h), of the *Mead Municipal Code* is hereby amended to read as follows:

“(h) Guarantee. All workmanship and materials for all required improvements shall be guaranteed by the applicant for two (2) years as specified in the SIA, the Town’s design criteria manual and construction requirements and this code.”

**Section 32.** Section 16-4-140 (1) b, of the *Mead Municipal Code* is hereby amended to read as follows:

“b. Step 2: Vacation of right-of-way/easement application submittal. The applicant shall submit five (5) copies of the complete vacation of right-of-way/easement application package, in individual D-ring binders, to the Town Clerk and shall request that the application be reviewed by the Town staff. In addition to any hard copies required, the complete vacation of right-of-way/easement application package in electronic format will be provided on three (3) CDs. The original application and all documents requiring a signature shall be signed in blue ink. The

vacation of right-of-way/easement application package shall include the following items:"

**Section 33.** Section 16-4-140 (1) b.3, of the *Mead Municipal Code* is hereby amended to read as follows:

"3. Application fee and cash deposit. The applicant shall submit the application fee, cash deposit and a signed application fee agreement. Application fees will be assessed in accordance with the Application Fee and Cash Deposit Schedule contained in the *Mead Land Use Code*. The cash deposit is non refundable and is collected to cover the cost of review by the Town Attorney, the Town Engineer and any other expert whom the Town may wish to employ, for notice and publication expenses and for recording fees. Actual costs may exceed the deposit, in which case, the applicant is liable for costs in excess of the deposit. The application fee agreement form shall be obtained from the Town Clerk."

**Section 34.** Section 16-4-140 (1) b.5, of the *Mead Municipal Code* is hereby amended to read as follows:

"5. Surrounding property ownership report. Provide the Town Clerk with a current list, not more than thirty (30) days old, of the names and addresses of all property owners of record within three hundred (300) feet of the right-of-way/easement to be vacated, all mineral estate owners of record and appropriate ditch companies. The property owner list should also be submitted on a CD in an Excel™ spreadsheet. The applicant shall certify that the report is complete and accurate."

**Section 35.** Section 16-4-140 (1) c., of the *Mead Municipal Code* is hereby amended to read as follows:

"c. Step 3: Certification of completion - vacation of right-of-way/easement application. Within a reasonable period of time, staff shall either certify the application is complete and in compliance with all submittal requirements or reject it as incomplete and notify the applicant of any deficiencies. The applicant shall then correct any deficiencies in the application package, if necessary, and submit the thirty-seven (37) copies of the application to the Town Clerk. Twelve (12) of the copies shall be bound in D-ring binders. Fewer copies of the application package may be submitted at the discretion of the Town staff after reviewing the numbers of referrals necessary for the project being reviewed. In addition to any hard copies required, the vacation of right-of-way/easement application package in electronic format will be provided on three (3) CDs. The original application and all documents requiring a signature shall be signed in blue ink."

**Section 36.** Section 16-4-140 (1) h, of the *Mead Municipal Code* is hereby amended to read as follows:

"h. Step 8: Public notification of vacation of right-of-way public hearing. Within a reasonable period of time after the final staff review and report, the Board of Trustees shall schedule a public hearing for the purpose of taking action on an ordinance approving the vacation of right-of-way. The Town Clerk shall send notice of the public hearing to the applicant, all property owners of record within three hundred (300) feet of the right-of-way/easement to be

vacated, all mineral estate owners of record and to the appropriate referral agencies, no less than fifteen (15) days before the hearing. The Town Clerk shall also publish notice in a newspaper of general circulation no less than fifteen (15) days before the hearing. The hearing may be held no less than fifteen (15) days from the date of the newspaper publication.”

**Section 37.** Section 16-8-40 (a) (3), of the *Mead Municipal Code* is hereby amended to read as follows:

“(3) Step 3: Certification of completion – annexation petition. The petition for an annexation and/or petition for an annexation election and all other documents submitted shall be reviewed by staff for completeness and compliance with the provisions of the Municipal Annexation Act of 1965 and the Town Municipal Code. Within a reasonable period of time, staff shall either certify the application is complete and in compliance with all submittal requirements or reject it as incomplete and notify the applicant of any deficiencies. The applicant shall then correct any deficiencies in the application package, if necessary, and submit the forty-four (44) copies of the application to the Town Clerk. Nineteen (19) of the copies shall be bound in D-ring binders. Fewer copies of the application package may be submitted at the discretion of the Town staff after reviewing the numbers of referrals necessary for the project being reviewed. In addition to any hard copies required, the complete annexation application package in electronic format will be provided on three (3) CDs. The original application and all documents requiring a signature shall be signed in blue ink. An incomplete submission shall not be processed, nor referred to the Board of Trustees for determination of substantial compliance.”

**Section 38. Effective Date.** This ordinance shall be published and become effective as provided by law.

**Section 39. Severability.** If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the Ordinance. The Board of Trustees hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more parts, sections, subsections, sentence, clauses or phrases are declared invalid.

**Section 40. Repealer.** All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

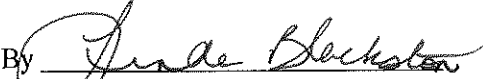
**Section 41. Certification.** The Town Clerk shall certify to the passage of this ordinance and make not less than one copy of the adopted Code available for inspection by the public during regular business hours.

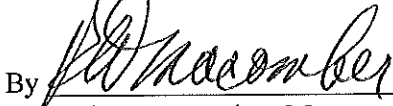


INTRODUCED, READ, PASSED, AND ADOPTED THIS 30<sup>th</sup> DAY OF 2012,  
2012.

ATTEST:

TOWN OF MEAD

By   
Linda Blackston, CMC, Town Clerk

By   
Richard W. Macomber, Mayor