



REGULAR PLANNING COMMISSION MEETING AGENDA
Wednesday, March 13, 2024 5:00 PM
City Council Chambers, Elks Civic Building - 107 S. Cascade Ave.

The Montrose Planning Commission is pleased to have residents of the community take time to attend Planning Commission Meetings. We encourage your attendance and participation. Individuals wishing to be heard during public hearing proceedings are encouraged to be prepared and will generally be limited to three minutes to allow everyone the opportunity to be heard. *The 11 pm rule will be enforced in accordance with City of Montrose Regulations (Sec. 7-15-2).*

Additional written comments are welcome. If you would like to comment on an agenda item, please [email the city](#). Written comments must be received by noon one week prior to the meeting in order to be included in the Planning Commission packet. After that deadline, comments received by noon the day prior to the meeting will be distributed to the Planning Commission on the meeting day.

Hearing assistance devices are available for public use. Please let us know if you need accommodation. The City also offers interpretation for Spanish speakers. In order to allow time to book this resource, please [email the city](#) at least three days before the meeting.

- 1) Planning Commission meeting called to order
- 2) Roll call by the Planning Commission Chair
- 3) Approval of Minutes of the February 28, 2024 Planning Commission meeting.
- 4) Additions or Deletions
- 5) **DUTCH BROS SIGN VARIANCE** This is an application for a variance to the City of Montrose sign code for the new Dutch Bros location at 2619 S Townsend Ave. Per zoning and frontage, the property is allowed up to 4 signs. The applicant is requesting a variance to allow 6 signs. The applicant is Milk Crate Development, LLC.
- 6) **BEAR CREEK TOWNHOMES AMENDED PRELIMINARY PLAT** This is an application for a preliminary plat located in Outlot A of the Bear Creek Subdivision Filing No. 8, located north of Killdeer St. This plat requests 48 residential townhome lots and associated right of way and open space. The applicant is Bear Creek Land & Development, LLC.



- 7) Other Business
- 8) Next Meeting will be March 27, 2024
- 9) Motion to Adjourn



City of Montrose Planning Commission

February 28, 2024

The Montrose City Planning Commission held a meeting on February 28, 2024 at 5:00 p.m. in City Hall Council Chambers. The meeting agenda was posted in accordance with the Colorado Open Meetings Act (C.R.S. §24-6-401, et.seq.).

Planning Commissioners Present: Chad Huffman (Vice-Chair), Jan Chastain, Richard Rogers, Phoebe Benziger, Steve Ball, Ronald L. Cairns (alternate). Absent: David Fishing (Chair), Delphine Jadot.

Staff Members Present: Jace Hochwalt (Community Developer Director), William Reis (Planner II), Chris Dowsey (City Attorney), Sharon Dunning (Building Services Technician).

There were 2 members of the public in attendance.

Call to Order

Vice-Chairperson Chad Huffman called the meeting to order at 5:00 p.m.

Approval of Minutes

Richard Rogers requested a change to the wording for approval of a motion.

Richard Rogers moved to approve the minutes of the January 24, 2022 meeting as amended. Phoebe Benziger seconded, and the motion carried unanimously.

Additions or Deletions

None.

Shelter Distilling Sign Variance

This is an application for a variance to the City of Montrose sign code for the new Shelter Distilling property, located at 947 Mayfly Dr. The applicant is requesting a variance to allow up to 233 square feet across 4 signs. The applicant is Shelter QOZB, LLC.

Staff Presentation

William Reis introduced this item. All public requirements have been fulfilled and the official files and exhibits have been entered into the record.

Applicant Presentation

Matt Hammer, applicant, was online and gave an overview of the signs and the variance request. Jason Senior, also an applicant, was at the meeting in person.

Questions for Applicant

A Planning Commissioner and the applicant discussing lighting and illumination of the signs.

Public Hearing

No one came forward.

Questions for Staff

Planning Commissioners, staff and applicant discussed safety and lighting.

Motion and Vote

Richard Rogers moved to approve the request to allow a variance for up to 233 square feet of signage across 4 signs on Lot 17 of the Colorado Outdoors Subdivision Amendment No. 5. The request meets the Code criteria and standards based on the evidence and testimony presented at this hearing and in the staff report. Phoebe Benziger seconded and the motion carried unanimously.

Annual Development Report

This report gives an update on the building and planning activity and trends over the last several years in the Montrose area. It also provides information about demographic and economic changes seen over the same time period. No official action is taken by the Planning Commission.

Staff Presentation

Jace Hochwalt presented this report to the Planning Commission.

Questions for Staff

A Planning Commissioner and staff discussed reasons for deannexation of property from the city.

Annual Annexation Report & 3 Mile Plan

This report is the City of Montrose 2024 Annual Plan of Annexation and 3-Mile Plan, as stipulated by Colorado State Statutes. The Plan contains verbal policies and maps to illustrate annexation priorities, eligible enclave annexations, existing city limits, growth areas, and transportation routes. The Plan will fulfill the statutory requirement to have a “plan in place” to annex new properties in 2024. Annexation plans must be adopted each year. The Planning Commission reviews this Plan, but no official action is taken by the Planning Commission.

Staff Presentation

Jace Hochwalt presented this report to the Planning Commission.

Other Business

Planning Commissioners and staff discussed some general feedback from the last meeting, city council denial of the rezone and future of the property, and an upcoming presentation and open house for code changes.

Next Meeting

The next Planning Commission meeting is scheduled for March 13, 2024.

Public Comment

None.

Adjournment

Phoebe Benziger moved to adjourn the meeting. Ron Cairns seconded, and the meeting ended at 5:41 p.m.

Chairperson

Attest



CITY OF MONTROSE

Planning Services

MEMO

TO: Planning Commission
FROM: William Reis, Planner II
DATE: March 13, 2024
RE: Dutch Bros Sign Variance
ATTACHMENTS:

- Exhibit A: Maps
- Exhibit B: Sign Plan
- Exhibit C: Code Excerpts

Public notice requirements have been fulfilled in accordance with Section 11-4-3(D) of the City of Montrose Municipal Code. A sign was posted on the property, letters sent to property owners within 300 feet, and an ad appeared in the Montrose Daily Press.

Planning Commission Consideration:

The Planning Commission is reviewing an application for a variance to sign regulations to be granted to Lot 1 of the Del Taco Subdivision, also addressed as 2619 South Townsend Avenue. The Planning Commission shall approve or deny the variance application. The Planning Commission will consider all of the information in this memo in making a decision.

Application Background:

This project is a variance that would allow for a total of 6 signs on Lot 1 of the Del Taco Subdivision. The property is located in the "B-3" General Commercial District. Businesses in this zoning district are ordinarily limited to 3 signs, totaling the lesser of one and a half square feet per linear foot of principal street frontage or 300 square feet of signs. Properties with an additional street frontage may have an additional wall sign not to exceed 32 square feet. The applicant is requesting a variance to the sign code to allow additional signs, but is not requesting a variance to the square footage allowed.

Applicant: Milk Crate Development, LLC

Staff Analysis:

1. The criteria for granting variances to sign regulations are listed below. Municipal Code, Section 11-7-13 (D). Variances shall be granted only if the following criteria are met:
 - a. The variance will not adversely affect the public health, safety and welfare.
 - b. The variance requested is the minimum variance that will afford relief.
 - c. The variance will not result in signage incompatible with other properties in the area and will not affect or impair the value, use or development of such properties.
 - d. Strict compliance with the regulation presents practical difficulties or unnecessary hardships, and the variance sought falls within the spirit of the sign code as a whole.
2. Sign Provisions
 1. Businesses in the B-3 zoning district may have up to three signs, with a maximum of 300 square feet. If the property has an additional frontage, the property may have an additional sign up to 32 square feet.
 2. This property has a frontage of 180 linear feet, and is thus eligible for up to 270 square feet of signage. The applicant's sign plan calls for a maximum of 249.38 square feet.

Zoning District	Maximum Number of Signs	Maximum Square Footage of Signs Per Lot-All Signs Combined
B-2, B-2A, B-3	Two Primary, One Secondary	The lesser of one and a half sq. ft. per linear foot of principal street frontage or 300 sq. ft.

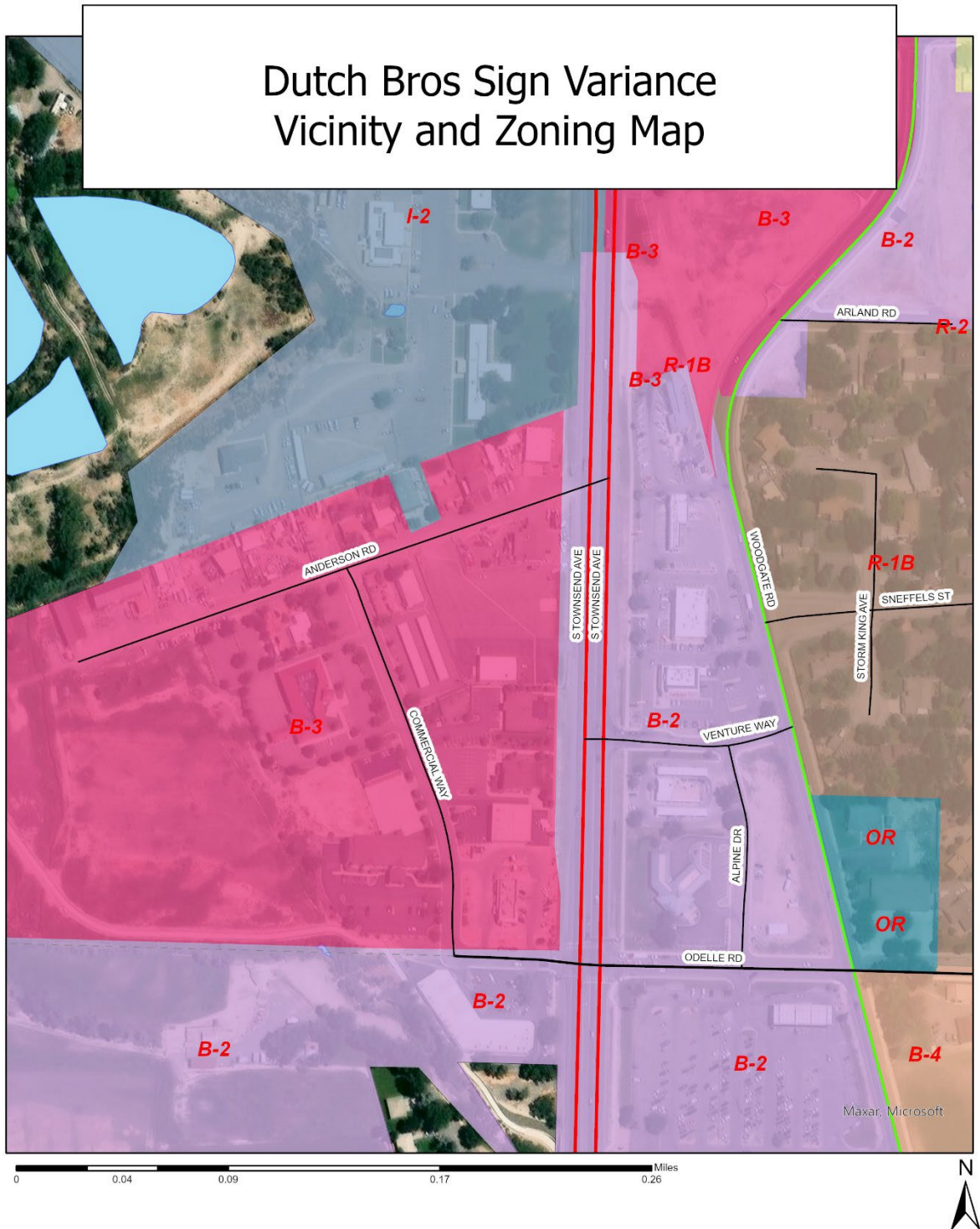
Planning Commission Motion Alternatives:Approval Motion Recommendation:

"I hereby make a motion to approve the request to allow a variance for up to 6 signs on Lot 1 of the Del Taco Subdivision. The request meets the Code criteria and standards based on the evidence and testimony presented at this hearing and in the staff report."

Denial Motion Recommendation:

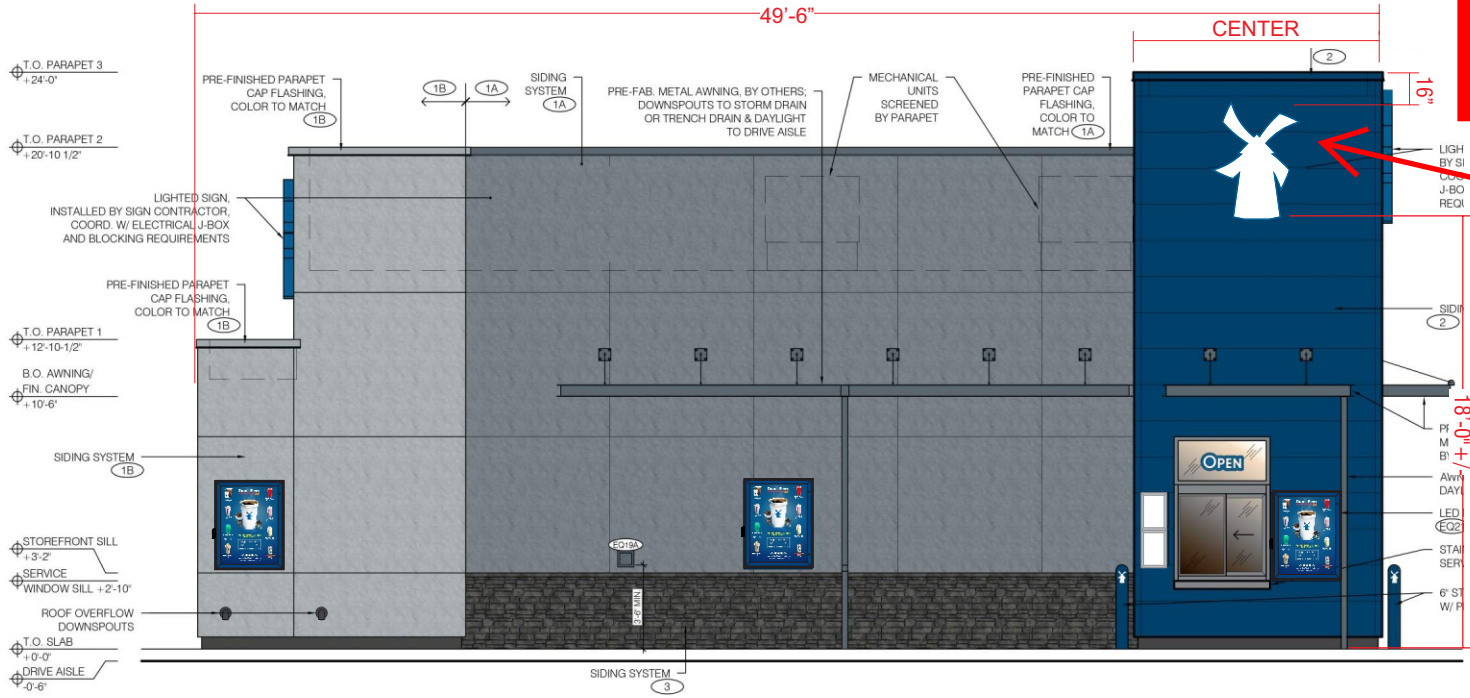
"I hereby make a motion to deny the request. The request does not meet the Code criteria based on the evidence and testimony presented at this hearing and in the staff report."

EXHIBIT A: Maps



SUMMARY - BUILDING SIGNS & MENUS

TOTAL SQFT:
117.82 Sqft



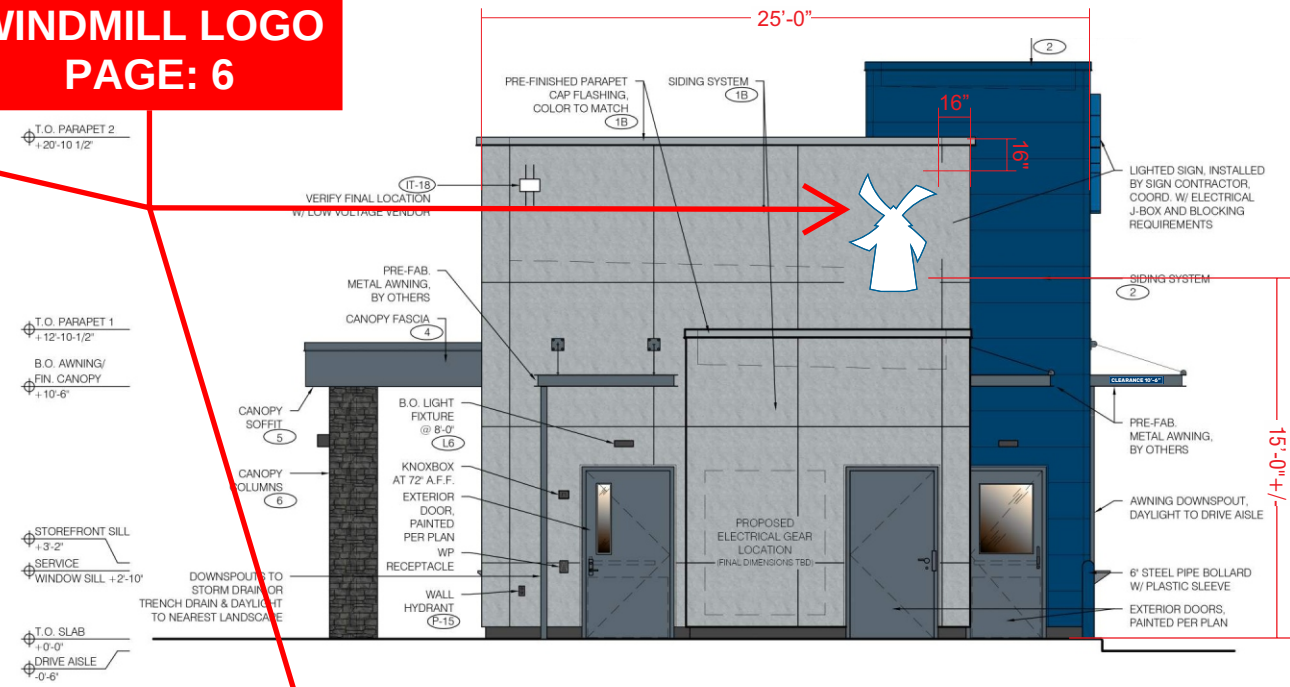
WEST ELEVATION
SCALE: 1/8"=1'-0"

PHASE: B
DUTCH BROS COFFEE
PAGE: 5



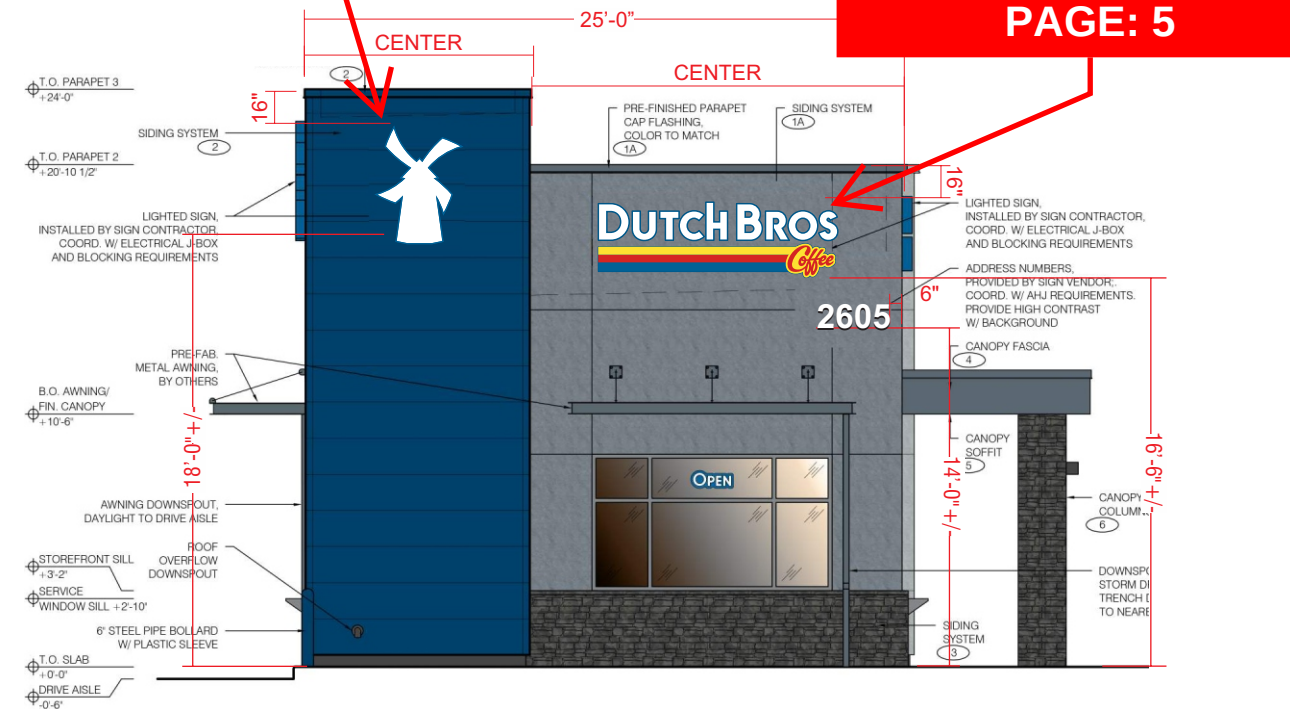
EAST ELEVATION
SCALE: 1/8"=1'-0"

PHASE: C
WINDMILL LOGO
PAGE: 6



NORTH ELEVATION
SCALE: 1/8"=1'-0"

PHASE: B
DUTCH BROS COFFEE
PAGE: 5



SOUTH ELEVATION
SCALE: 1/8"=1'-0"



89975 Prairie Rd.
Eugene, OR 97402
541.485.5546 | esesigns.com

SUMMARY DRAWING:
36588

CLIENT:
Dutch Bros -CO1503
2605 S Townsend Ave
Montrose, CO 81401

DATE OF SHOP DRAWING:
8/9/23

PROD. DETAILS: CH

LEAD DESIGN: CH

SALES: NJ

REVISIONS:
8.10.23 Updated site plan.

89975 Prairie Rd.
Eugene, OR 97402
541.485.5546 | esasigns.com

SUMMARY DRAWING:
36588

CLIENT:
Dutch Bros -CO1503
2605 S Townsend Ave
Montrose, CO 81401

DATE OF SHOP DRAWING:
8/9/23

PROD. DETAILS: CH

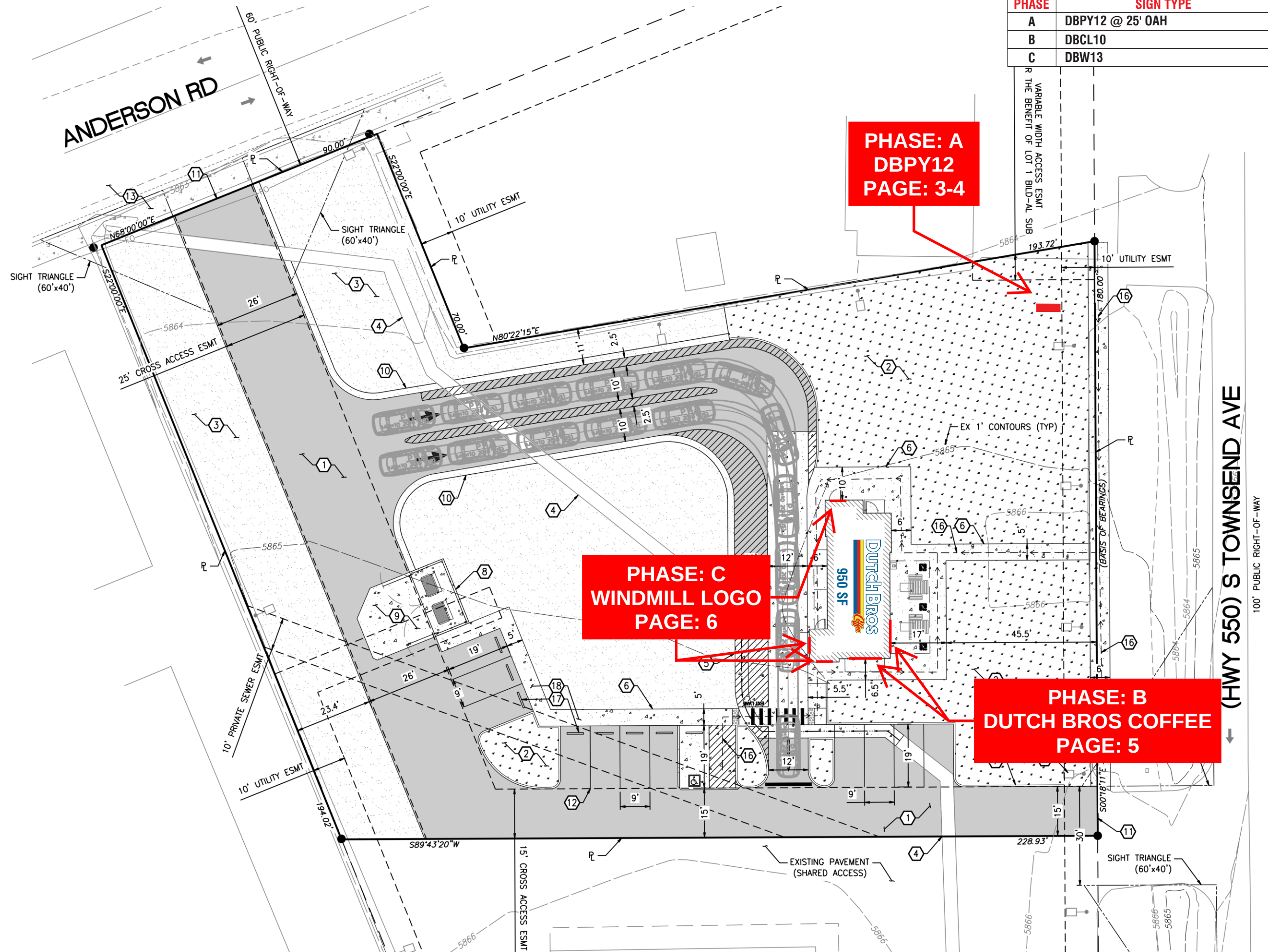
LEAD DESIGN: CH

SALES: NJ

REVISIONS:
8.10.23 Updated site plan.

PAGE NO. 2 of 2

SUMMARY - FREESTANDING SIGNS & MENUS



SITE OVERVIEW		
PHASE	SIGN TYPE	QTY
A	DBPY12 @ 25' OAH	1
B	DBCL10	2
C	DBW13	3

SCOPE OF WORK: MANUFACTURE & INSTALL ONE (1) D/F INTERNALLY ILLUMINATED PYLON CUP SIGN



89975 Prairie Rd.
Eugene, OR 97402
541.485.5546 | esasigns.com

SHOP DRAWING #:
36588A

CLIENT:
Dutch Bros -CO1503
2605 S Townsend Ave
Montrose, CO 81401

DATE OF SHOP DRAWING:
8/9/23

PROD. DETAILS: CH

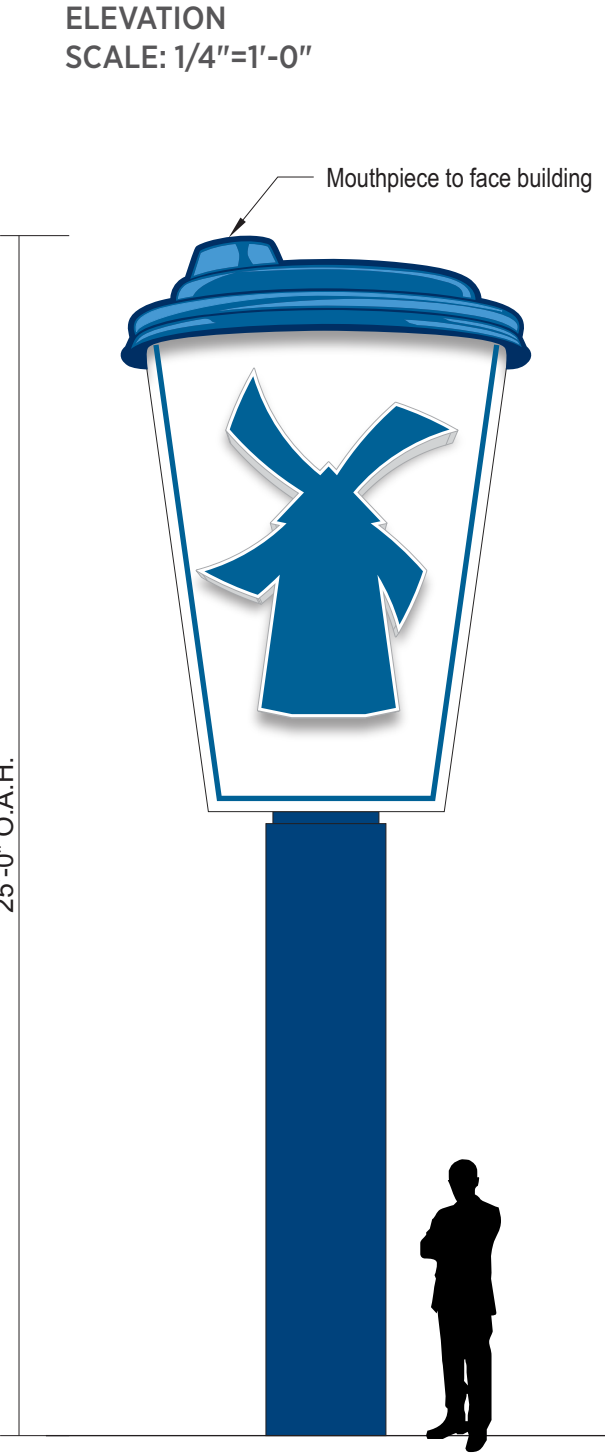
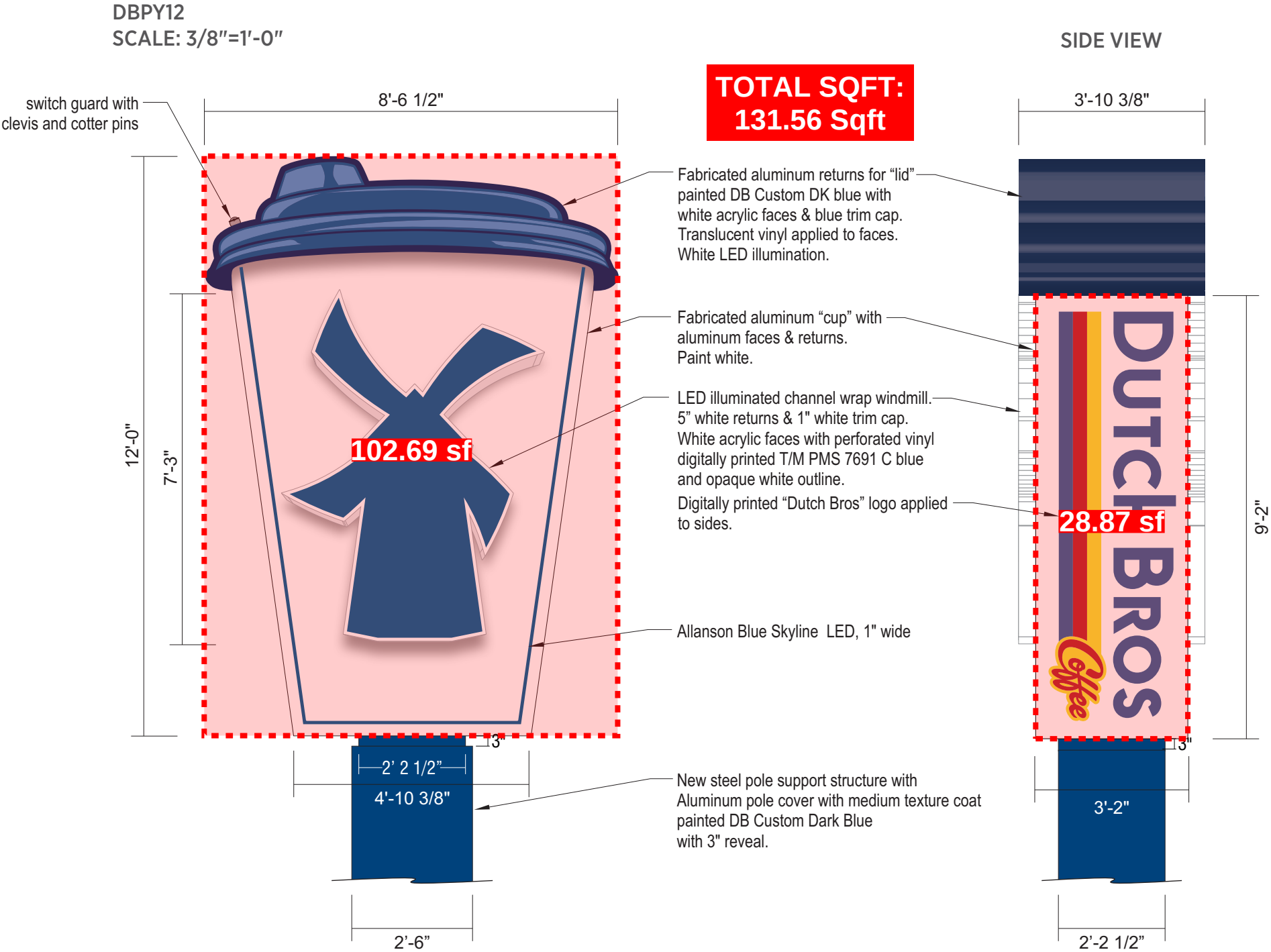
LEAD DESIGN: CH

SALES: NJ

REVISIONS:
12.18.23 adjusted pole &
footing detail, pg. 2, by
adding engineering specs
12.22.23 adjusted reveal
dimensions to allow match
plate to fit inside reveal-SK

COLOR CODE

-  PANTONE 107 C YELLOW
-  PANTONE 1795 C RED
-  PANTONE 7691 C BLUE
-  DB CUSTOM DK BLUE (POLE)
-  WHITE
-  230-36 DARK BLUE (LID)
-  230-127 INTENSE BLUE (LID)
-  230-147 DEEP SKY BLUE (LID)



POLE & FOOTING DETAIL

SCALE: 1/4"=1'-0"



89975 Prairie Rd.
Eugene, OR 97402
541.485.5546 | esasigns.com

SHOP DRAWING #:
36588A

CLIENT:
Dutch Bros -CO1503
2605 S Townsend Ave
Montrose, CO 81401

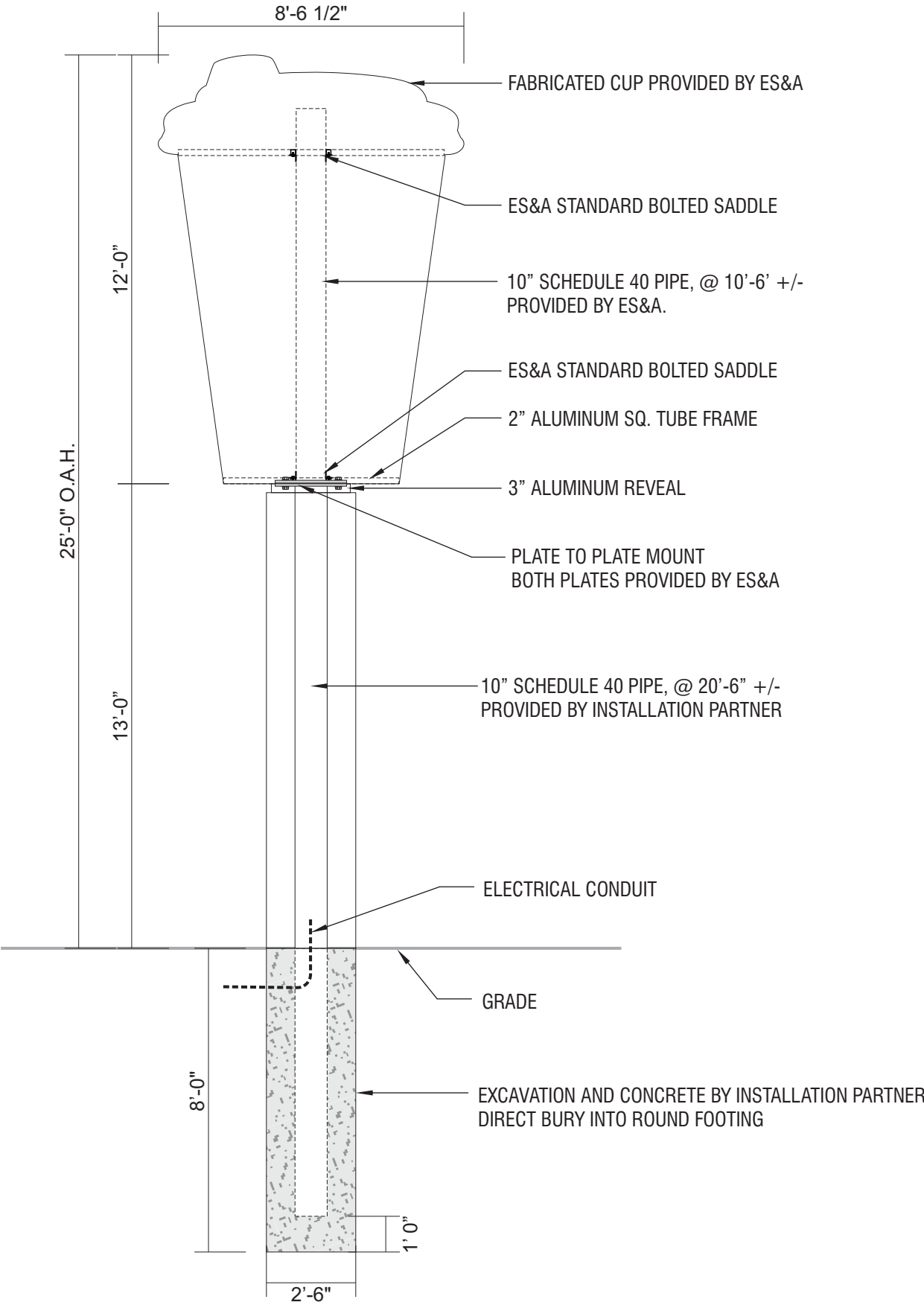
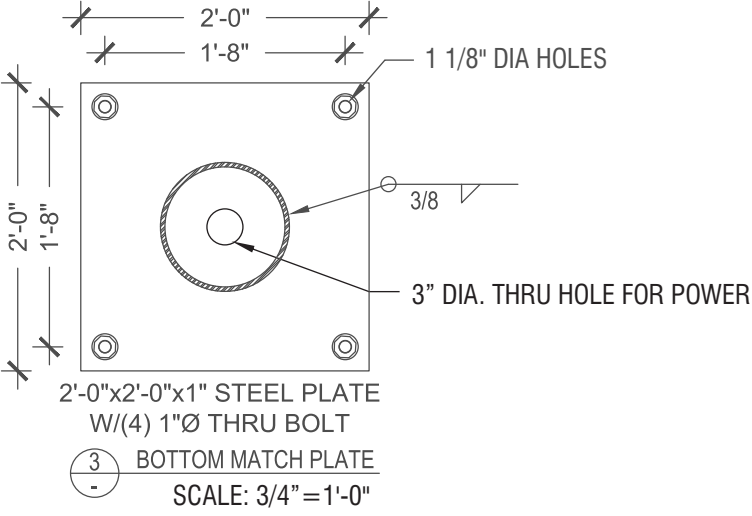
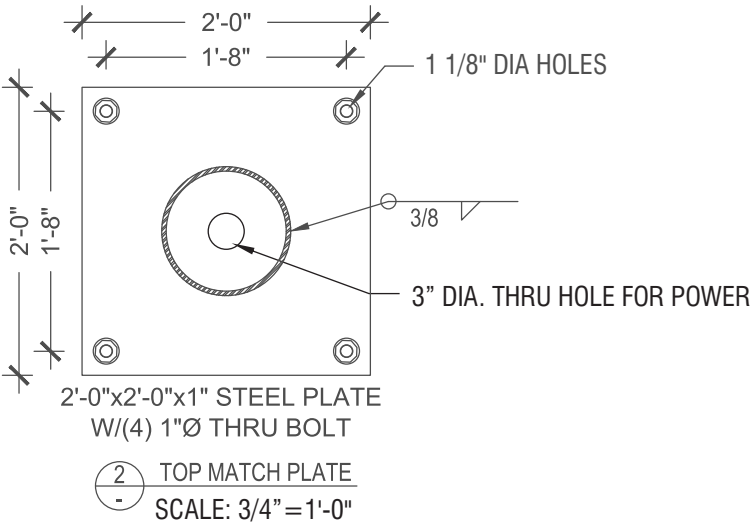
DATE OF SHOP DRAWING:
8/9/23

PROD. DETAILS: CH

LEAD DESIGN: CH

SALES: NJ

REVISIONS:
12.18.23 adjusted pole &
footing detail, pg. 2, by
adding engineering specs
12.22.23 adjusted reveal
dimensions to allow match
plate to fit inside reveal-SK



SCOPE OF WORK: MANUFACTURE & INSTALL (2) SET OF ILLUMINATED CHANNEL LETTERS WITH REMOTE RACEWAYS

TOTAL SQFT:
62.74 Sqft



89975 Prairie Rd.
Eugene, OR 97402
541.485.5546 | esasigns.com

SHOP DRAWING #:
36588B

CLIENT:
Dutch Bros -CO1503
2605 S Townsend Ave
Montrose, CO 81401

DATE OF SHOP DRAWING:
8/9/23

PROD. DETAILS: CH

LEAD DESIGN: CH

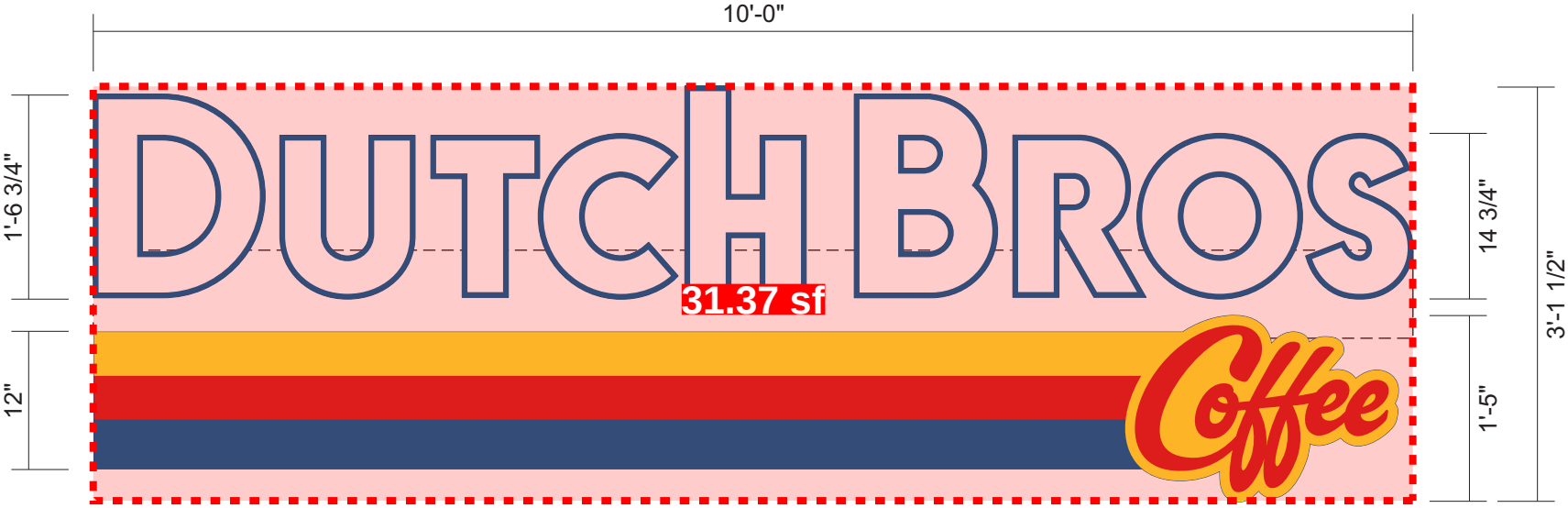
SALES: NJ

REVISIONS:

COLOR CODE

- 230-015 YELLOW PSV
- 230-33 RED PSV
- 230-127 INTENSE BLUE
- WHITE ACRYLIC

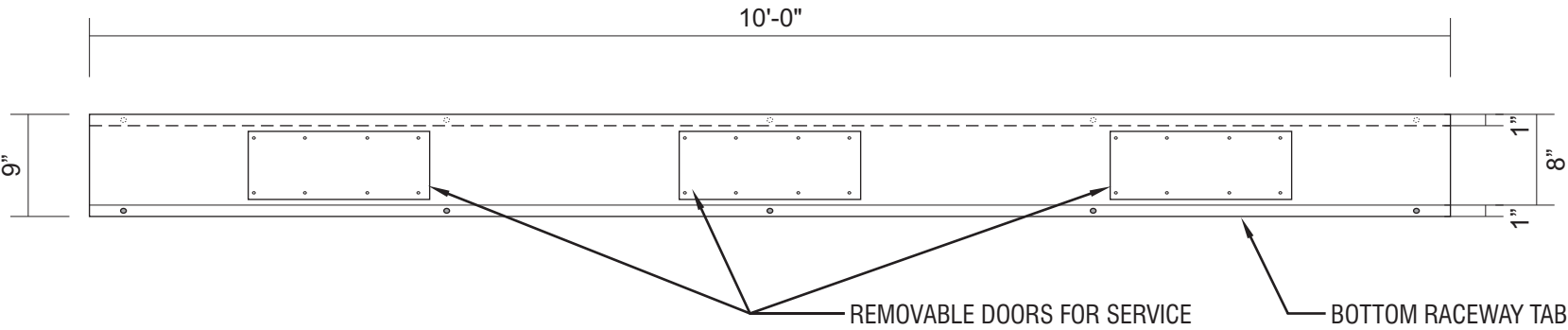
DBCL10-REMOTE RW
SCALE: 3/4"=1'-0"



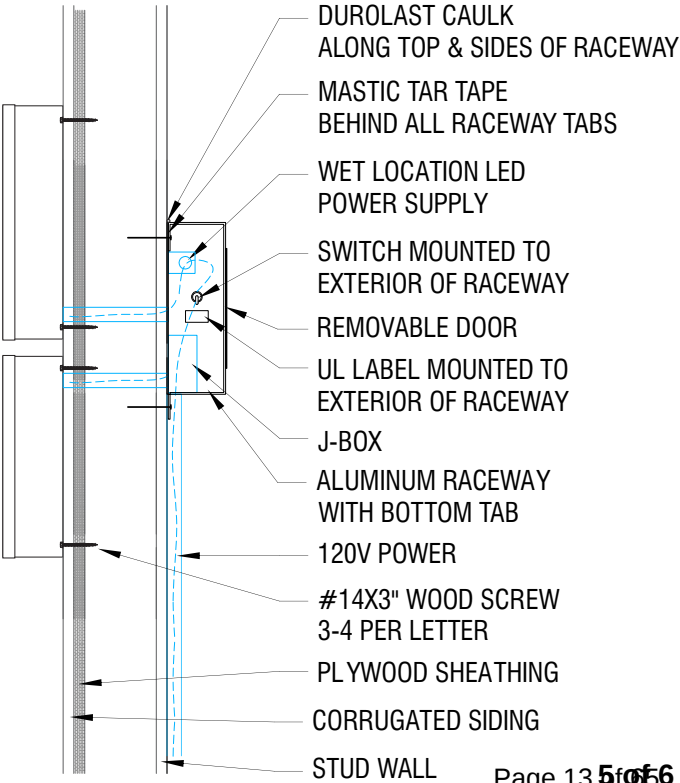
SIDE VIEW



FABRICATED REMOTE RACEWAY
.040 PRE-COAT WHITE ALUMINUM



ATTACHMENT DETAIL
CHANNEL LETTERS WITH REMOTE RACEWAY



INTERNALLY ILLUMINATED FACE-LIT FLUSH MOUNTED CHANNEL LETTERS
5" DEEP CHANNEL LETTERS.
RETURNS & TRIM CAP PAINTED TO MATCH PANTONE 7691 C "INTENSE BLUE".
WHITE ACRYLIC FACES.
230-127 INTENSE BLUE PSV, 230-015 YELLOW PSV, 230-33 RED PSV.
LED ILLUMINATION.
FLUSH MOUNTED CHANNEL LETTERS WITH REMOTE MOUNTED RACEWAY.
RACEWAY SHALL HAVE A CAULKING APPLIED ALONG THE TOP AND SIDES.
ALL HOLE PENETRATIONS WILL BE SEALED WITH CAULKING.

SCOPE OF WORK: MANUFACTURE & INSTALL (3) ILLUMINATED WINDMILL LOGOS

TOTAL SQFT:
55.08 Sqft



89975 Prairie Rd.
Eugene, OR 97402
541.485.5546 | esasigns.com

SHOP DRAWING #:
36588C

CLIENT:
Dutch Bros -CO1503
2605 S Townsend Ave
Montrose, CO 81401

DATE OF SHOP DRAWING:
8/9/23

PROD. DETAILS: CH

LEAD DESIGN: CH

SALES: NJ

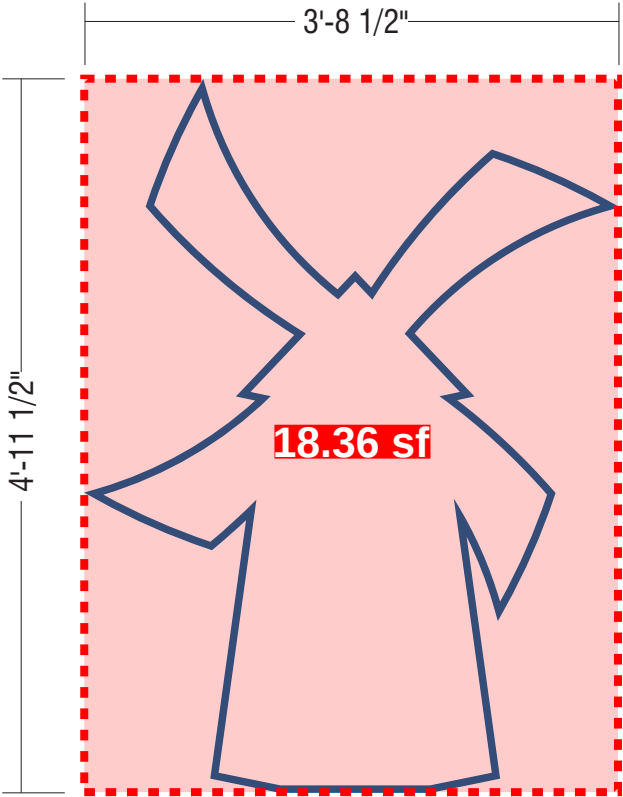
REVISIONS:

COLOR CODE

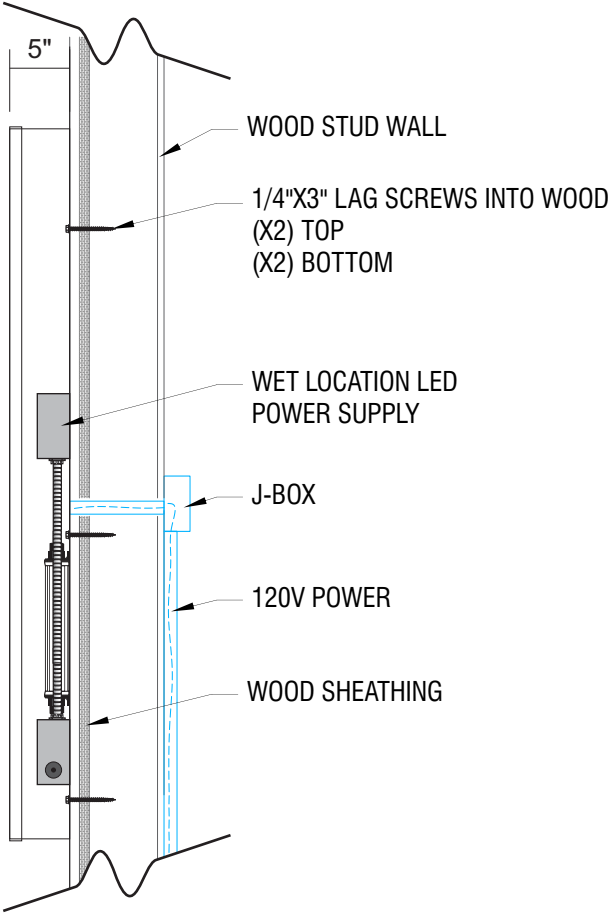
 230-127 INTENSE BLUE

 WHITE

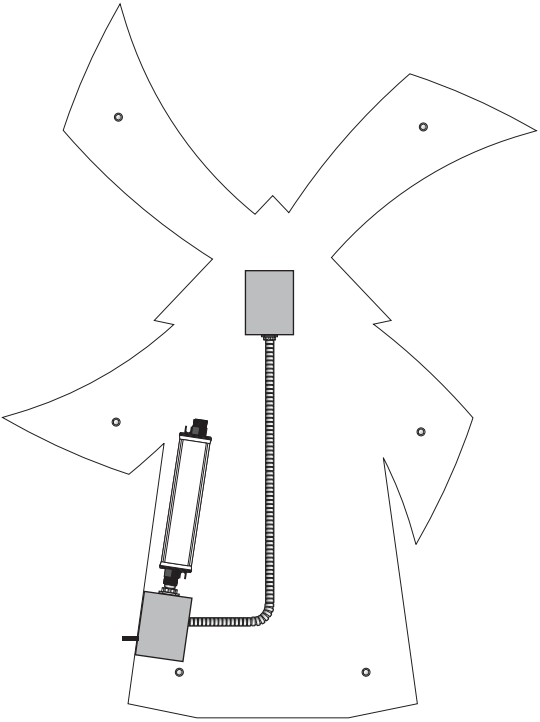
DBW13
SCALE: 3/4"=1'-0"



ATTACHMENT DETAIL
SECTION VIEW



CHANNEL LOGO
SELF CONTAINED



INTERNALLY ILLUMINATED FACE-LIT FLUSH MOUNTED CHANNEL WRAP LOGO
5" DEEP CHANNEL WRAP.
RETURNS & TRIM CAP PAINTED TO MATCH PANTONE 7691 C "INTENSE BLUE".
WHITE ACRYLIC FACE.
230-127 INTENSE BLUE PSV OUTLINE.
LED ILLUMINATION.
FLUSH MOUNTED SELF CONTAINED INSTALLATION.

Exhibit C Sec. 11-7-13. Variances.

- (A) The Planning Commission may grant a variance from the requirements set out in this Chapter, if it determines, following the review procedures of Chapter 11-4 of this Title, that the criteria of this Section will be met. Provided, however, no variance shall be granted from provisions restricting uses by right, accessory and conditional uses within any zoning district.
- (B) Variances shall be granted only if all the following criteria are met:
 - (1) The variance will not adversely affect the public health, safety and welfare.
 - (2) Unusual physical circumstances shall exist, such as unusual lot size or shape, topography, or other physical conditions peculiar to the affected property, and violations of code shown by clear and convincing evidence that they were made in good faith, which make it unfeasible to develop or use the property in conformity with the provisions of this Chapter in question.
 - (3) The unusual circumstances have not been created as a result of the action or inaction of the applicants, other parties in interest with the applicant, or their or his predecessors in interest.
 - (4) The variance requested is the minimum variance that will afford relief and allow for reasonable use of the property.
 - (5) The variance will not result in development incompatible with other property or buildings in the area, and will not affect or impair the value or use or development of other property.
- (C) The burden shall be on the applicant to show that these criteria have been met.
- (D) Variances shall be granted for sign regulations only if all of the following criteria are met, in lieu of the criteria of Subsection (B) of this Section.
 - (1) The variance will not adversely affect the public health, safety and welfare.
 - (2) The variance requested is the minimum variance that will afford relief.
 - (3) The variance will not result in signage incompatible with other properties in the area and will not affect or impair the value, use of development of such properties.
 - (4) Strict compliance with the regulation presents practical difficulties or unnecessary hardships, and the variance sought falls within the spirit of the sign regulations (Chapter 10 of this Title) as a whole.

(Ord. No. 2626 , § 3(exh. A), 5-16-2023)

CHAPTER 11-10. SIGNS

Sec. 11-10-1. Purpose and intent.

- (A) It is the purpose of this Chapter to promote the public health, safety and general welfare through a comprehensive system of reasonable, consistent and nondiscriminatory sign standards and requirements. The provisions in this Chapter are intended to:
 - (1) Enable the identification of places of residence and business.
 - (2) Allow for the communication of information necessary for the conduct of commerce.
 - (3) Lessen hazardous situations, confusion and visual clutter caused by proliferation, improper placement, illumination, animation and excessive height, area and bulk of signs which compete for the attention of pedestrian and vehicular traffic.
 - (4) Enhance the attractiveness and economic well-being of the City as a place to live, vacation and conduct business.

-
- (5) Protect the public from the dangers of unsafe signs.
 - (6) Permit signs that are compatible with their surroundings and aid orientation, and preclude placement of signs in a manner that conceals or obstructs adjacent land uses or signs.
 - (7) Encourage signs that are appropriate to the zoning district in which they are located.
 - (8) Establish sign size in relationship to the scale of the lot and building on which the sign is to be placed or to which it pertains.
 - (9) Preclude signs from conflicting with the principal permitted use of the site or adjoining sites.
 - (10) Regulate signs in a manner so as to not interfere with, obstruct vision of or distract motorists, bicyclists or pedestrians.
 - (11) Ensure the fundamental First Amendment right of free speech is recognized and protected in the City's regulation of signs, within the guidelines provided by controlling court decisions.
- (B) If any part, Section, Subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Chapter and/or any other provisions are declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect the validity or enforceability of any other prohibition herein.

(Ord. No. 2626 , § 3(exh. A), 5-16-2023)

Sec. 11-10-2. General provisions.

- (A) Off-premises signs, as defined in Section 11-15-7 of this Title are not permitted, with only the following exceptions:
- (1) Signs within the boundary of a new subdivision unless less than ten percent of the lots remain for initial sale.
 - (2) Signs on City-owned property, unless otherwise provided in this Chapter.
 - (3) Signs within outdoor athletic venues, such as ballparks, golf courses, football fields, and soccer fields which are directed to spectators and participants in a manner to minimize visual impact outside of the athletic venue.
 - (4) Signs included within a coordinated sign plan.
 - (5) Signs approved in accordance with a Special Event sign permit.
- (B) No sign shall be located so that the safety of a moving vehicle or pedestrian will be impaired by obscuring their vision or obstructing their travel.
- (C) The color or format shall not resemble or conflict with traffic signs or signals, as shown or described by the Manual of Uniform Traffic Control Devices (MUTCD), as amended from time to time.
- (D) All signs must be maintained in good repair. Temporary signs not maintained in good condition, including, but not limited to, those that have faded, torn, become tattered, droopy, hazardous, or untethered, shall be removed or repaired. Temporary signs not maintained in good condition shall be considered a nuisance, and may be abated by the City in accordance with the City's nuisance abatement procedures.
- (E) Illumination of signs shall be arranged to reflect away from residential properties, and shall otherwise comply with Chapter 9 Outdoor Lighting of this Title.
- (F) All signs shall be located on a premises with a permanent building consisting of a foundation.

(Ord. No. 2626 , § 3(exh. A), 5-16-2023)

Created: 2024-01-26 15:12:48 [EST]

(Supp. No. 9)

Sec. 11-10-3. Nonconforming signs.

- (A) The following nonconforming signs may continue to be used and maintained only in accordance with and subject to the limitations, criteria and requirements of this Section:
- (1) Signs which were or are lawfully erected and maintained under applicable existing federal, state and County regulations prior to and at the time of annexation to the City and which have been or are maintained as legally nonconforming signs in accordance with City regulations thereafter.
 - (2) Signs which were or are lawfully erected and maintained in accordance with City sign regulations in effect at the time of their erection, but which became or become nonconforming on account of subsequent amendment to the City sign regulations.
 - (3) Signs which would otherwise not be permitted may be temporarily allowed, for a period of up to 12 months, in the discretion of the City Manager, if an emergency, hardship, or new business in that location requires such temporary forbearance from this Chapter, and the owner submits a cash escrow in the amount of 150 percent of the estimated cost, to the City for installation of signage compatible with current City regulations.
- (B) Signs which are nonconforming in the following respects shall not be permitted and shall be brought into conformity immediately, or upon annexation, notwithstanding any other provision of this Section.
- (1) Any rotating, flashing or animated sign.
 - (2) Any sign which was erected in violation of the requirements of applicable federal, state, County or City regulations in effect at the time of erection.
 - (3) Any sign which creates a hazard to pedestrians or vehicular traffic by creating sight barriers, by having a color or format which resembles or conflicts with traffic control devices, or otherwise.
 - (4) Any sign which is not maintained in reasonably good repair or which creates a safety hazard to persons or property.
 - (5) Any sign which creates a public or private nuisance.
- (C) Signs which were lawfully nonconforming on February 1, 1984, or upon annexation subsequent thereto may be used and maintained only substantially as such sign existed on February 1, 1984, or the date of annexation. No material change or alteration may be made which increases the nonconformity, or which alters the size or the message of the sign; provided, however, ordinary maintenance of the sign is permitted.
- (D) The right provided herein to maintain a nonconforming sign shall be terminated and the sign removed or brought into compliance with these regulations along with any other signs related to the same business under the following conditions:
- (1) Abandonment of the sign, abandonment or termination of the related business, or an interruption in continuance of the related business for a period of 90 days.
 - (2) A change in the name of the business or change in the sign message.
 - (3) A violation of any provision of this Chapter by the owner or party in lawful possession of the sign. The destruction of the sign, or damage to the sign such that the cost of repair is greater than 50 percent of the replacement cost of the sign.
- (E) Existing signs on nonconforming uses may be permitted to continue for as long as the nonconforming use exists, but may not be extended or altered in any way.

(Ord. No. 2626 , § 3(exh. A), 5-16-2023)

Sec. 11-10-4. Sign permits.

- (A) *Sign Permit Required.* Except as provided in this Section, all signs shall require a sign permit, on forms acceptable to the City, issued by the City Manager following the same procedure as a building permit, and with administrative fees as set forth in the City Regulation Manual. The burden shall be upon the applicant for a sign permit to prove compliance with applicable provisions of the City's outdoor lighting regulations. (Chapter 9 of this Title)
- (B) *Exempt Signs.* The following signs are exempt from obtaining a sign permit:
- (1) *Temporary Signs.* Each business may have one temporary sign or banner at a time, in all nonresidential zoning districts without a permit so long as the sign or banner is no larger than 64 square feet in area, complies with applicable height limitations, is maintained in good repair, and does not interfere with the reasonable use of adjoining property, or create a nuisance. The area of such a temporary sign shall not be included in the maximum sign area subject to a permit.
 - (2) Official traffic control devices.
 - (3) Signs and notices erected, owned and maintained by the City of Montrose.
 - (4) Signs within outdoor athletic venues, such as ballparks, golf courses, football fields, and soccer fields which are directed to spectators and participants in a manner to minimize visual impact outside of the venue.
 - (5) Window signs.
 - (6) *Portable Signs.*
 - (a) One portable sign per business or use may be erected without a City sign permit in all commercial zones, not to exceed 16 square feet in sign area and four feet in height, in addition to the maximum sign area permitted as indicated in Section 11-10-6. The permittee shall be required to obtain additional permits from other agencies, if required by law. Such signage shall not create a nuisance; nuisances created by such signs may be abated in accordance with the City's nuisance laws.
 - (b) In the "B-1" zone only, a business may place one portable sign directly in front of, or directly beside their business premises, so long as the sign does not create a traffic or other safety hazard, or unreasonably impede pedestrian traffic on the sidewalk, and conforms substantially to the design guidelines developed by the applicable retail merchants' association or downtown merchants' association for such signs, if any; responsibility for enforcement of said retail merchants' design guidelines shall not be upon the City.
 - (7) Dispenser type displays such as soft drink machines, gasoline pumps, tire displays and ice machines, with information printed by the manufacturer on the dispenser, provided the City determines they are not detrimental to the general appearance and character of the area.
- (C) This Chapter is not intended to control or limit appropriate seasonal decorations which do not constitute a public nuisance or hazard.
- (D) *Revocable Encroachment Permit Required.* Signs may be placed on City property by other parties only if authorized by the City or specifically allowed by City ordinances or regulations, a revocable encroachment permit, easement, or other specific authorization. The City may issue a revocable encroachment permit to the owner of abutting premises on street rights-of-way with at least a 100-foot right-of-way width, on terms appropriate to protect the City's interests, when the area encroached is not currently needed for vehicular or pedestrian traffic, so long as no nuisance or safety hazard will be created. Signs placed on City property without authorization are subject to removal and disposal by the City.

- (E) *Special Event Sign Permit Required.* Festivals, fairs, markets, commercial or noncommercial sales, and public events shall obtain a Special Event sign permit for all signage, and shall be exempt from the temporary sign limitations of this Section, provided said festival, fair, market, commercial or noncommercial sale or event is open for public use no more than 96 consecutive hours, or four calendar days, including those times when the festival, fair, market, commercial or noncommercial sale or event is not in actual operation. The sign face area of Special Event signs shall not be included in the maximum sign area subject to a sign permit. All signage related to the festival, fair, market commercial or noncommercial sale or event shall be promptly removed at the conclusion thereof. Festivals, fairs, markets, commercial or noncommercial sales, and public events may obtain Special Event sign permits up to 12 times per calendar year; said permits may run consecutively. Balloons, streamers, flags and pennants may be allowed up to the maximum height of a freestanding sign allowed in the zone in which the event is located. All balloons of any shape must fit within a three-foot cube (three feet high by three feet deep by three feet wide). Human-held and human-powered signs, and live, costumed advertisers or performers shall also be allowed; all other animated signs not listed specifically in this Subsection shall be prohibited. All signage subject to a Special Event sign permit shall be on-premises. The permit may contain conditions as appropriate to protect the reasonable use of adjoining property, and the public.

(Ord. No. 2626 , § 3(exh. A), 5-16-2023)

Sec. 11-10-5. Coordinated sign plan.

The coordinated Sign Plan Regulations as enacted by Ordinance No. 2155 shall continue in full force and effect solely as to properties which have recorded a Coordinated Sign Plan Declaration of Covenants. The Declarant, his heirs, successors and assigns may, at any time, elect to record a document revoking said Declaration of Covenants, making the property encumbered thereby subject to the current version of this Chapter.

(Ord. No. 2626 , § 3(exh. A), 5-16-2023)

Sec. 11-10-6. Sign standards by zoning district.

The provisions in Table 10.1 apply with respect to the zones and uses indicated.

Table 10.1
Sign Standards by Zoning District

Zoning District	Maximum Number of Signs	Maximum Square Footage of Signs Per Lot-All Signs Combined	Maximum Height of a Freestanding Sign	Maximum Size of a Freestanding Sign*
B-1	Two Primary, One Secondary**	The lesser of 1.5 sq. ft. per linear foot of principal street frontage or 200 sq. ft.	20 feet	Single-tenant: 96 sq. ft.; Multi-tenant: 144 sq. ft.
B-4	Two Primary, One Secondary**	The lesser of 1½ sq. ft. per linear foot of principal street frontage or 200 sq. ft.	10 feet	Single-tenant: 96 sq. ft., Multi-tenant: 144 sq. ft.

Created: 2024-01-26 15:12:48 [EST]

(Supp. No. 9)

B-2, B-2A, B-3	Two Primary, One Secondary**	The lesser of one and a half sq. ft. per linear foot of principal street frontage or 300 sq. ft.	25 feet	Single-tenant: 96 sq. ft., Multi-tenant: 144 sq. ft.
Lots with two or more separate businesses in the B-2, B-2A, B-3, I-1, and I-2 zones	One Freestanding, One Primary wall sign for each business frontage on a street or parking lot	1½ sq. ft. per linear foot of principal street frontage (no maximum sq. ft.). Building wall signs are limited to one and a half sq. ft. per linear foot of business frontage.	25 feet	144 sq. ft.
I-1, I-2	One Primary	The lesser of one and a half sq. ft. per linear foot of principal street frontage or 200 sq. ft.	10 feet	Single-tenant: 96 sq. ft., Multi-tenant: 144 sq. ft.
OR	One Primary, One Secondary	Buildings 2,000 sq. ft. or less: six sq. ft. Buildings over 2,000 sq. ft.: 32 sq. ft. Secondary sign: six sq. ft.	6 feet	Buildings 2,000 sq. ft. or less: four sq. ft., Buildings over 2,000 sq. ft.: 32 sq. ft.
RL, R-1, R-1A, R-1B, R-2, R-3, R-3A, R-4, R-5, R-6	One Primary, One Secondary***	Buildings 3,000 sq. ft. or less: six sq. ft. Buildings more than 3,000 sq. ft.: 32 sq. ft.	6 feet	Buildings 3,000 sq. ft. or less: six sq. ft. Buildings over 3,000 sq. ft.: 32 sq. ft.
MHR	One Primary, One Secondary***	12 sq. ft.	4 feet	6 sq. ft.

Created: 2024-01-26 15:12:48 [EST]

Other Signs by Zone District	Number	Sign Size	Maximum Height of a Freestanding Sign	Permit Required
Electronic Reader Boards (B-2, B2-A and B-3 Only)		May be no larger than 48 sq. ft.	25 feet	Yes
Temporary Signs and Banners (Nonresidential zoning only)	One Temporary, Sign or Banner	64 sq. ft.	25 feet	No
Portable Sign (Commercial Zones only)	One sign per business or use	16 sq. ft.		No
Development Entrance Sign (All Zones)	Two	80 sq. ft.	10 feet	Yes
Secondary Sign (Nonresidential Zones only)	One			Yes

* Freestanding sign square footage shall be included in the maximum square footage of signage per lot.

** Secondary signs in commercial zones are limited to 32 square feet.

*** Secondary signs in residential zones are allowed only for buildings over 3,000 square feet, and are limited to six square feet.

(Ord. No. 2626 , § 3(exh. A), 5-16-2023)

Sec. 11-10-7. Supplemental sign standards.

- (A) *Maximum Sign Area.* The maximum sign area permitted per business or function present upon a single lot or parcel shall be as specified in the table contained in the tabulated provisions of Section 11-10-6.

Where the maximum sign area is based upon a computation determined by the linear feet of principal street frontage, the allowed maximum shall be applied to the entire lot or parcel, regardless of the number of businesses or functions thereon.

- (B) *Sign Clearance.* A projecting sign shall be a minimum height of nine feet above ground level. A projecting sign shall not extend more than five feet over the public right-of-way, and it shall not be higher than the roofline of the building at the point where it is attached. A revocable encroachment permit, as set forth in Section 11-10-4(D), shall be required for signs projecting over City-owned rights-of-way. Other agencies may have requirements in addition to those set forth herein.

- (C) *Sight Triangle Provisions.*

- (1) For traffic safety reasons, whenever practicable, a 15-foot minimum setback shall apply to all freestanding signs in all zoning districts except "B-1."
- (2) The City's sight triangle requirements shall apply to temporary signs, and all signs used pursuant to a Special Event sign permit.

- (D) *Development Entrance Signs.* Developments, including subdivisions, planned developments, multifamily dwelling complexes, mobile home parks, and industrial parks, may have up to two freestanding monument entrance signs. Such freestanding monument entrance signs are not allowed upon any City property, including public rights-of-way, unless a revocable encroachment permit is approved.

- (E) *Electronic Reader Boards.*

- (1) Electronic reader boards, and any portion of the sign face thereof may be changed no more frequently than once every eight seconds.
- (2) Use of electronic reader boards shall be limited to the "B2," "B2-A" and "B3" zoning districts, and said signs shall be no larger than 48 square feet.
- (3) The City may inspect the settings for electronic reader boards at any time during business hours for the business operating the sign, to determine compliance with these provisions.

- (F) *Freestanding Signs.* The permanent sign base of a freestanding sign shall have an aggregate width of at least 40 percent of the width of the sign cabinet or face. All supporting structures of a freestanding sign shall match the primary finish and colors of the associated building.

- (1) One freestanding sign shall be permitted per multitenant lot or parcel.
- (2) One hundred fifty square feet of landscaping shall be required around the base of any freestanding sign located within 50 feet of a public right-of-way.
- (3) Permanent freestanding signs 12 feet or lower in total height shall be exempt from the 40 percent base width requirements set forth in this Subsection, provided that the sign shall have a sign face area not to exceed 40 square feet per sign face.

- (G) *Vehicle-Mounted Signs.* All vehicle-mounted signs shall be permanently affixed, painted, magnetically applied or otherwise mounted upon a vehicle and shall not project more than 18 inches above the surface to which they are attached; and any sign which is mounted upon the roof, hood or trunk of a vehicle and which projects above such surface upon which it is mounted shall not exceed two square feet in area per face. Banners displayed on vehicles shall be subject to the provisions contained in Section 11-10-4(E).

-
- (H) *Wall Signs.* If a business has more than one frontage on streets and alleys, it may have one additional wall sign not to exceed 32 square feet.
 - (I) *Window Signs.* Window signs not exceeding two square feet are permitted in residential zones.
 - (J) *Prohibited Signs.* No rotating, flashing, roof, or animated signs or signs containing a moving message shall be permitted. This does not prohibit scrolling signs in windows or electronic reader boards.

(Ord. No. 2626 , § 3(exh. A), 5-16-2023)



CITY OF MONTROSE
Planning Services

MEMO

TO: Planning Commission
FROM: William Reis, Planner II
DATE: March 13, 2024
RE: Bear Creek Townhomes Subdivision Amended Preliminary Plat
ATTACHMENTS

- Exhibit A: Maps
- Exhibit B: Bear Creek Planned Development Plan Amendment 3
- Exhibit C: Bear Creek Townhomes Preliminary Plat
- Exhibit D: Excerpt from City of Montrose Municipal Code

Public notice requirements have been fulfilled in accordance with Section 11-4-3(D) of the City of Montrose Municipal Code. A sign was posted on the property, letters sent to property owners within 300 feet, and an ad appeared in the Montrose Daily Press.

Planning Commission Consideration:

The Planning Commission shall make a recommendation to City Council to approve, deny, or approve with conditions the Bear Creek Subdivision Amendment #4 Preliminary Plat. The Planning Commission will consider all of the information in this memo in making a decision.

Applicant: Matt Miles, Bear Creek Land & Development, LLC

Application Background:

The Bear Creek Townhomes Preliminary Plat will amend an unbuilt portion of this subdivision. The project is located on Outlot A of the Bear Creek Subdivision Filing No. 8, north of Killdeer Street, west of Blue Creek Avenue, and south of Magpie Gulch Street. The property is zoned “R-3A” Medium High Density District and “R-5” Low Density/Manufactured Housing District. This preliminary plat proposes subdividing this property into 48 townhome lots. The Bear Creek Planned Development Plan Amendment 3 (approved and recorded in 2004) allows construction of single-family, duplex, or multifamily housing in the high-density blocks. This area is documented as Blocks 19 and 20 in this PD plan, and permits a theoretical maximum of 60 units. This plat amends a portion of the Bear Creek Subdivision Amendment 4. Changes to water and sewer services to provide individual services to each lot are reflected in the updated engineering plans.

The hearing before City Council to approve or deny the Preliminary Plat is scheduled for April 1, 2024. A Final Plat will also be required within five (5) years of approval of this Preliminary Plat (City of Montrose Municipal Code, Section 11-4-8(A)(3)).

Staff Analysis:

1. Subdivision Application Details & Review Standards:

The City of Montrose Municipal Code outlines the process and standards for Subdivision applications. The preliminary plat and proposed improvements shall comply with all requirements of the subdivision regulations and other applicable City design and construction specifications and standards. The Planning Commission should consider whether the project meets the standards outlined within Section 11-5 and summarized below: (See Exhibit B)

- The proposal shall be consistent with the Master Plan, City subdivision and zoning regulations, standards and other applicable ordinances and regulations and will be reviewed considering the following at a minimum:
 - a. Conformance with the master plan and zoning regulations;
 - b. Relationship of development to topography, soils, drainage, flooding, potential hazard areas and other physical characteristics;
 - c. Availability of water, means of sewage collection and treatment, storm water drainage, access and other utilities and services;
 - d. Compatibility with the natural environment, wildlife, vegetation and unique natural features;
 - e. Adjacent streets and traffic flow, including pedestrian access;
 - f. Availability of fire, police and other emergency services protection;
 - g. Impacts on area schools.

2. The Comprehensive Plan Future Land Use Map designates the area as Residential Mixed Density Low and Residential Mixed Density Medium. (Note that the townhome lots are entirely located within the Residential Mixed Density Medium district.)

- *Residential Mixed Density Low. This district provides primarily for single-family homes, as well as small amounts of attached residential dwelling units (such as duplexes and even small groups of townhomes.) This low-density residential land use is intended to preserve the traditional building pattern of the existing residential development in Montrose. It will continue to be the predominant density in the City.*
- *Residential Mixed Density Medium. This district provides for a variety of residential types, mixed within a neighborhood, including single-family homes, townhomes, duplexes, triplexes, and multi-family housing. The majority of the mixed-density medium residential land uses are designated in areas that are not yet developed.*

3. Zoning Regulations:

- Municipal Code, Section 11-7-5(A)(6) Intent: The "R-3A" Medium High Density District is intended to provide an area which is suitable for single-family homes, duplexes and multifamily residences, along with certain other

compatible land uses.

- Municipal Code, Section 11-7-5(A)(8) Intent: The "R-5" Low Density/Manufactured Housing District is intended to provide for low density development of single-family manufactured homes, along with certain other compatible land uses.
 - The proposed use is a use-by-right in this zoning district. The current zoning is compatible with general conditions in the area. The property is adjacent to properties that are zoned "R-3A" Medium High Density District and "R-5" Low Density/Manufactured Housing District.
4. The Bear Creek Townhomes Preliminary Plat does not appear to be adverse to the public health, safety and welfare and is in compliance with the City's Subdivision Regulations.

Planning Commission Action:

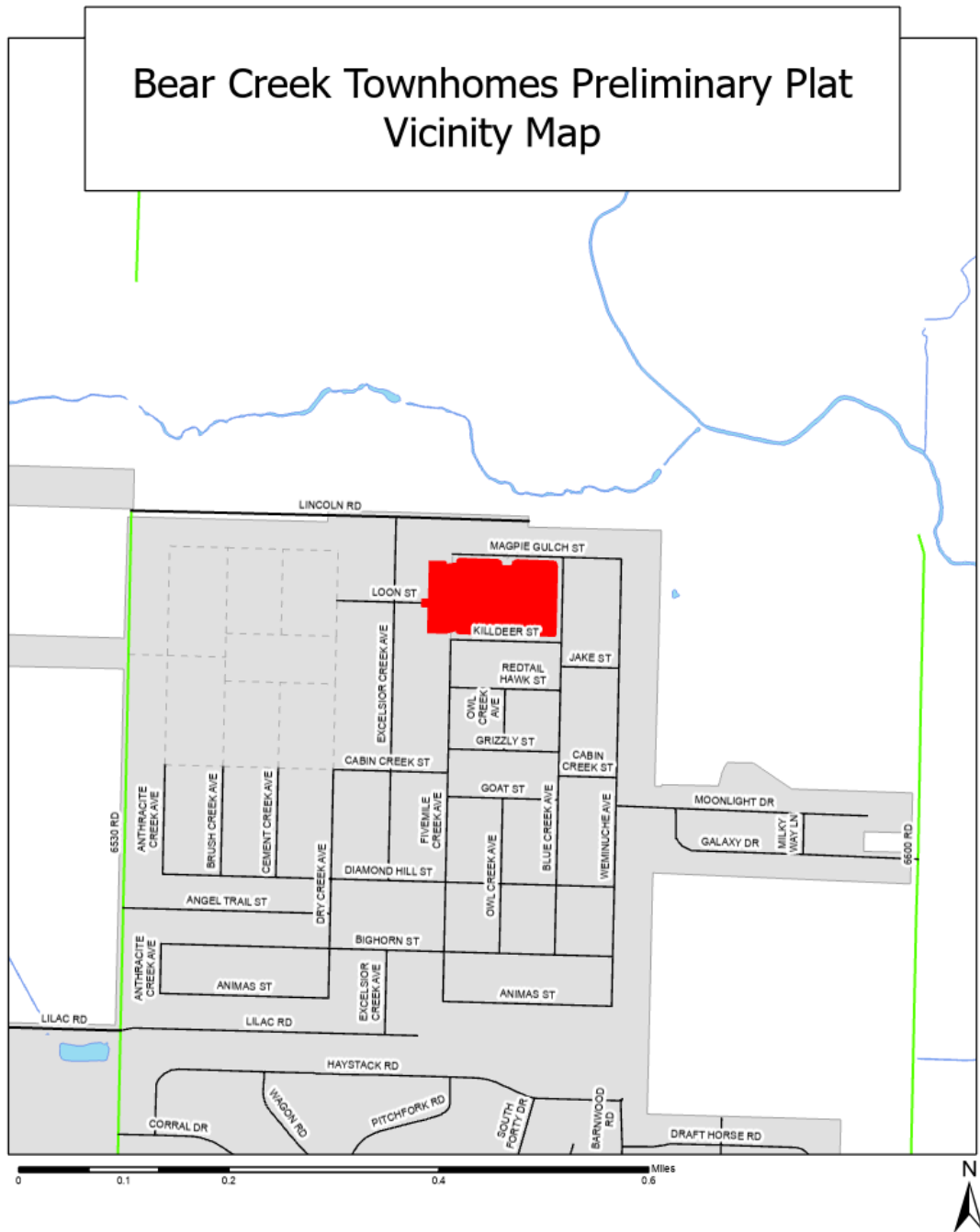
The Planning Commission shall make a recommendation to City Council to approve, deny, or approve with conditions the Bear Creek Townhomes Preliminary Plat. The Planning Commission may also continue the item. Proposed motions for Planning Commission consideration are included below.

Planning Commission Recommendation Alternatives for Preliminary Plat:

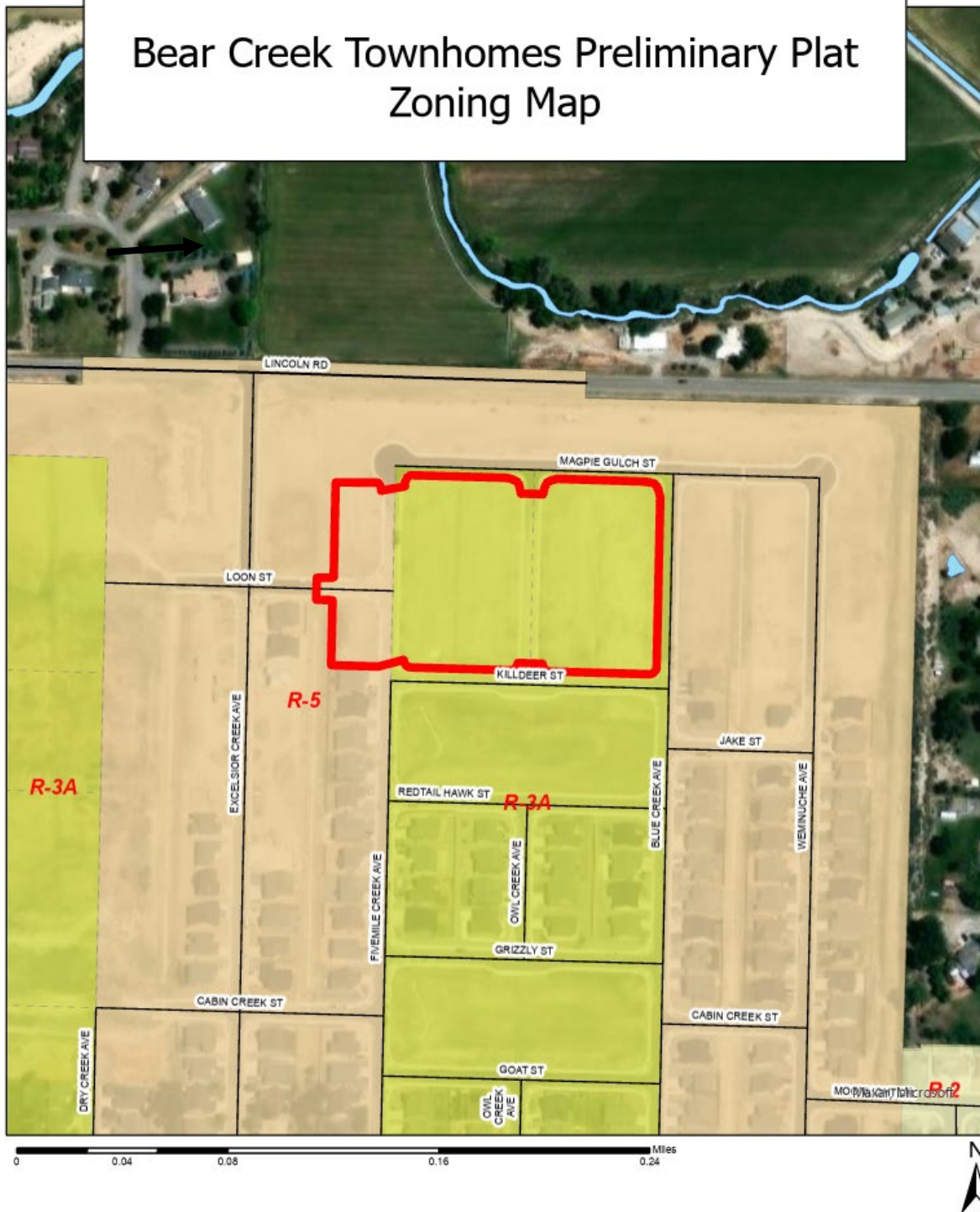
Conditional Approval Motion: "I hereby make a motion to recommend to City Council approval of the Preliminary Plat application with the following condition(s). The approval of this Preliminary Plat is expressly conditioned upon City staff ensuring that all policies, regulations, ordinances and municipal code provisions are met and that the Applicant adequately addresses all of staff's concerns prior to the execution of the Final Plat. The City staff is not authorized by this approval to execute the Final Plat prior to all conditions being satisfied. The request meets the Code criteria based on the evidence and testimony presented at this hearing and in the staff report."

Denial Motion: "I hereby make a motion to recommend to City Council denial of the Preliminary Plat application. The application does not meet the Code criteria based on evidence and testimony presented at this hearing and in the staff report."

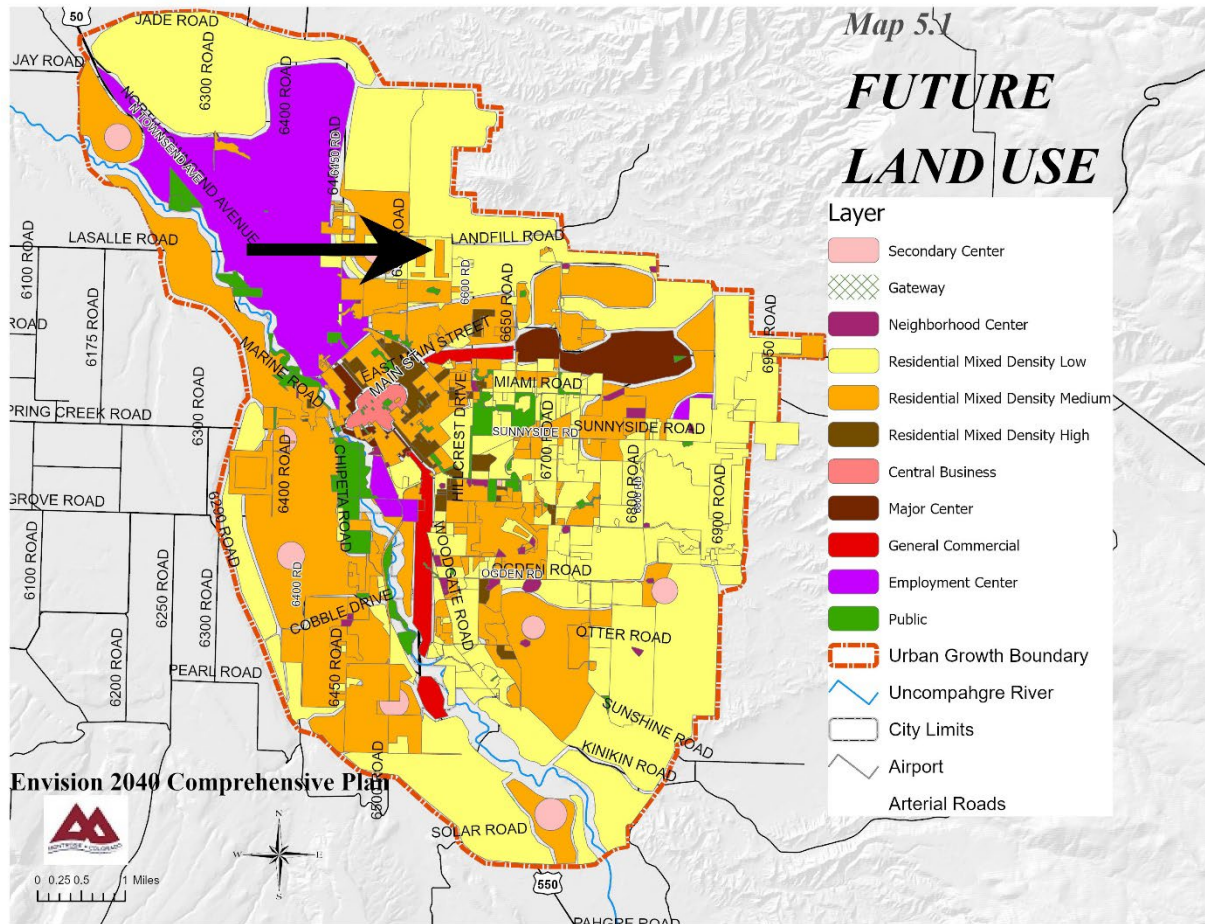
EXHIBIT A: Area Maps



Bear Creek Townhomes Preliminary Plat Zoning Map

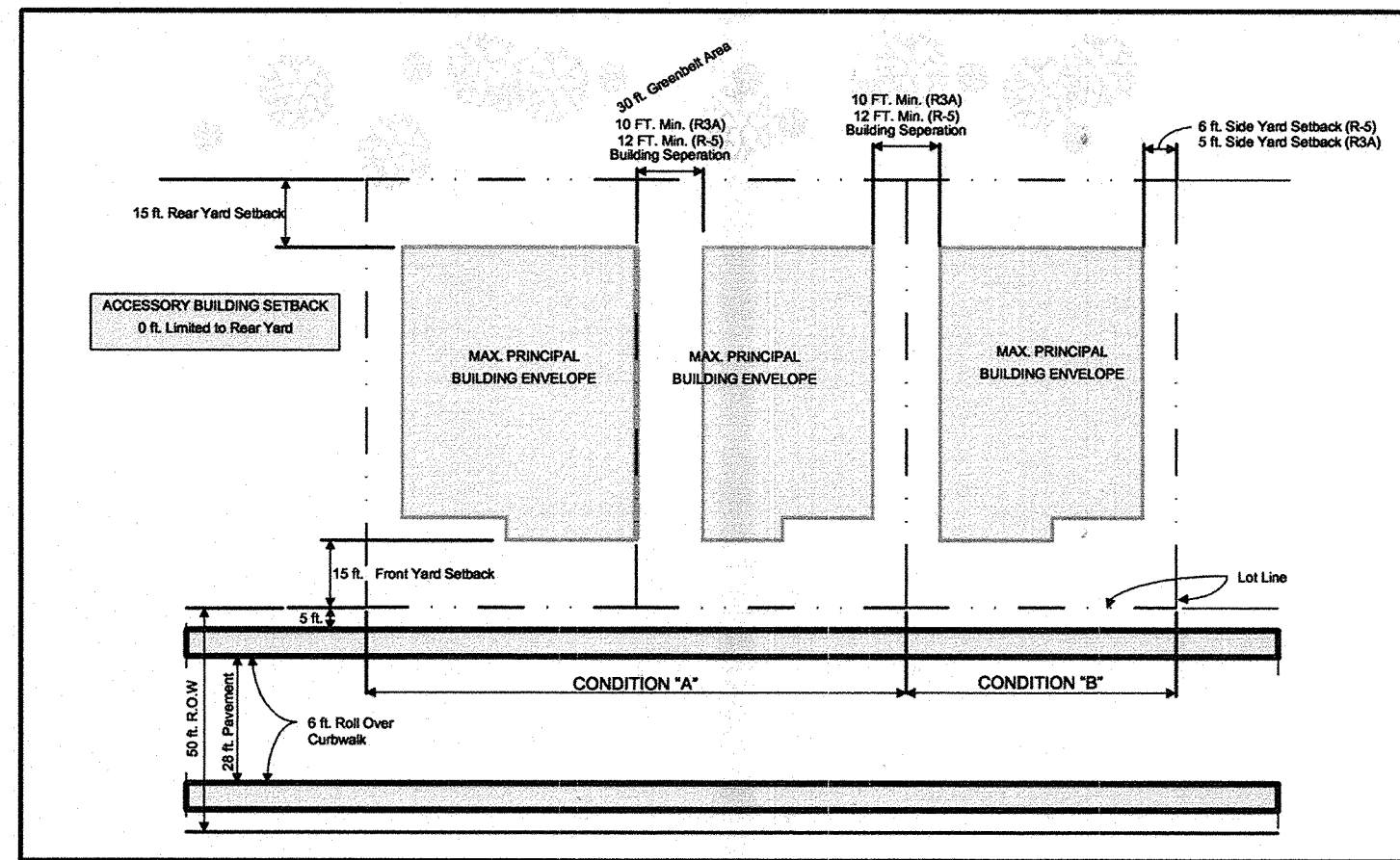


Comprehensive Plan Future Land Use Map

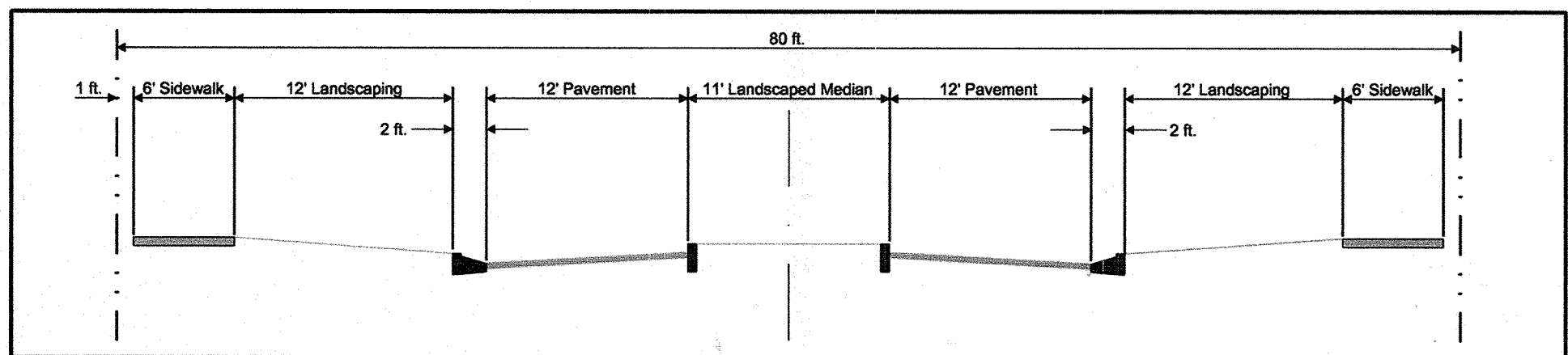


BEAR CREEK P.D. PLAN AMENDMENT 3

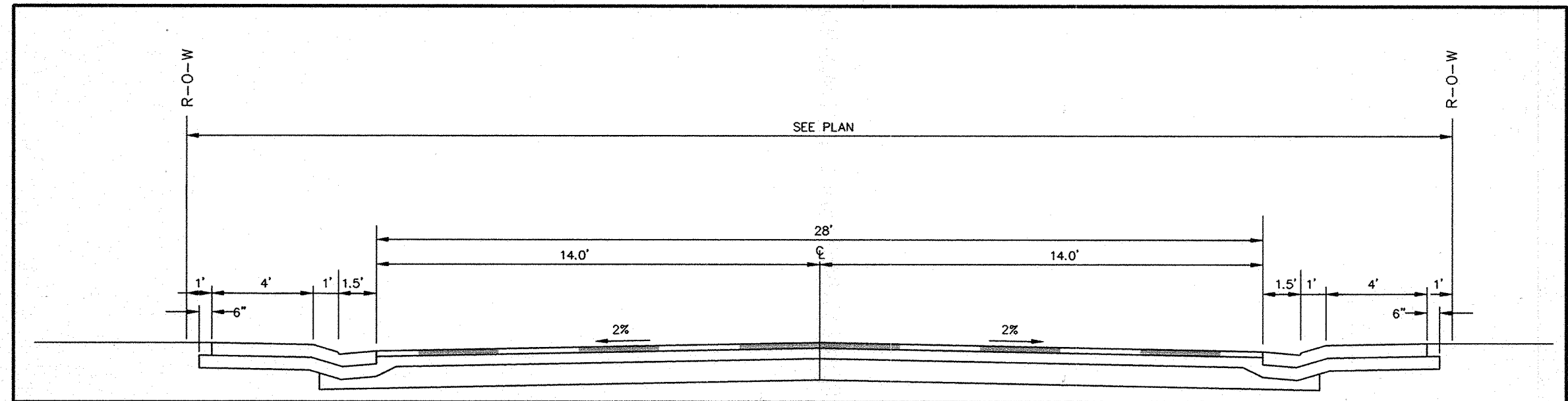
SNYDER ADDITION TO THE CITY OF MONTROSE
SITUATED IN SE1/4SW1/4, SW1/4SE1/4 SECTION 15
AND NE1/4NW1/4, NW1/4NE1/4 SECTION 22,
T.49N., R.9W., N.M.P.M.
CITY OF MONTROSE, MONTROSE COUNTY, COLORADO
AMENDED PRELIMINARY PLAT



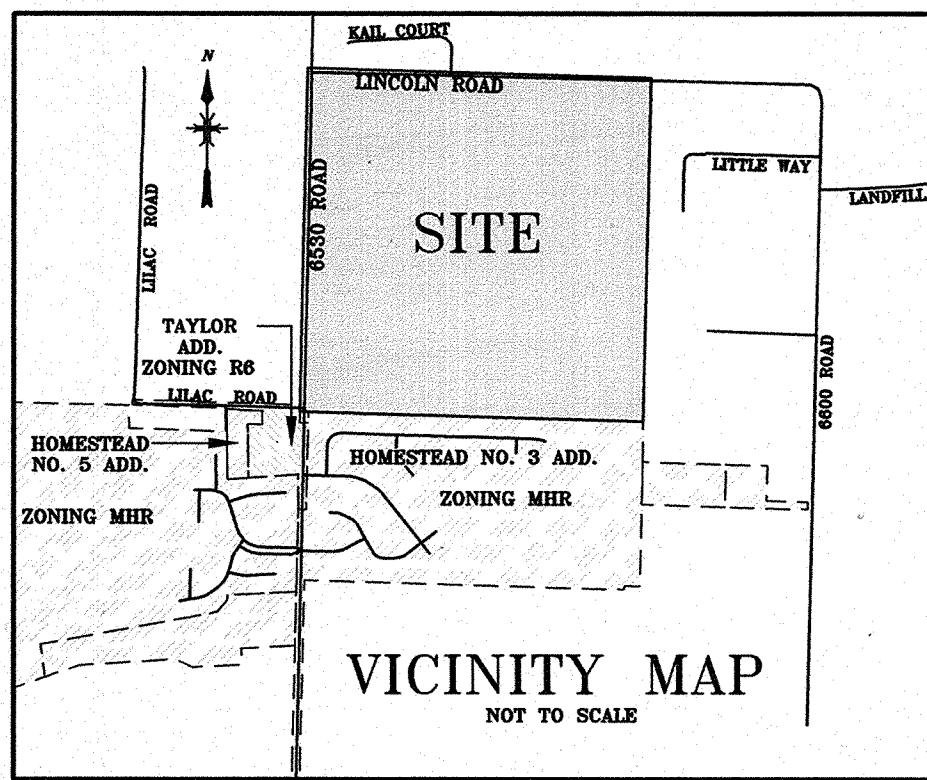
TYPICAL PLANNED DEVELOPMENT ZONE BUILDING SETBACK REQUIREMENTS
NOT TO SCALE



ANGEL TRAIL STREET ROAD SECTION
NOT TO SCALE



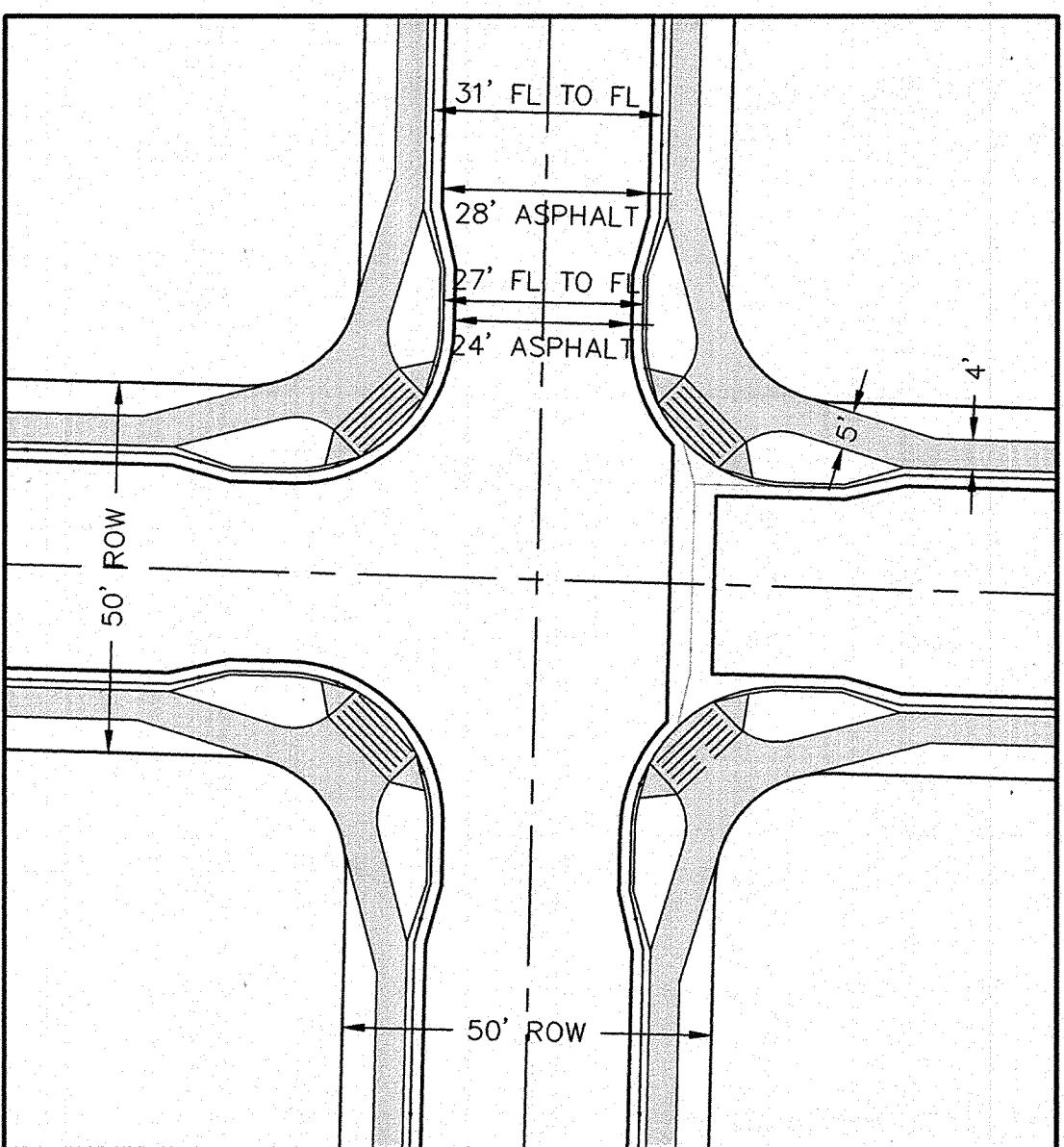
TYPICAL STREET SECTION
NOT TO SCALE



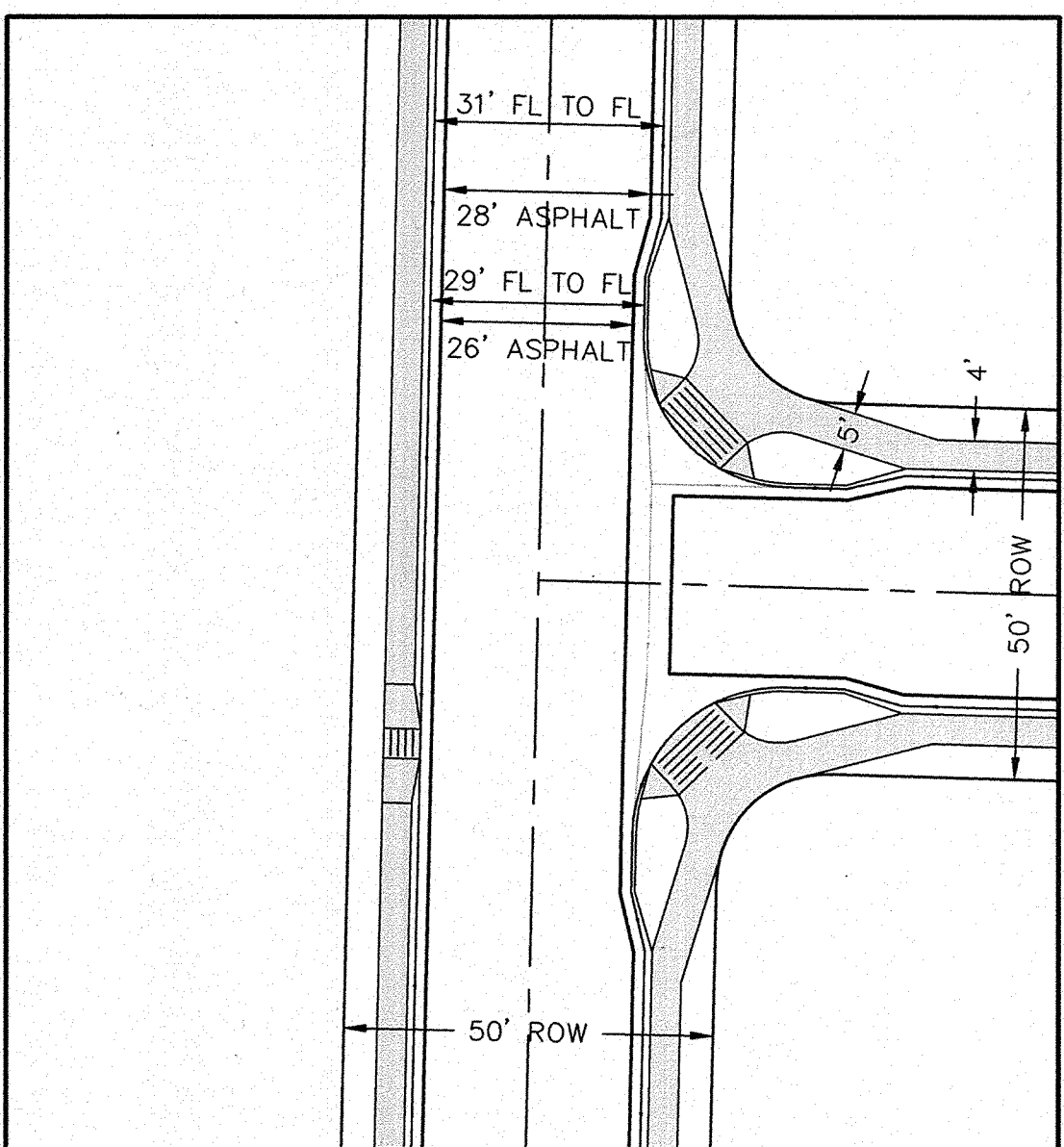
VICINITY MAP
NOT TO SCALE

LEGEND:

- = FD. REBAR & CAP (L.S. AS NOTED)
- = SET 5/8"x18" REBAR W/ 1 1/2" CAP
- Ⓐ = 20' UTILITY AND DRAINAGE EASEMENT
- Ⓑ = 30' UTILITY AND DRAINAGE EASEMENT
- Ⓒ = PARK AND DRAINAGE EASEMENT
- Ⓓ = OPEN SPACE (O/S) AND DRAINAGE EASEMENT
- Ⓔ = BLOCK NUMBERS
- ▨ = R3A ZONING
- ▩ = R5 ZONING
- ▧ = UTILITY & DRAINAGE EASEMENT



TYPICAL INTERSECTION
NOT TO SCALE



TYPICAL T INTERSECTION
NOT TO SCALE

TOTAL LAND USE SUMMARY

USE	AREA IN AC.	% OF IN AC.
LOTS	86.03	56
PARKS AND OPEN SPACE	29.09	20
ROAD RIGHT-OF-WAY (PROJECT STREETS)	37.21	24
TOTAL PROJECT ACREAGE	153.13	100.0
RIGHT-OF-WAY (EXIST. PERIMETER ROADS)	7.83	
TOTAL OWNERSHIP	160.96	100.0
TOTAL LOTS = 460		

DEPARTURES FROM CITY STANDARDS

- Interior Street Pavement Width Reduction to 28 ft. (see detail this sheet)
- Site Build only in Block 4, Lots 1-25 and Block 18, Lots 4-20.
- Maximum Building Height of 26' in Block 1, Lots 1-25, Block 4, Lots 1-25, Block 18, Lots 4-20 and Block 18, Lots 58-75, 83.
- Principal Building Setbacks. (see detail this sheet)
- Divided Entrance Road Street Sections. (see detail this sheet)

City Engineer Bob Hurford Date 11/30/04
City Attorney Russell Duree Date 12/01/2004

RECORDER'S CERTIFICATE

This plat was filed for record in the office of the Clerk and Recorder of Montrose County at 3:11 P.M. on the 15th day of December, 2004.

Reception No. 729479
by Norma Jabor
County Clerk & Recorder
Deputy

11/15/04	REMOVED GARAGE SETBACK.
SUBDIVISION:	BEAR CREEK
CLIENT:	MATT MILES
ADDRESS & PHONE:	1282 W. OAK GROVE ROAD MONTROSE, CO 81401 249-3398
TYPE:	P.D. PLAN
DEL-MONT CONSULTANTS, INC	ENGINEERS - SURVEYORS MONTROSE, COLORADO - PH. 249-2251
DRAWN BY: R.W.G.	DATE: 11/15/04
FILE: 0375-pre3-pd	JOB NO.: 0375

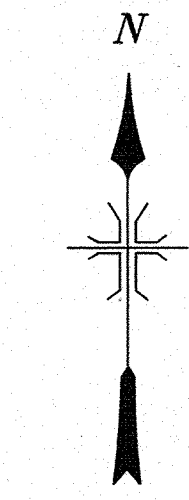
SHEET:
1 OF 2

DUPLICATE

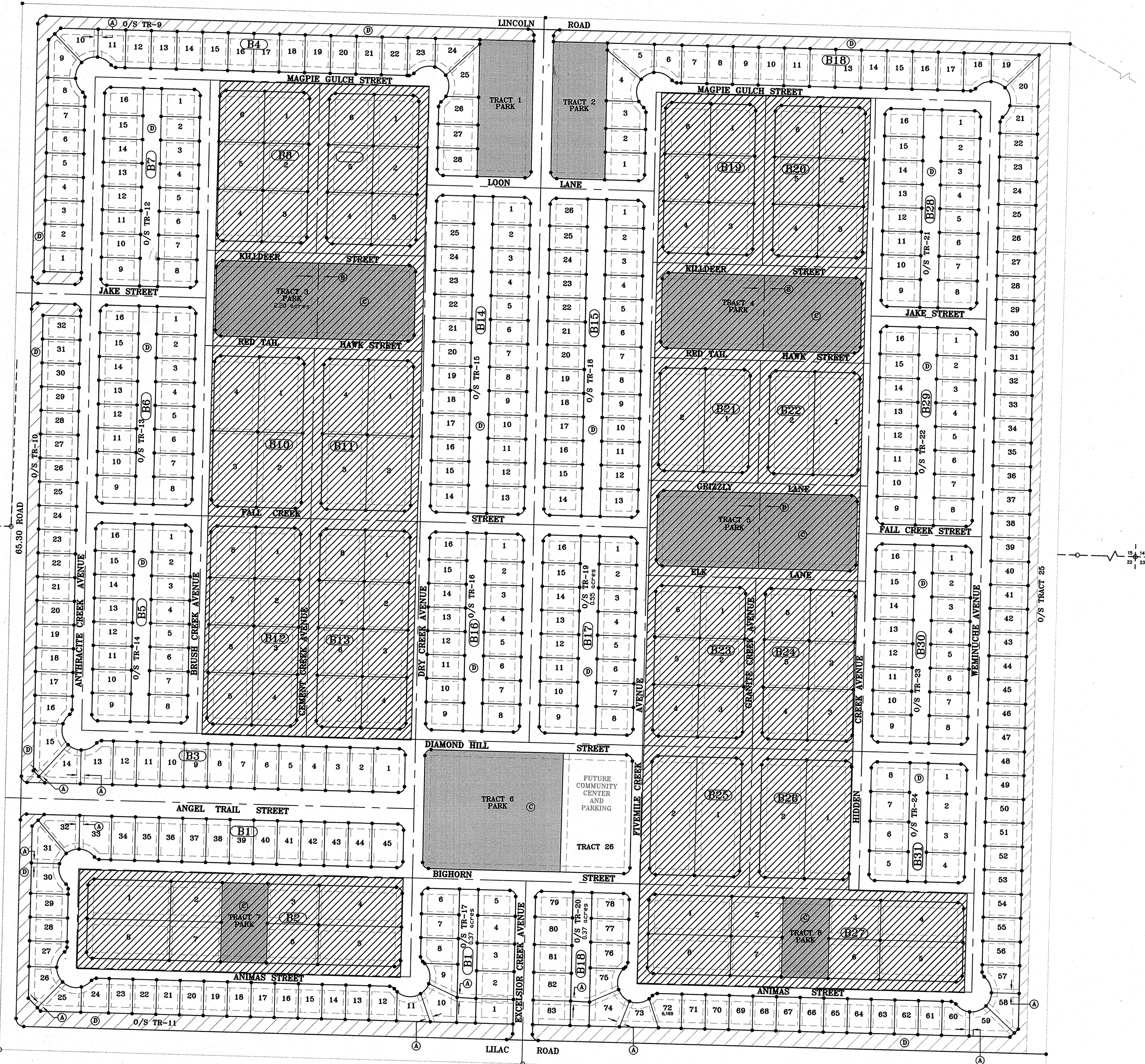


BEAR CREEK P.D. PLAN AMENDMENT 3

SNYDER ADDITION TO THE CITY OF MONTROSE
SITUATED IN SE1/4SW1/4, SW1/4SE1/4 SECTION 15
AND NE1/4NW1/4, NW1/4NE1/4 SECTION 22,
T.49N., R.9W., N.M.P.M.
CITY OF MONTROSE, MONTROSE COUNTY, COLORADO
AMENDED PRELIMINARY PLAT



NOT TO SCALE



BEAR CREEK PLANNED DEVELOPMENT
R3A ZONE AREA STRUCTURE QUANTITY & UNIT DENSITY MATRIX (PER LOT)

BLOCK	LOT	MAX. SINGLE FAMILY STRUCTURES	MAX. MULTI FAMILY STRUCTURES	MAX. MIX OF MULTI-SINGLE STRUCTURES	MAXIMUM # OF DWELLING UNITS
B2	1	3	3	3	7
	2	2	2	2	4
	3	2	2	2	4
	4	3	3	3	7
	5	3	3	3	7
	6	2	2	2	4
	7	2	2	2	4
B6	1	3	3	3	7
	2	2	2	2	4
	3	2	2	2	4
	4	2	2	2	4
	5	2	2	2	4
	6	2	2	2	4
	7	2	2	2	4
B9	1	2	2	2	4
	2	2	2	2	4
	3	2	2	2	4
	4	2	2	2	4
	5	2	2	2	4
	6	2	2	2	4
	7	2	2	2	4
B10	1	2	2	2	4
	2	2	2	2	4
	3	2	2	2	4
	4	2	2	2	4
	5	2	2	2	4
	6	2	2	2	4
	7	2	2	2	4
B11	1	2	2	2	4
	2	2	2	2	4
	3	2	2	2	4
	4	2	2	2	4
	5	2	2	2	4
	6	2	2	2	4
	7	2	2	2	4
B12	1	2	2	2	4
	2	2	2	2	4
	3	2	2	2	4
	4	2	2	2	4
	5	2	2	2	4
	6	2	2	2	4
	7	2	2	2	4
B13	1	2	2	2	4
	2	2	2	2	4
	3	2	2	2	4
	4	2	2	2	4
	5	2	2	2	4
	6	2	2	2	4
	7	2	2	2	4
B19	1	2	2	2	4
	2	2	2	2	4
	3	2	2	2	4
	4	2	2	2	4
	5	2	2	2	4
	6	2	2	2	4
	7	2	2	2	4
B20	1	2	2	2	4
	2	2	2	2	4
	3	2	2	2	4
	4	2	2	2	4
	5	2	2	2	4
	6	2	2	2	4
	7	2	2	2	4
B21	1	4	4	4	10
	2	4	4	4	10
	3	4	4	4	10
	4	4	4	4	10
	5	4	4	4	10
	6	4	4	4	10
	7	4	4	4	10
B22	1	4	4	4	10
	2	4	4	4	10
	3	4	4	4	10
	4	4	4	4	10
	5	4	4	4	10
	6	4	4	4	10
	7	4	4	4	10
B23	1	2	2	2	4
	2	2	2	2	4
	3	2	2	2	4
	4	2	2	2	4
	5	2	2	2	4
	6	2	2	2	4
	7	2	2	2	4
B24	1	2	2	2	4
	2	2	2	2	4
	3	2	2	2	4
	4	2	2	2	4
	5	2	2	2	4
	6	2	2	2	4
	7	2	2	2	4
B25	1	4	4	4	12
	2	4	4	4	12
	3	4	4	4	12
	4	4	4	4	12
	5	4	4	4	12
	6	4	4	4	12
	7	4	4	4	12
B26	1	4	4	4	12
	2	4	4	4	12
	3	4	4	4	12
	4	4	4	4	12
	5	4	4	4	12
	6	4	4	4	12
	7	4	4	4	12
B27	1	3	3	3	7
	2	2	2	2	4
	3	2	2	2	4
	4	3	3	3	7
	5	3	3	3	7
	6	2	2	2	4
	7	3	3	3	7
TOTAL 24		TOTAL 200	TOTAL 200	TOTAL 200	TOTAL 492

TOTAL AREA R3A 53.89 ACRES
TOTAL POTENTIAL SINGLE FAMILY STRUCTURES 200 11,737 SQ. FT. PER STRUCTURE
TOTAL POTENTIAL DWELLING UNITS 492 4,771 SQ. FT. PER UNIT

24 MULTI-FAMILY LOTS (R-3A) ON 53.89 AC. = 4,771 SQ. FT. PER UNIT MIN. UNIT/LOT SIZE = 2,900 SQ. FT.
355 SINGLE-FAMILY LOTS (R-5) ON 107.07 AC. = 13,130 SQ. FT. PER UNIT MIN. LOT SIZE = 12,000 SQ. FT.

- LEGEND:
- = FD. REBAR & CAP (L.S. AS NOTED)
 - = SET 5/8"x18" REBAR W/ 1 1/2" CAP
 - (A) = 20' UTILITY AND DRAINAGE EASEMENT
 - (B) = 30' UTILITY AND DRAINAGE EASEMENT
 - (C) = PARK AND DRAINAGE EASEMENT
 - (D) = OPEN SPACE (O/S) AND DRAINAGE EASEMENT
 - (H) = BLOCK NUMBERS
 - [Hatched Box] = R3A ZONING
 - [White Box] = R5 ZONING
 - [Diagonal Lines] = UTILITY & DRAINAGE EASEMENT

DUPLICATE

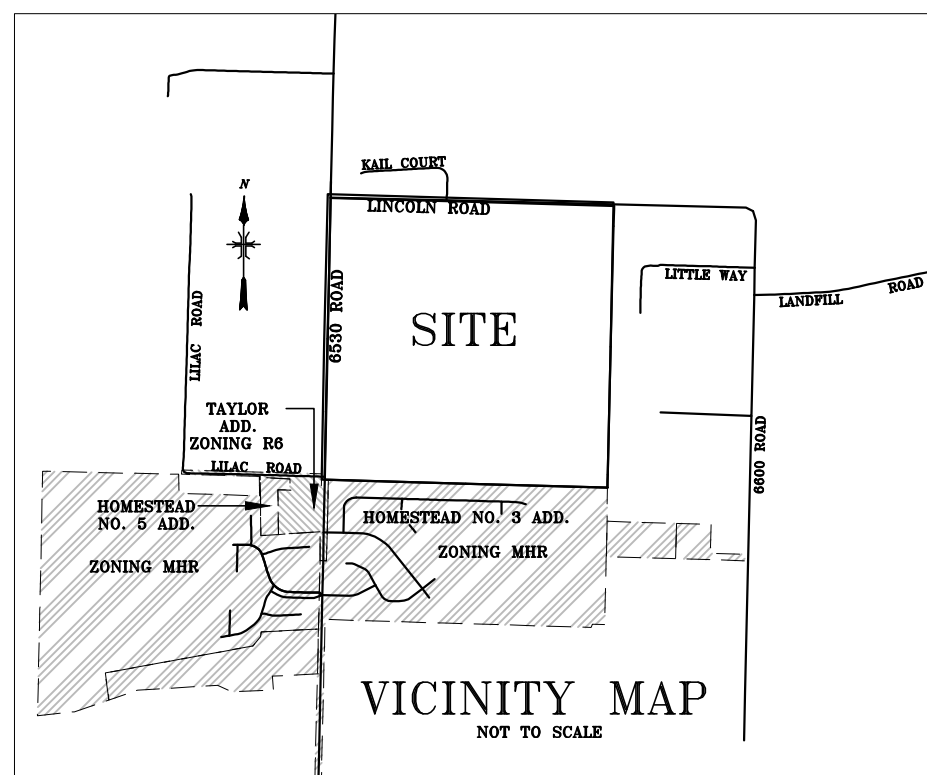
SHEET:
2 OF 2

11/15/04	REMOVED GARAGE SETBACK
SUBDIVISION:	BEAR CREEK
CLIENT:	MATT MILES
ADDRESS & PHONE:	1282 W. OAK GROVE ROAD MONTROSE, CO 81401 249-3398
TYPE:	P.D. PLAN
DEL-MONT CONSULTANTS, INC	ENGINEERS - SURVEYORS MONTROSE, COLORADO - PH. 249-2251
DRAWN BY: R.W.G.	DATE: 11/15/04
FILE: 0375-pre3-pd	JOB NO.: 0375



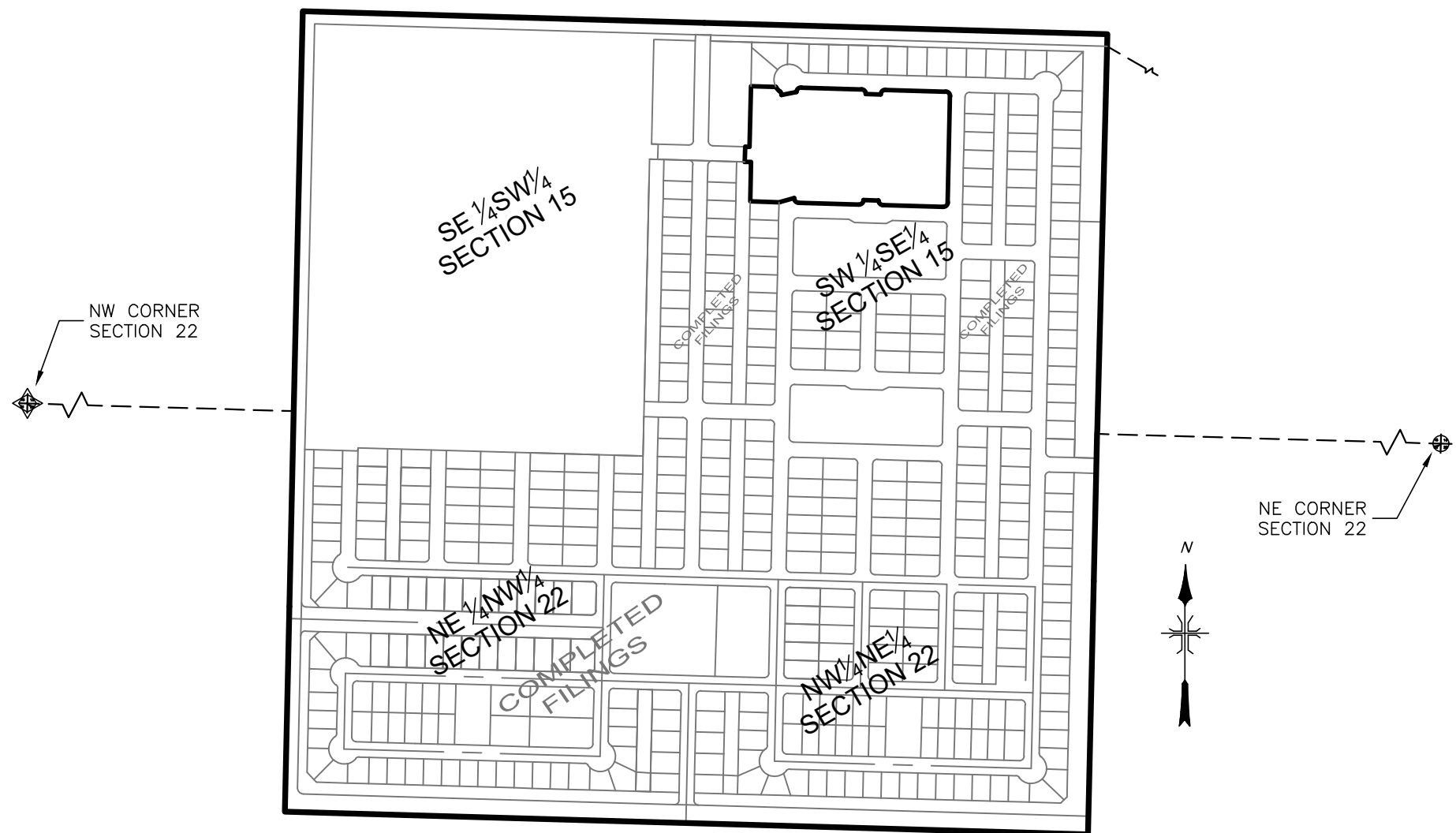
BEAR CREEK TOWNHOMES PRELIMINARY PLAT

SITUATED IN SW $\frac{1}{4}$ SE $\frac{1}{4}$ SECTION 15,
TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO



AREA SUMMARY:	
RIGHT-OF WAY	0.94 ACRES
OPEN SPACE	0.94 ACRES
LOTS	3.77 ACRES
TOTAL	
	5.65 ACRES

DEVELOPER:	LEADERSHIP CIRCLE, LLC P.O. BOX 239 MONTROSE, CO 81402
ENGINEER:	DEL-MONT CONSULTANTS, INC. 125 COLORADO AVE. MONTROSE, CO 81401 (970) 249-2251



SECTION EXHIBIT
NOT TO SCALE

APPROVAL OF PRELIMINARY PLAT		
City Engineer	_____ Scott Murphy, P.E. _____	Date _____
City Attorney	_____ Chris Dowsey _____	Date _____
City Planning Commission Chair	_____ David Fishering _____	Date _____
City Mayor	_____ Dave Frank _____	Date _____

CERTIFICATE OF DEDICATION AND OWNERSHIP

KNOW ALL YE BY THESE PRESENTS that the undersigned being the owners of certain lands in the City of Montrose, County of Montrose and State of Colorado to wit:

Outlot A of Bear Creek Subdivision Filing No. 8 as Recorded at Recp. No. _____
County of Montrose, State of Colorado

Have by these presents laid out, platted and subdivided the same into lots, as shown on this plat, under the name and style of Bear Creek Townhomes Plat, and do hereby dedicate, grant and convey to the City of Montrose, Colorado, for the use of the public, Loan Street, Owl Creek Avenue, and Five Mile Creek Avenue as hereon shown.

The utility easements shown on this plat are dedicated, granted and conveyed to the City of Montrose, Colorado for public utility purposes, including but not limited to water, sewer, electrical, telephone, gas, communications, fiber optic, and CATV lines, and drainage easements specifically labeled for dedication, together with perpetual right of ingress and egress for installation, maintenance and replacement of such facilities. The dedication of easements as herein provided shall not include those easements exclusively utilized for irrigation improvements, or otherwise subject to a previously recorded conveyance.

Executed this ____ day of _____, 20____.

Matt Miles,
BEAR CREEK LAND & DEVELOPMENT, LLC a Colorado Limited Liability Company

STATE OF COLORADO)
)ss.
COUNTY OF MONTROSE)

The foregoing certificate was acknowledged before me this _____ day of _____, 20____ by Matt Miles.

My commission expires _____.

Witness my hand and seal _____,
Notary Public

MISCELLANEOUS PLAT NOTES

1. The drainage easements shown hereon shall be maintained by the owners of the lots encumbered by the easement, except that the drainage easements on the Parks and Open Space shall be maintained by a homeowners association in a manner that preserves the grade as originally established and so as to not impede the free flow of water in any way, including but not limited to the construction of fencing and other improvements, or the planting or encroachment of trees and shrubs and other impeding vegetation. The City is not responsible or liable in any manner for the maintenance, repair, or operation of any pipelines, ditches or improvements as located within said easements. Upon failure to properly maintain the drainage easements shown hereon, or in the need to abate a nuisance or public hazard, the City may cause the maintenance or repair to be performed and assess the costs thereof to such owners, and may certify such charges as a delinquent charge to the County Treasurer to be collected similarly to taxes or in any lawful manner.

2. In agreement with the approved P.D. Plan for Bear Creek Subdivision as recorded in the Montrose County Public Records at Reception No. 720865, all Open Space Tracts, Parks, and future Community Center Tract(s) now existing or hereafter dedicated, shall be owned and maintained by a homeowners association, or until such time as a homeowners association is lawfully formed for such purposes, by the owners of all lots as platted hereon, jointly and severally. The City is not responsible or liable in any manner for the maintenance, repair, or operation of such properties and/or improvements. Upon failure to properly maintain such properties and/or improvements shown hereon, or in the need to abate a nuisance or public hazard, the City may cause the maintenance or repair to be performed and assess the costs thereof to such owner, or the City may certify such charges as a delinquent charge to the County Treasurer to be collected similarly to taxes or in any lawful manner.

2A. By executing this Plat, the owner(s) whose signature(s) appear hereon, joined by the Lienholder(s), if any, whose signatures also appear on this Plat, for and in consideration of TEN AND NO/100 DOLLARS (\$10.00), and other good and valuable consideration, in hand paid, hereby sell(s) and quit claim(s) to Bear Creek H.O.A. Inc., a Colorado nonprofit corporation, Open Space Tracts 1 and 2 as shown and designated on this Plat.

2C. The owner(s) whose signature(s) appear on the Certificate of Dedication and Ownership on this Plat have provided the City a current, valid, Certificate of Good Standing bearing Confirmation No. 20041403448, from the Colorado Secretary of State, as proof of the above-named HOA or Owners' Association entity's: i) compliance with all applicable requirements of the Colorado Secretary of State, and ii) good standing with the Colorado Secretary of State.

2D. The Declaration of Covenants, Conditions, and Restrictions for Bear Creek H.O.A. Inc., applicable to the development platted hereon, and made binding to the entity named above, was recorded under Reception No. 732353, on the 2nd day of February, 2005 in the office of the Montrose County Clerk and Recorder.

3. All residential lots or residential units hereon shall be required to make payment of money in lieu of school land dedication, at the time of issuance of building permit or certificate of occupancy relative to improvements upon said lot. The payment of money in lieu of school land dedication is subject to §11-5-9(C) of the Municipal Code. Payments shall be made to the City, to be later disbursed to the RE-1J School District.

4. The irrigation easements shown hereon, and/or as shown on the approved P.D. Plan for Bear Creek Subdivision as recorded in the Montrose County Public Records at Reception No. 720865, shall be owned and maintained by a homeowners association, or until such time as a homeowners association is lawfully formed for such purposes, by the owners of all lots encumbered by the easement, jointly and severally and shall not be impeded or altered in any way so as to impact the historic delivery of water, unless otherwise agreed by all owners of interest in said easements or any water rights associated therewith. The City is not responsible or liable in any manner for the maintenance, repair, or operation of any irrigation pipelines, improvements or ditches as located within said easements. Upon failure to properly maintain the irrigation easements shown hereon, or in the need to abate a nuisance or public hazard, the City may cause the maintenance or repair to be performed and assess the costs thereof to such owners, and may certify such charges as a delinquent charge to the County Treasurer to be collected similarly to taxes or in any lawful manner.

FINAL PLAT CONDITIONAL APPROVAL

The approval of the Bear Creek Townhomes Plat is expressly conditioned upon City staff ensuring that all policies, regulations, ordinances and municipal code provisions are met, and that the Applicant adequately addresses all of staff's concerns.

AIRPORT INFLUENCE AREA NOTICE:

The Bear Creek Subdivision Townhomes Plat is located approximately 1 mile east of the Montrose Regional Airport. The Bear Creek Subdivision Townhomes Plat is within the Airport Influence Area of a busy airport used by piston and jet aircraft and is open 24 hours a day seven days a week. All property within the Bear Creek Subdivision Filing No. 8 is subject to overflights and the effects thereof, which may include but is not limited to noise, vibration, fumes and dust.

BASIS OF BEARINGS:

The bearing between the referenced Mag Nail at the Northwest corner of Section 22, Township 49 North, Range 9 West New Mexico Principal Meridian and the found 1 1/2" Aluminum Cap on 3/4" Rebar (illegible) for the Northeast corner of said Section 22, bears S88°22'44"E (ASSUMED).

LINEAL UNITS STATEMENT:

The Lineal Unit used on this plat is U.S. Survey Feet

SURVEYORS CERTIFICATE

I, Nicholas Barrett, a Registered Land Surveyor in the State of Colorado, do hereby certify that there are no roads, pipelines, irrigation ditches or other easements or rights-of-way in evidence or known to me to exist on or across said property except as shown on this plat. I certify that I have made the survey represented by this plat and that this plat accurately represents said survey, and conforms to all applicable requirements of the City Subdivision Regulations and applicable law. I further certify that all monuments shown hereon actually exist and their positions are as shown.

C.R.S. Section 38-51-106 Statement: this plat does not represent a title search by the Surveyor, nor by any professional corporation or business entity with which said Surveyor may be associated. Information regarding the title work performed for and used in producing this plat may be found in the title report issued by Fidelity National Title Company, dated August 20, 2021 bearing policy number E0723227-397-DGO.

Colorado Registered Land Surveyor:
Nicholas Barrett
Registration No. 38037

Date: _____

ENGINEER'S CERTIFICATE

I, Steven Stevenson, a Registered Engineer in the State of Colorado, do hereby certify that the sanitary sewer system, water distribution system and the storm drainage system shown on the accompanying plans of this Subdivision are properly designed, meet City of Montrose specifications, and are adequate to properly serve the Subdivision shown hereon. I further certify that the sanitary sewer system, water distribution system, storm drainage system, streets, parks, and other improvements are designed and constructed in accordance with applicable City specifications and regulations.

Steven Stevenson, P.E. Registration No. 40020

Date: _____

CERTIFICATE OF COMPLETED IMPROVEMENTS

I, Scott Murphy, City Engineer, certify that all improvements and utilities required by the current Subdivision Regulations of the City of Montrose, have been constructed, inspected and approved in this Subdivision in accordance with applicable City ordinances, regulations and specifications, and a Letter of Substantial Completion has been issued, as required by the City's Municipal Code.

City Engineer
Registration No. _____

Date: _____

ATTORNEY'S CERTIFICATE

I, _____, an Attorney at Law, duly licensed to practice in Colorado, do hereby certify that I have examined the title of all land herein platted and described in the above Certificate of Ownership and Dedication, and that title to such land is in the owners and dedicators, and that the title to all dedicated property therein described, is free and clear of all liens and encumbrances except _____

Attorney
Registration No. _____

Date: _____

APPROVAL OF CITY MANAGER

Approved this _____ day of _____, 20____, by _____, Deputy
City Manager of the City of Montrose.

Deputy City Manager

APPROVAL OF CITY ATTORNEY

Approved for recording this _____ day of _____, 20____, by _____,
City Attorney of the City of Montrose.

City Attorney
Atty. Reg. No. _____

APPROVAL OF CITY COUNCIL

Approved this _____ day of _____, 20____, by _____,
Mayor of the City of Montrose; all conveyances of interests in real property made on this plat are hereby accepted by the City.

Mayor

RECORDER'S CERTIFICATE

This plat was filed for record in the office of the Clerk and Recorder of Montrose County, Colorado, at the time of _____, on the _____ day of _____, 20____,
under Reception No. _____

County Clerk and Recorder Deputy

PRELIMINARY		THE BEAR CREEK TOWNHOMES PRELIMINARY PLAT	
DMC DEL-MONT CONSULTANTS, INC. ENGINEERING & SURVEYING 125 Colorado Ave. W Montrose, CO 81401 W (970) 249-2251 www.del-mont.com service@del-mont.com		CLIENT:	LEADERSHIP CIRCLE, LLC
FIELD BOOK:		ADDRESS & PHONE:	P.O. BOX 239 MONTROSE, CO 81402
DRAWN BY:	DCC	DATE:	2024-02-12
SHEET:	1 of 2	FILE:	23090V_PLAT-PRE
JOB NO.:	23090	TYPE:	PRELIMINARY PLAN

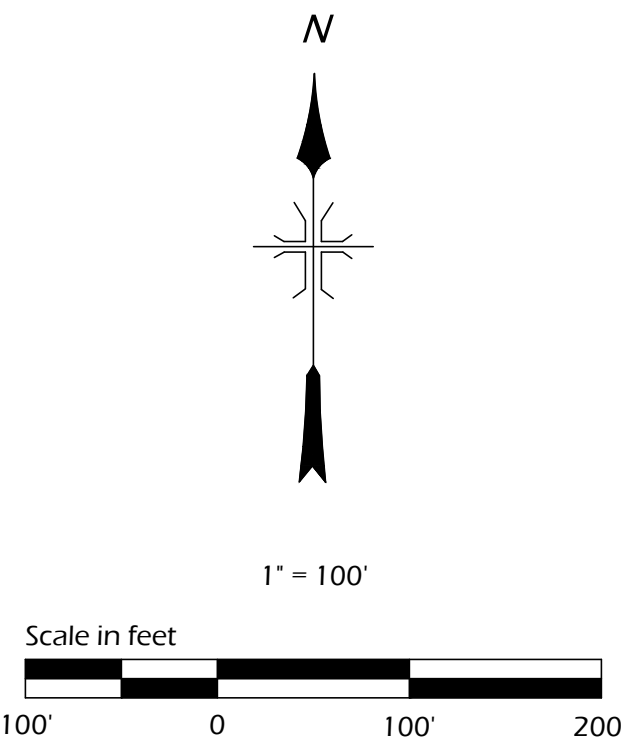
NOTICE: According to Colorado Law (13-80-105, CRS) you must commence any legal action based upon any defect in this survey within three (3) years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten (10) years from the date of the certification shown hereon.

BEAR CREEK TOWNHOMES
PRELIMINARY PLAT

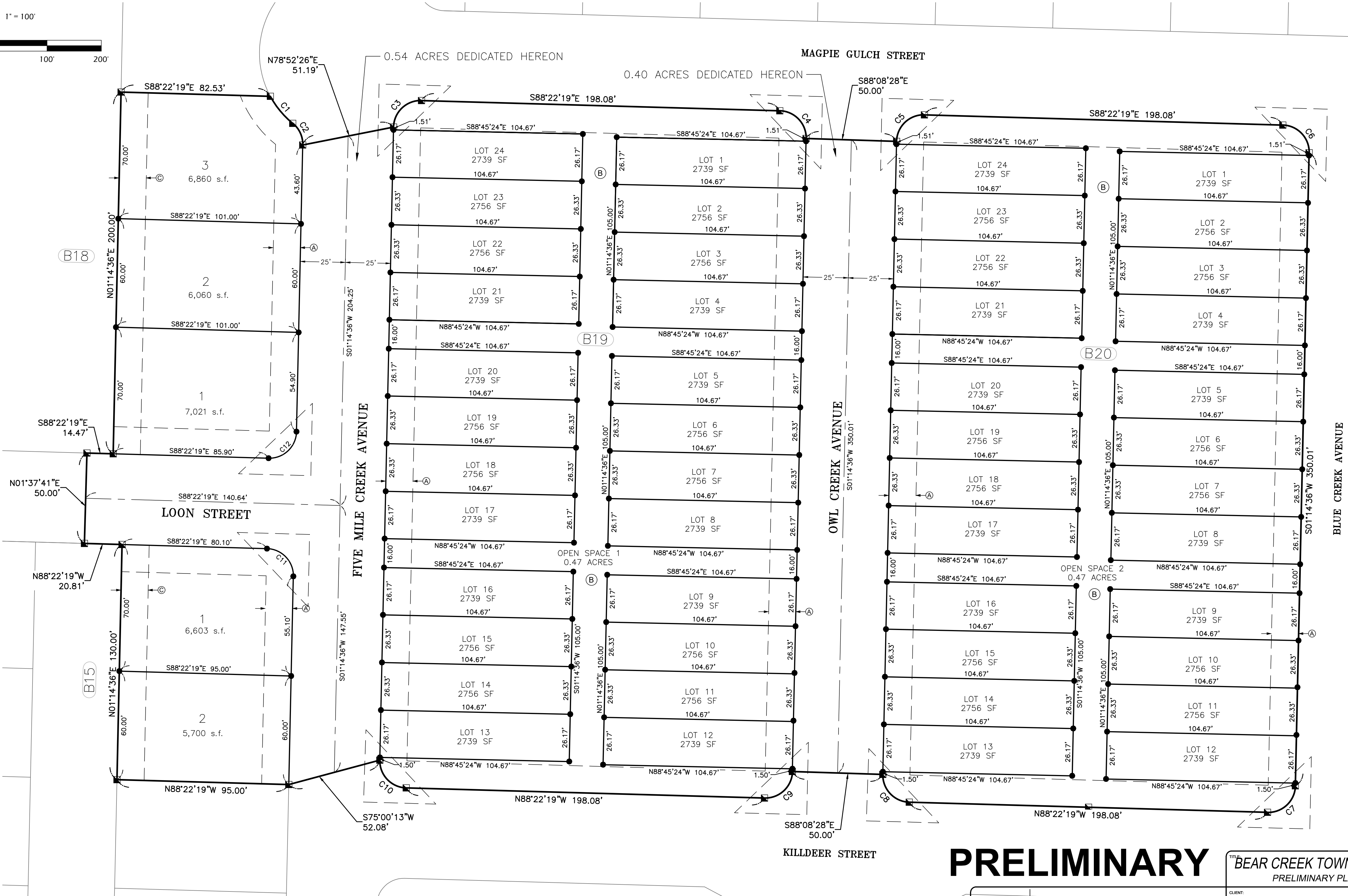
SITUATED IN SW¼SE¼ SECTION 15,
TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO

LEGEND

- = FOUND 5/8" X 18" REBAR WITH 1 1/2" CAP (L.S. 16840)
- = FOUND 5/8" X 18" REBAR WITH 1 1/2" CAP (L.S. 38037)
- = SET 5/8"x18" REBAR W/ 1 1/2" ALUMINUM CAP (L.S. 38037)
- ◇ = MONUMENT AS NOTED
- Ⓐ = 15' UTILITY EASEMENT
- Ⓑ = UTILITY & DRAINAGE EASEMENT COVERING ENTIRE OPEN SPACE (WIDTH VARIES)
- Ⓒ = 15' DRAINAGE EASEMENT (CONTINUES TO STREET)
- 40' = SIGHT TRIANGLE PER CITY OF MONTROSE SUBDIVISION REGULATIONS
- Ⓑ20 = BLOCK NUMBER



CURVE DATA					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	19.55'	50.00'	022°24'17"	S39°34'27"E	19.43'
C2	13.62'	15.00'	052°01'12"	S24°46'00"E	13.16'
C3	23.66'	15.00'	090°23'05"	N46°26'09"E	21.28'
C4	23.46'	15.00'	089°36'55"	S43°33'51"E	21.14'
C5	23.66'	15.00'	090°23'05"	N46°26'09"E	21.28'
C6	23.46'	15.00'	089°36'55"	S43°33'51"E	21.14'
C7	23.66'	15.00'	090°23'05"	S46°26'09"W	21.28'
C8	23.46'	15.00'	089°36'55"	N43°33'51"W	21.14'
C9	23.66'	15.00'	090°23'05"	S46°26'09"W	21.28'
C10	23.46'	15.00'	089°36'55"	N43°33'51"W	21.14'
C11	23.46'	15.00'	089°36'55"	S43°33'51"E	21.14'
C12	23.66'	15.00'	090°23'05"	N46°26'09"E	21.28'



PRELIMINARY

DMC DEL-MONT CONSULTANTS, INC.
ENGINEERING & SURVEYING
125 Colorado Ave. W. Montrose, CO 81401 P (970) 249-2251
www.del-mont.com service@del-mont.com

FIELD BOOK:	DRAWN BY: DCC	DATE: 2024-02-12
SHEET: 2 of 2	FILE: 23090V_PLAT-PRE	JOB NO.: 23090

THE BEAR CREEK TOWNHOMES PRELIMINARY PLAT	
CLIENT: LEADERSHIP CIRCLE, LLC	
ADDRESS & PHONE: P.O. BOX 239 MONTROSE, CO 81402	
TYPE: PRELIMINARY PLAN	

NOTICE: According to Colorado Law (13-80-105, CRS) you must commence any legal action based upon any defect in this survey within three (3) years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten (10) years from the date of the certification shown hereon.

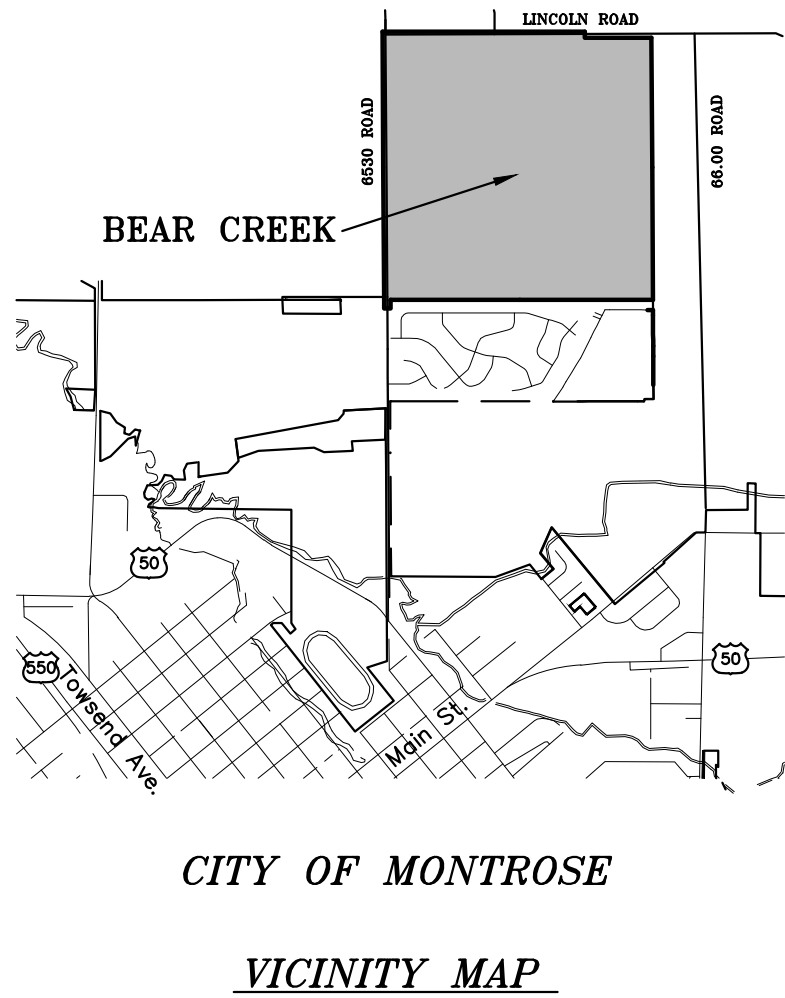
FILE LOCATED AT: \\DMS14\PROJECTS\ACTIVE PROJECTS\2021\21020-LEADERSHIP CIRCLE-BEAR CREEK AMD #4 PRELIM PLAT\C3D\SHEETS\TOWNHOMES 23090

PLOTTED BY NFOSTER, FILE PATH & NAME: \\DMS14\PROJECTS\ACTIVE PROJECTS\2024\121020\LEADERSHIP CIRCLE-BEAR CREEK AND 14 PRELIM PLAT\3\DSHEETS\TOWNHOMES 23090\23090-COVER.DWG, PLOT DATE = 2/12/2024 4:52 PM

FILING # 9 TOWNHOMES
BEAR CREEK
 LEADERSHIP CIRCLE, LLC
 MONTROSE, COLORADO



DRAWING INDEX	
Sheet Number	Sheet Title
0	COVER
1	INDEX
2	GRADING & STRM DRAIN OVERVIEW
3	SEWER OVERVIEW
4	WATER OVERVIEW
8	LOON STREET PLAN & PROFILE
39	FIVEMILE CREEK PLAN & PROFILE
41	OWL CREEK PLAN & PROFILE
43	BLUE CREEK PLAN & PROFILE
52	MASTER LIGHTING AND SIGNAGE PLAN
53	INTERSECTION DETAILS
54	TYPICAL ROAD SECTIONS
71	EROSION CONTROL PLAN



DEL-MONT CONSULTANTS, INC.
 ENGINEERING ▼ SURVEYING
 125 Colorado Ave. ▼ Montrose, CO 81401 ▼ (970) 249-2251 ▼ (970) 249-2342 FAX
 www.del-mont.com ▼ service@del-mont.com

COMPLETED PHASES

NO	DATE	REVISIONS	BY
1	7/27/04	PHASE 1 AS-BUILT	JR
2	12/02/05	1,2A,2B &3 RECORD DRAWINGS	JR
3	05/22/07	PHASE 4 CONSTRUCTION	JR
4	08/22/07	REVIEW COMMENTS	SS
5	12/18/15	REVISED DRAINAGE BASINS	SS
5	03/11/21	REVISION TO LOTS AND GRADING	SS

DEL-MONT CONSULTANTS, INC.
 ENGINEERING ▼ SURVEYING
 125 Colorado Ave. ▼ Montrose, CO 81401 ▼ (970) 249-2251 ▼ (970) 249-2342 FAX
 www.del-mont.com ▼ service@del-mont.com

DESIGNED BY: DWS

CHECKED BY: DWS

DATE ISSUED: 2024-02-12

SCALE: NF

FILE NAME: 23090-COVER.DWG

DRAWN BY: NF

LEADERSHIP CIRCLE LLC

BEAR CREEK

MONTROSE, COLORADO

COVER

DMC JOB NO.:

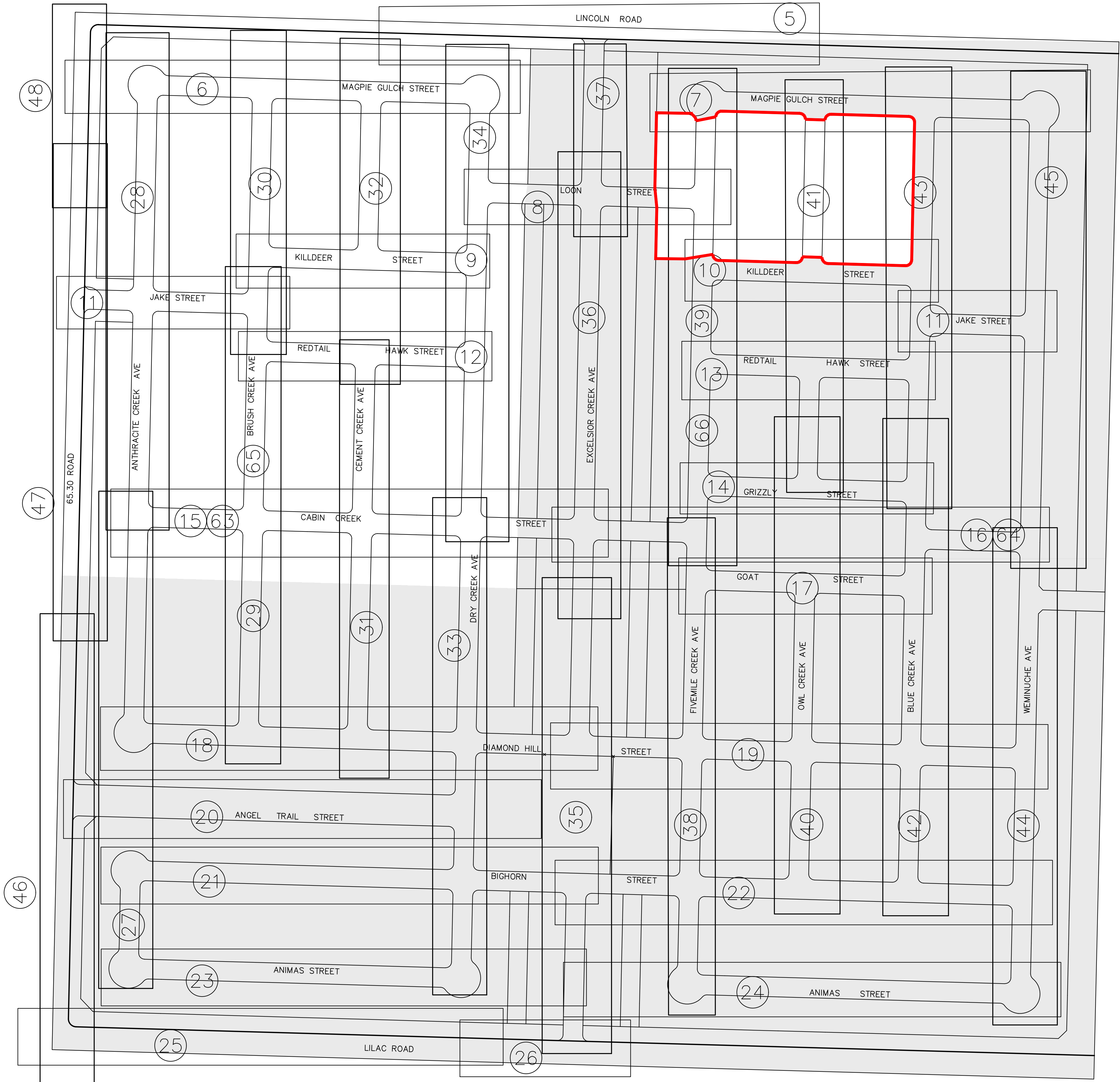
23090

SHEET NO.:

0

OF 71 SHEETS

PLOTTED BY NFOSTER, FILE PATH & NAME = \DMS14\PROJECTS\ACTIVE PROJECTS\2021\21020\LEADERSHIP CIRCLE-BEAR CREEK AND 14 PRELIM PLAT\3\DSHEETS\TOWNHOMES 23090\23090-COVER.DWG, PLOT DATE = 2/12/2024 4:52 PM



GENERAL NOTES

1. ALL WORK SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF MONTROSE STANDARDS AND SPECIFICATIONS EXCEPT AS OTHERWISE NOTED.
2. THE CITY OF MONTROSE MUST BE GIVEN AT LEAST 48 HOURS' NOTICE TO CONDUCT INSPECTIONS FOR ALL PUBLIC IMPROVEMENTS WITHIN THE ROW.
3. THE CONTRACTOR SHALL OBTAIN FROM THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, WATER QUALITY CONTROL DIVISION, A GENERAL PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITIES. COPIES OF THE PERMIT APPLICATION AND THE POLLUTION PREVENTION PLAN SHALL BE SUBMITTED TO THE CITY OF MONTROSE PUBLIC WORKS DEPARTMENT.
4. THE LOCATION OF EXISTING UTILITIES SHOWN ON THESE PLANS IS APPROXIMATE ONLY. PRIOR TO CONSTRUCTION, CONTRACTOR SHALL CONTACT UNCC (1-800-922-1987) AND UTILITY OWNERS TO DETERMINE EXACT LOCATIONS.
5. IN THE EVENT OF PHYSICAL CONFLICT, THE LOCATION OF SANITARY SEWER AND WATER SYSTEMS IN THESE PLANS SHALL TAKE PRECEDENCE OVER OTHER UTILITIES AND SHALL NOT BE RELOCATED WITHOUT APPROVAL OF THE ENGINEER.
6. THE CONTRACTOR SHALL HAVE FULL RESPONSIBILITY FOR JOBSITE SAFETY AND SHALL PERFORM ALL WORK IN FULL COMPLIANCE WITH FEDERAL, STATE AND LOCAL SAFETY REGULATIONS.
7. ENGINEER SHALL SET REFERENCE STAKES AT THE OWNER'S COST ONE TIME. ANY RE-STAKING WILL BE AT THE CONTRACTOR'S COST.
8. EMBANKMENT SHALL BE PLACED AND COMPACTED IN ACCORDANCE WITH CITY OF MONTROSE ENGINEERING SPECIFICATIONS.
9. ALL SANITARY SEWER MANHOLE INVERTS ARE TO BE LINED WITH EPOXY PER SECTION 9-3-3-3(F)(3) OF THE CITY OF MONTROSE ENGINEERING SPECIFICATIONS.

SURVEY NOTES

PROJECT ELEVATED TO NGVD 29

COMPLETED PHASES

LEADERSHIP CIRCLE LLC
 BEAR CREEK
 MONTROSE, COLORADO

INDEX

DMC JOB NO.: 23090

SHEET NO.: 1
 OF 71 SHEETS

DEL-MONT CONSULTANTS, INC.
ENGINEERING & SURVEYING
122 Colorado Ave. • Montrose, CO 81401 • (970) 240-2251 • (970) 240-2342 FAX
 WWW.DELMONT.COM • INFO@DELMONT.COM

DESIGNED BY: _____

CHECKED BY: _____

SCALE: _____

DATE: _____

FILE NAME: _____

23090-COVER.DWG

DWS

AS NOTED

DATE: 2024-02-12

NO	DATE	REVISIONS	BY
1	7/27/04	PHASE 1 AS-BUILT	JR
2	12/02/05	1,2A,2B &3 RECORD DRAWINGS	JR
3	05/22/07	PHASE 4 CONSTRUCTION	JR
4	08/22/07	REVIEW COMMENTS	SS
5	12/18/15	REVISED DRAINAGE BASINS	SS
5	03/11/21	REVISION TO LOTS AND GRADING	SS

PLOTTED BY NFOSTER, FILE PATH & NAME = \DMS14\PROJECTS\ACTIVE PROJECTS\2021\21020\LEADERSHIP CIRCLE-BEAR CREEK AND I4 PRELIM PLAT\3DSHEETS\TOWNHOMES 23090\23090-COVER.DWG, PLOT DATE = 2/12/2024 4:52 PM

HISTORIC DISCHARGE
 $Q_{25} = 9.2$ CFS
 $Q_{100} = 13.4$ CFS

$Q_{25} = 6.6$ CFS
 $Q_{100} = 7.0$ CFS

$Q_{25} = 3.4$ CFS
 $Q_{100} = 4.2$ CFS

LINCOLN ROAD

6530 ROAD

$Q_{25} = 8.4$ CFS
 $Q_{100} = 8.8$ CFS

$Q_{25} = 22.3$ CFS
 $Q_{100} = 24.1$ CFS

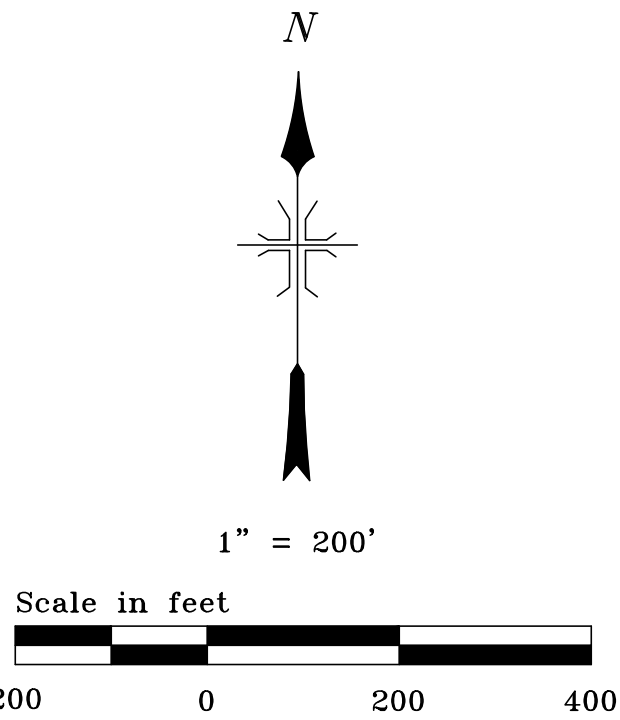
$Q_{25} = 46.6$ CFS
 $Q_{100} = 52.3$ CFS

$Q_{25} = 13.9$ CFS
 $Q_{100} = 15.1$ CFS

$Q_{25} = 1.3$ CFS
 $Q_{100} = 2.0$ CFS

HISTORIC DISCHARGE
 $Q_{25} = 48.7$ CFS
 $Q_{100} = 73.5$ CFS

HISTORIC DISCHARGE
 $Q_{25} = 1.3$ CFS
 $Q_{100} = 2.0$ CFS



FUTURE DETENTION PONDS

BASIN	AREA (AC)	25_YR INFLOW (CFS)	25_YR OUTFLOW (CFS)	100_YR INFLOW (CFS)	100_YR OUTFLOW (CFS)
A	5.27	6.7	1.0	7.8	1.2
D	6.46	8.1	0.2	9.2	0.4
F	5.11	6.5	0.9	7.6	1.2
H	6.24	7.9	1.1	9.2	1.5
M	7.76	9.7	0.3	11.0	0.4
N	7.07	8.9	0.3	10.1	0.5
P	2.46	3.1	0.6	3.6	0.8
Q	3.65	4.6	0.7	5.3	1.0
R	3.71	4.7	0.7	5.4	1.0
S	2.97	3.8	0.6	4.3	0.8

DIRECT DISCHARGE AREAS

BASIN	DRAINS TO	AREA (AC)	Q_{25} (CFS)	Q_{100} (CFS)
B	CULVERT C	5.26	5.3	6.3
C	STORM SEWER-CULVERT C	5.24	5.2	6.2
G	STORM SEWER-CULVERT C	3.03	3.8	4.4
I	STORM SEWER-CULVERT C	3.02	3.8	4.4
EAST 1	SE COR.	7.07	6.3	8.5
NORTH 1	CULVERT A	2.82	3.4	4.2
NORTH 2	CULVERT B	4.41	5.3	6.6
WEST 1	CULVERT C	3.05	3.9	4.5
WEST 2	CULVERT C	14.45	15.0	18.0
WEST 3	CULVERT D	11.28	12.4	14.7
SOUTH 1	CULVERT E	15.59	13.3	16.5
SOUTH 2	CULVERT D	4.57	4.7	5.6

- VALLEY PAN CROSSING STREET
- NEW STORM DRAIN INLET
- NEW STORM DRAIN PIPE
- COMPLETED PHASES

NO	DATE	REVISIONS	BY
5	03/11/21	REVISION TO LOTS AND GRADING	SS
5	12/18/15	REVISED DRAINAGE BASINS	SS
4	08/22/07	REVIEW COMMENTS	SS
3	05/22/07	PHASE 4 CONSTRUCTION	JR
2	12/02/05	1,2A,2B &3 RECORD DRAWINGS	JR
1	7/27/04	PHASE 1 AS-BUILT	JR

DEL-MONT CONSULTANTS, INC.
 ENGINEERING & SURVEYING
122 Colorado Ave. • Montrose, CO 81401 • (970) 249-2251 • (970) 249-2542 FAX
 WWW.DMC-CONSULTANTS.COM • INFO@DMC-CONSULTANTS.COM

DESIGNED BY: DWS

CHECKED BY: AS NOTED

SCALE: NF

DATE ISSUED: 2024-02-12

DATE REVISION: 2024-02-12

FILE NAME: 23090-COVER.DWG

DRAWN BY: NF

LEADERSHIP CIRCLE LLC
 BEAR CREEK
 MONTROSE, COLORADO

DRAINAGE

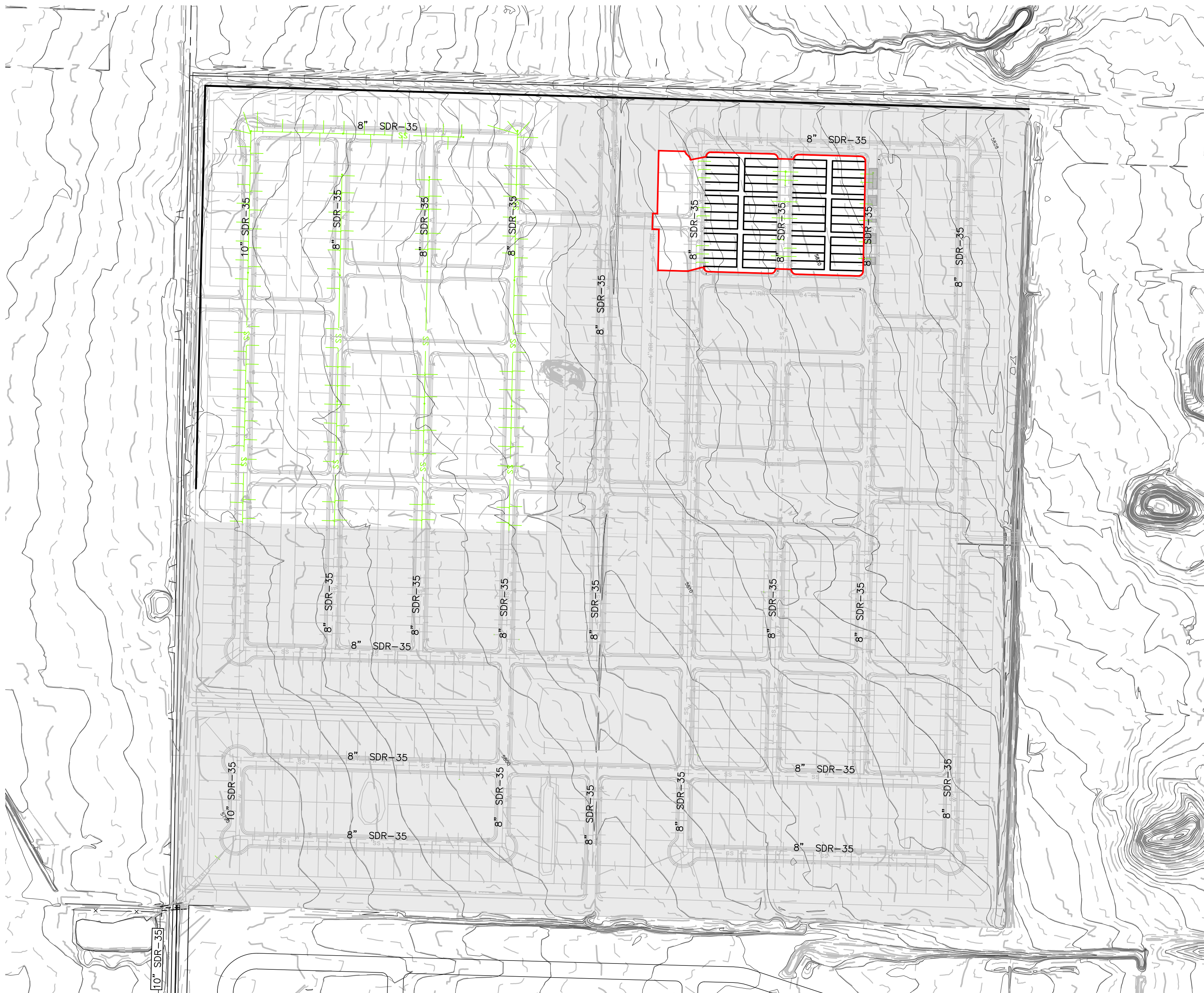
DMC JOB NO.:

23090

SHEET NO.:

2

OF 71 SHEETS

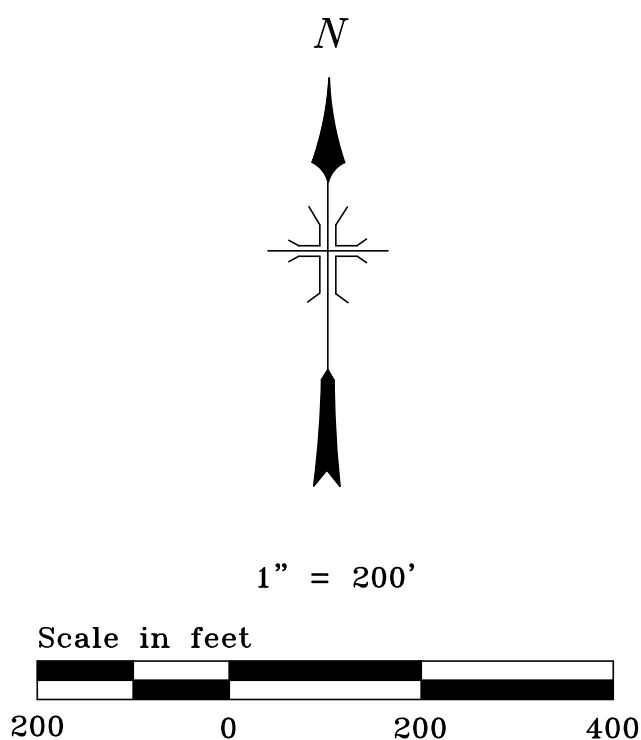


LEGEND

- SS PROPOSED SANITARY SEWER LINE
- PROPOSED SANITARY SEWER MANHOLE

SANITARY SEWER NOTES

1. ALL SANITARY SEWER MANHOLE INVERTS ARE TO BE LINED WITH EPOXY PER SECTION 9-3-3-3(F)(3) OF THE CITY OF MONTROSE ENGINEERING SPECIFICATIONS.
2. CLAY DAMS ARE TO BE INSTALLED UPSTREAM OF EACH MANHOLE AS REQUIRED BY SECTION 9-3-5(K) OF THE CITY OF MONTROSE ENGINEERING SPECIFICATIONS.

[illegible]

	DEL-MONT CONSULTANTS, INC. ENGINEERING & SURVEYING 125 Columbia Ave. • Wake County, NC 27703 • 252-232-7745 www.delmont.com		DWS 2024-02-12
	DESIGNED BY:	CHECKED BY:	
DRAWN BY:	NF	SCALE:	AS NOTED
DATE:	NF	FILE NAME:	DATE REVISION:
			202006-11-07-12 DWS

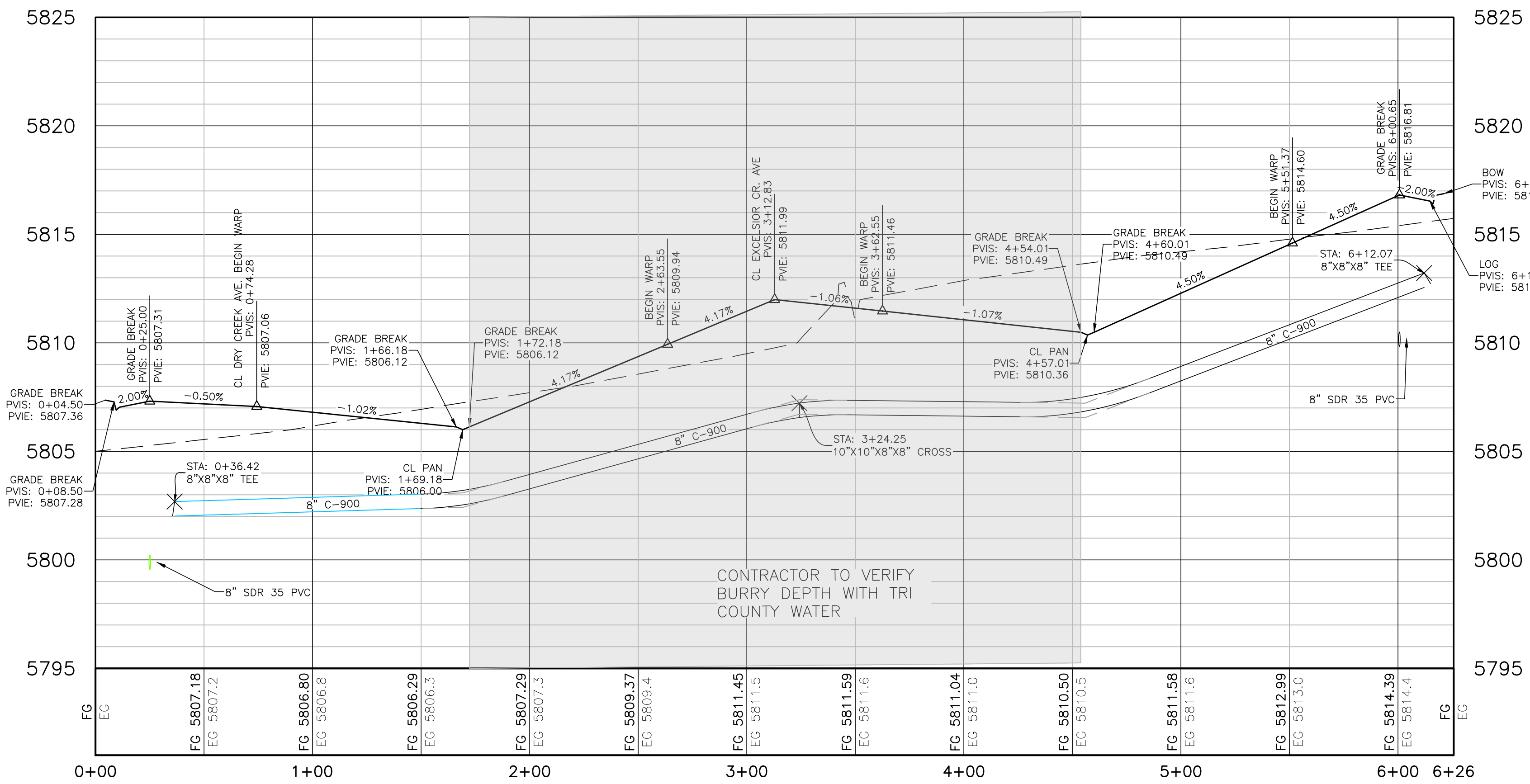
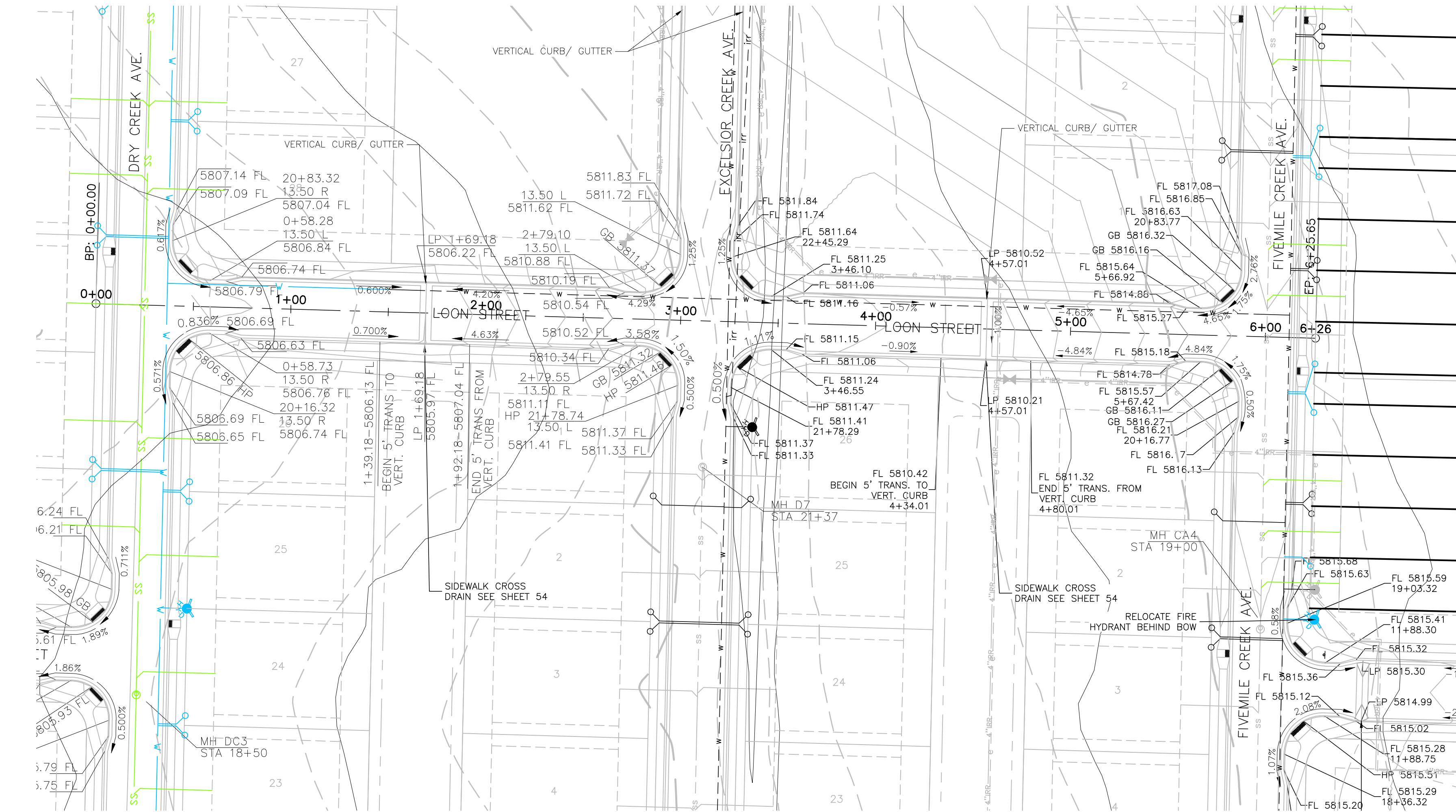
LEADERSHIP CIRCLE LLC
BEAR CREEK
MONTROSE, COLORADO

SEWER OVERVIEW

DMC JOB NO.:
23090

SHEET NO.:
3

OF 71 SHEETS



COMPLETED PHASES

2	3/03/21			UTILITY CHANGES	\$S
1	4/28/16			SEE 4/28/16 SET FOR PREVIOUS REV'S	\$S
NO	DATE			REVISIONS	BY

DESIGNED BY	NF	SCALE	AS NOTED	CHECKED BY	DWS
DRAWN BY	NF	FULL NAME	2000C-LIFE-ESQ	DATE REBID	2024-02-12

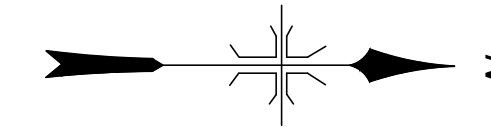
LEADERSHIP CIRCLE LLC
BEAR CREEK
MONTROSE, COLORADO

LOON STREET
PLAN AND PROFILE

DMC JOB NO.: 21120

SHEET NO.: 8

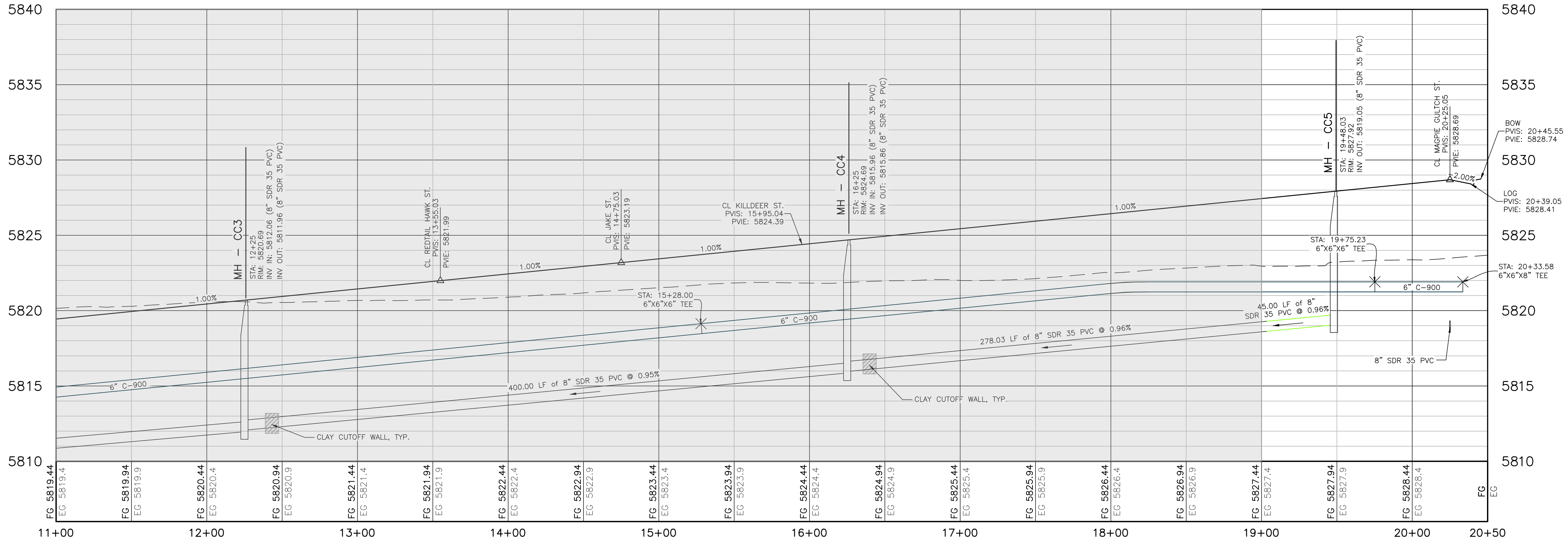
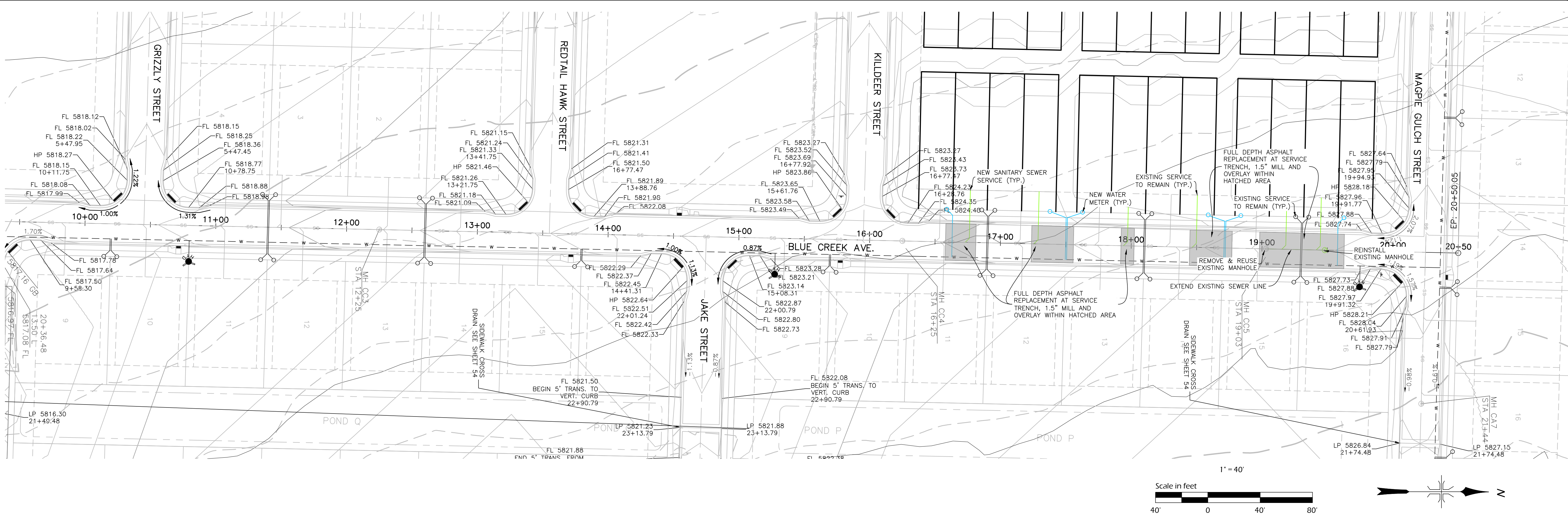
OF 71 SHEETS



SHEET NO.: 39

OF 71 SHEETS

PLOTTED BY NFOSTER, FILE PATH & NAME = I:\MS14\PROJECTS\ACTIVE PROJECTS\2024\12\10\LEADERSHIP CIRCLE BEAR CREEK AND 14 PRELIM PLAT\3DSHEETS\TOWNHOMES 23090\3369C_SHEETS.DWG, PLOT DATE = 2/12/2024 3:54 PM



COMPLETED PHASES

NO	DATE	REVISIONS
1	4/28/16	NO
2	3/03/21	SS
3	4/28/16	SS
4	4/28/16	SS

DESIGNED BY:

SCALE:

DATE ISSUED:

2024-02-12

AS NOTED

DATE ISSUED:

2024-02-12

FILE NAME:

2309C_SHEETS.DWG

PROJECT NO:

23090

DEL-MONT CONSULTANTS, INC.

ENGINEERING & SURVEYING

122 Colorado Ave. • Montrose, CO 81401 • (970) 249-2251 • (970) 249-2345 FAX

www.delmont.com • info@delmont.com

LEADERSHIP CIRCLE LLC

BEAR CREEK

MONTROSE, COLORADO

BLUE CREEK AVE

PLAN & PROFILE STA 11+00 TO 20+25.05

PROJECT NO:

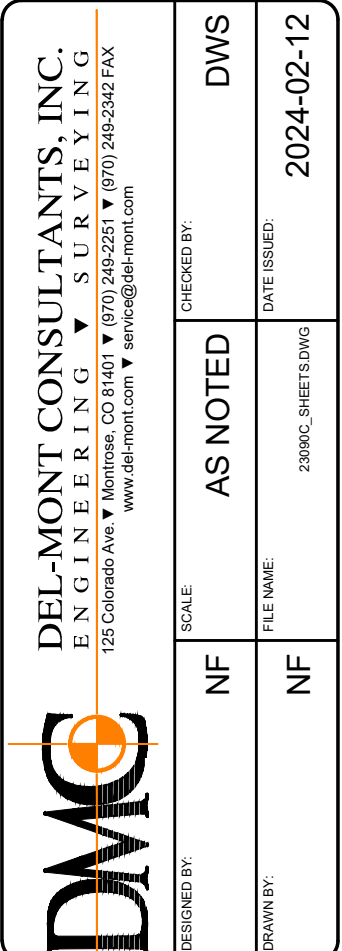
23090

SHEET NO:

43

SHEETS

71



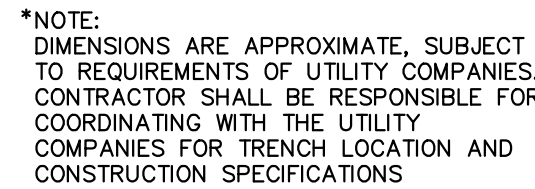
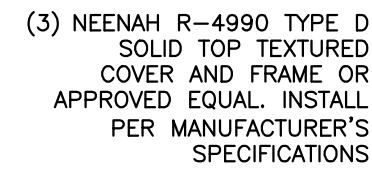
- | | |
|---|----------------------------------|
| LEADERSHIP CIRCLE LLC
BEAR CREEK
MONTROSE, COLORADO | MASTER LIGHTING AND SIGNAGE PLAN |
|---|----------------------------------|

DMC JOB NO.: 23090

52

OF 71 SHEETS

Page 43 of 65



COMPACTION REQUIREMENTS: FOR ALL STREETS

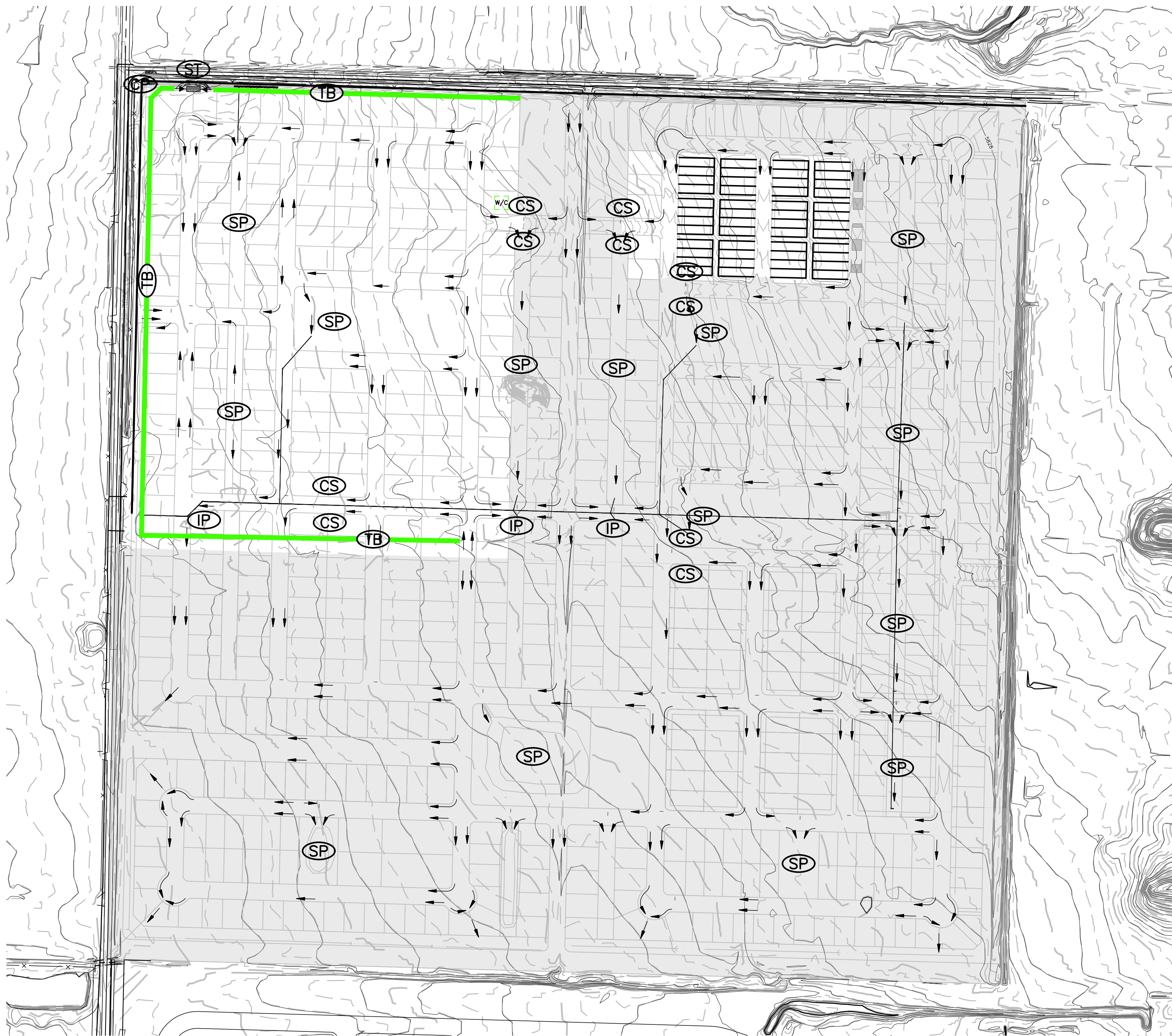
SUBGRADE:	90% ASTM D-1557 (MODIFIED PROCTOR)
CL2 SUBBASE:	95% AASHTO T-180 (MODIFIED PROCTOR) ±2% OPTIMUM MOISTURE
CL6 BASE:	95% AASHTO T-180 (MODIFIED PROCTOR) ±2% OPTIMUM MOISTURE
ASPHALT:	92% TO 96% ASTM MAX. THEORETICAL DENSITY



DMC JOB NO.:
23090

SHEET NO.:
54

OF 71 SHEETS



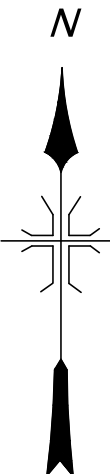
☐ COMPLETED PHASES

1" = 200'

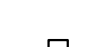
Scale in feet

200' 0 200' 400'

A horizontal scale bar with alternating black and white segments. The segments are labeled 200', 0, 200', and 400' from left to right. Above the bar, the text 'Scale in feet' is written. Above the 200' segment, the text '1" = 200'' is written. A north arrow is located to the right of the scale bar.

 $1'' = 200$ 

SYMBOL LEGEND

- | | | |
|---|---|---------------------------------------|
|  |  | DIVERSION DITCH |
|  |  | EROSION CONTROL BLANKET (MAT) |
|  |  | TOPSOIL BERM |
|  |  | SEDIMENT TRAP |
|  |  | STRAW BALE |
|  |  | STRAW WATTLE |
| |  | SETTLING POND |
| |  | SILT FENCE |
| |  | CURB SOCK |
| |  | CULVERT PROTECTION |
| |  | NATURAL VEGETATIVE BARRIER |
| |  | SEEDING |
| |  | SURFACE ROUGHENING |
| |  | INLET PROTECTION |
| |  | TRACKING PAD |
| |  | CONCRETE WASHOUT (WITH LOCATION SIGN) |
| |  | PORTABLE TOILET |

LEADERSHIP CIRCLE LLC
BEAR CREEK
MONTROSE, COLORADO

EROSION CONTROL PLAN

DMC JOB NO.: 23090

SHEET NO.: 71

[illegible]

DMC
DEL-MONT CONSULTANTS, INC.
ENGINEERING ▴ SURVEYING
125 Colorado Ave. ▴ Montrose, CO 81401 ▴ (970) 249-2251 ▴ (970) 249-2342 FAX
www.del-mont.com ▴ service@del-mont.com

DESIGNED BY:	NF	SCALE:	AS NOTED	CHECKED BY:	DWS
DRAWN BY:	NF	FILE NAME:	23000C_SHEETS.DWG	DATE ISSUED:	2024-02-12

EXHIBIT D: Code Excerpts for Subdivisions

Sec. 11-5-1. General provisions.

- (A) This Chapter, as amended from time to time may be cited and referred to as the City's subdivision regulations.
- (B) The purposes of these subdivision regulations are to:
 - (1) Promote and protect public health, safety and welfare;
 - (2) To encourage the harmonious, orderly and progressive development of land;
 - (3) To ensure the development of economically sound and compatible neighborhoods;
 - (4) To require the construction of necessary improvements and utilities;
 - (5) To ensure safe and convenient circulation of vehicular and pedestrian traffic;
 - (6) To ensure that parks, open spaces, school sites and land needed for other public purposes are either reserved or dedicated;
 - (7) To ensure development is in accordance with the requirements of the City's Comprehensive Plan as such may be amended from time to time; and to ensure that new development bears its fair share of the costs of providing improvements and services necessitated by, or resulting from, the development of subdivisions.

(Ord. No. 2626 , § 3(exh. A), 5-16-2023)

Sec. 11-5-2. Major subdivisions.

- (A) *New Subdivisions.* A subdivision shall be classified as a major subdivision and governed by this Section when an applicant proposes to create four or more new tracts, lots, or interests; or less than four new tracts, lots or interests if not eligible as a minor subdivision in accordance with Section 11-5-3.
- (B) *Resubdivisions or Major Plat Amendments.* Resubdivisions and major plat amendments are reviewed in the same manner as a major subdivision with the same purposes. A major plat amendment is any plat amendment that does not qualify as a minor plat amendment under Section 11-5-3 (C). To the extent that submittal information was submitted as part of the original subdivision proposal and is adequate by current standards, the applicant for approval of a resubdivision or major plat amendment does not need to submit the information again and may reference such submittal information in the new application. The City Manager will determine the technical adequacy of previously submitted information.
- (C) *Procedure.* The major subdivision procedure shall consist of three separate phases, sketch plan, preliminary plat and final plat, in accordance with Sections 11-5-4, 11-5-5, and 11-5-6, respectively.

(Ord. No. 2626 , § 3(exh. A), 5-16-2023)

Sec. 11-5-3. Minor subdivisions.

- (A) *New Subdivisions.* A parcel of land is eligible for subdivision through the minor subdivision process if it meets all of the following criteria:
 - (1) The subdivision results in no more than three tracts, lots or interests. See Subsection (B)(3) below for common interest community subdivisions.
 - (2) All lots or tracts are adjacent to a dedicated and accepted public street.
 - (3) The improvements required by these regulations are:

-
- (a) Already in existence and available to serve each lot, or if not yet constructed, are secured as a part of the original subdivision approval.
 - (b) In commercial zoning districts only, the improvements required by these regulations shall be required only for lots with no existing building on the lot, and such improvements may be deferred until construction of a building on said lot. A Certificate of Occupancy shall not be issued until the improvements required by these regulations for said lot are installed, inspected, and approved by the City. The plans for such improvements shall be reviewed and approved by the City prior to commencement of construction. The plat shall specify what improvements are so required, and may include additional easements, plat notes or restrictions as appropriate to implement these provisions.
 - (4) Each proposed lot, or tract, will meet requirements of Chapter 7, Zoning, without the necessity for any variance and no variance from the minimum lot width, depth, or size required by provisions of Chapter 7, Zoning, has been granted within the three previous years.
 - (5) No part of the subdivision has been approved as part of a minor subdivision within three years prior to the date of submission of the minor subdivision plat.
 - (6) No material changes to prior plat notes, restrictions or easements are proposed.
 - (B) *Common Interest Community Subdivisions.* A common interest community subdivision may be processed as a minor subdivision if all of the following criteria are met:
 - (1) Meets all applicable conditions of any recorded plat governing the original land subdivision.
 - (2) Complies with the required City platting conditions in Subsection (A) above.
 - (3) Complies with the requirements of C.R.S. § 38-33.3-101 et. seq. (sublots and common interest community units are not lots for purposes of compliance with this Section).
 - (4) Is consistent with the representations made by the property owner and/or applicant for subdivision approval which created the lot or tract proposed to be further subdivided as a common interest community subdivision.
 - (5) Results in a change of ownership or marketing regime consistent with the basis upon which creation of the lot, tract or parcel being proposed for common interest community subdivision was based.
 - (6) Is consistent with the City's Comprehensive Plan.
 - (7) Advances the public health, safety and welfare of the residents of the City.
 - (C) *Minor Plat Amendments.* Previously approved subdivision plats may be amended through the minor subdivision process if they meet the following criteria:
 - (1) The plat, as amended, reduces the number of lots within the subdivision, i.e., a lot consolidation; or the nature of the amendment is de minimis, e.g., a boundary line adjustment, lot line correction, duplex conversion, easement adjustment, or similar minor plat modification.
 - (2) All lots or tracts are adjacent to a dedicated public street.
 - (3) The lots are part of a subdivision plat which has been approved and/or accepted by the City and recorded in the Montrose County Records.
 - (4) The improvements required by these regulations are already in existence and available to serve each lot, or if not yet constructed, are secured as a part of the original subdivision approval.
 - (5) Each lot will meet requirements of the applicable City zoning regulations without the necessity for any variance and no variance has been granted within the three previous years. No material changes to prior plat notes, restrictions or easements are proposed.

-
- (D) *Procedure.* Submittals of sketch plans and preliminary plats are not required for minor subdivisions. The minor subdivision application shall conform to all applicable final plat requirements. All fees related to this Section shall be as set forth in Chapter 3-1 of the City of Montrose Regulations Manual. The final plat for a minor subdivision shall contain certification on forms approved by the City to document approval of the plat.
- (1) The City Manager may either approve, disapprove or conditionally approve the final plat subject to compliance with any minimum design standards; to dedication of additional right-of-way, easements, open space or park land; or to installation of additional improvements.
 - (2) Upon approval by the City land use staff, the plat of the minor subdivision shall be submitted in final form on one reproducible Mylar, with all requisite signatures, and also in a digital format acceptable to the City, and compatible with City computer systems.
- (E) *Limitation of Eligibility.* Any subdivision not qualifying as a minor subdivision is a major subdivision. For the purpose of interpreting the requirements of this Section, any proposed minor subdivision which is clearly intended to evade the major subdivision regulations or would result in a de facto major subdivision through the combination of previous contiguous and/or consecutive minor subdivisions is not eligible for minor subdivision. A minor subdivision shall only be used one time on a previously unsubdivided parcel of land.
- (Ord. No. 2626 , § 3(exh. A), 5-16-2023)

Sec. 11-5-4. Sketch plan.

- (A) *Purpose.* Sketch plan review provides an opportunity to determine whether an application will comply with the City's subdivision review and approval criteria, and to address any issues of concern early in the review process. The sketch plan is a conceptual version of the preliminary plat showing the general subdivision layout, access, street and lot pattern, location of parks, open space tracts, trail corridors, and other tracts for utilities or services.
- (B) *Review Procedure.* The sketch plan application shall be reviewed by the City in accordance with Section 11-4-2 of this Title. The Planning Commission shall take no formal action at the conclusion of its public hearing on the sketch plan; however, comments by the public and the Commission shall be reflected in the minutes of the hearing as a part of the record on the application as it moves through the entire review process.
- (C) *Review Criteria.* A sketch plan shall comply with the following review criteria:
- (1) The proposal shall be consistent with the City subdivision and zoning regulations, standards and other applicable ordinances and regulations and will be reviewed, considering the following at a minimum.
 - (a) Relationship of development to topography, soils, drainage, flooding, potential natural hazard areas and other physical characteristics;
 - (b) Availability of water, means of sewage collection and treatment, stormwater drainage, access and other utilities and services;
 - (c) Compatibility with the natural environment, wildlife, vegetation and unique natural features;
 - (d) Adjacent streets and traffic flow, including pedestrian access; and
 - (e) Availability of fire, police and other emergency services protection.
 - (2) An applicant who intends to immediately develop only a portion of a full tract shall nevertheless submit an informal sketch plan for the entire tract showing their present plans for its eventual development.

(Ord. No. 2626 , § 3(exh. A), 5-16-2023)

Sec. 11-5-5. Preliminary plat.

- (A) *Purpose.* The purpose of the preliminary plat is to provide the City with an overall master plan for the proposed subdivision. The preliminary plat is more detailed than the sketch plan and should incorporate the comments and guidance provided during the sketch plan process. It includes the layout of the subdivision and final engineering design, with all bearings, distances and survey monumentation.
 - (B) *Review Procedure.* The preliminary plat application shall be reviewed by the City in accordance with Section 11-4-2 of this Title.
 - (C) *Review and Approval Criteria.* A preliminary plat shall comply with the following review and approval criteria:
 - (1) The plat shall be consistent with the City subdivision and zoning regulations, standards and other applicable ordinances and regulations;
 - (2) The plat proposes a harmonious development and lot pattern that is compatible with the neighborhood and community;
 - (3) The lot and development pattern ensures there will be adequate light, air, parks, open space, and other places for public use;
 - (4) The plat design provides for adequate access to all lots and tracts proposed in the subdivision;
 - (5) Adequate, safe, and efficient public improvements, utilities, and community facilities and services will be provided with sufficient capacity to serve the subdivision;
 - (6) A sufficient supply of water is available and sufficient water rights have been dedicated to the City, in conformance with the City's water standards;
 - (7) The plat design provides for adequate protection from fire, flood, geologic hazards, significant soil constraints, and other dangers, and provides for proper design of stormwater drainage, erosion control, utilities and streets;
 - (8) The plat design provides for compatibility with unique or distinctive natural areas, scenic areas and views, natural landmarks, significant wildlife habitats and migration areas, drainage areas, riparian areas, wetlands, historic features and archaeologically sensitive sites, recognizing the irreplaceable character of such resources and their importance to the quality of life in Montrose; and
 - (9) The preliminary plat and proposed improvements shall comply with all requirements of this Chapter, other applicable City design and construction specifications and standards and all applicable County, State, and Federal Regulations.
 - (D) *Notice to Proceed.* No construction of the required subdivision improvements shall commence until approval of the preliminary plat by the City Council and submittal of both a Mylar of the preliminary plat, as finally approved with signed certificates as required by the City, and a copy of the preliminary plat in a digital format acceptable to the City and compatible with City computer systems. Upon approval and submittal of the Mylar, and supporting documentation as required, the City shall then issue a written notice to proceed.
- (Ord. No. 2626 , § 3(exh. A), 5-16-2023)

Sec. 11-5-6. Final plat.

- (A) *Purpose.* The purpose of the final plat is to complete the subdivision of land in conformance with all the applicable requirements and standards of the City. The final plat shall correspond in every significant respect with the preliminary plat as previously approved. A complete review is conducted of the final subdivision design, with all bearings and distances, survey monumentation, and certificates of approval included on a document suitable for recordation.

-
- (B) *Review Procedure.* The final plat application shall be reviewed by the City in accordance with Section 11-4-2 of this Title.
- (C) *Review and Approval Criteria.* A final plat shall comply with the following review and approval criteria:
- (1) The plat shall be consistent with the City subdivision and zoning regulations, standards and other applicable ordinances and regulations;
 - (2) The plat proposes a harmonious development and lot pattern that is compatible with the neighborhood and community;
 - (3) The lot and development pattern ensures there will be adequate light, air, parks, open space, and other places for public use;
 - (4) The plat design provides for adequate access to all lots and tracts proposed in the subdivision;
 - (5) Adequate, safe, and efficient public improvements, utilities, and community facilities and services will be provided with sufficient capacity to serve the subdivision;
 - (6) A sufficient supply of water is available and sufficient water rights have been dedicated to the City, in conformance with the City's water standards;
 - (7) The plat design provides for adequate protection from fire, flood, geologic hazards, significant soil constraints, and other dangers, and provides for proper design of stormwater drainage, erosion control, utilities and streets;
 - (8) The plat design provides for the preservation and conservation of unique or distinctive natural areas, scenic areas and views, natural landmarks, including rock outcroppings and unique landforms, significant wildlife habitats and migration areas, drainage areas, riparian areas, wetlands, historic features and archaeologically sensitive sites, recognizing the irreplaceable character of such resources and their importance to the quality of life in Montrose; and
 - (9) The final plat is generally consistent with the preliminary plat, as applicable.
- (D) *Additional Provisions.*
- (1) No land shall be subdivided, or any parcel thereof sold or conveyed, until a final plat has been approved and either a Letter of Substantial Completion or a Preliminary Letter of Infrastructure Completion has been issued in accordance with this Section.
 - (2) Any conditions or improvements imposed on the applicant by the City Council under the preliminary plat approval must be shown on the final plat and either completed, or accompanied by the appropriate security under Section 11-5-12, prior to approval by the City Council.
 - (3) The final plat may be submitted for a portion of the preliminary plat, or phased, subject to the following conditions:
 - (a) The applicant has submitted a phasing plan that has been approved by the City.
 - (b) All required improvements, utilities and road infrastructure must be accessible to the remaining aggregate of unsubdivided land, or outlot.
 - (c) In instances where completion of required improvements, utilities or road infrastructure within the outlot is determined by the City to be necessary as a condition of approval of that final plat, the developer shall be required to complete said improvements, utilities or road infrastructure upon approval of that final plat. This may include, but not be limited to, completion of necessary road infrastructure, stormwater drainage system, trails and park development.
 - (d) In instances where the dedication of land for public purposes within the outlot is determined by the City to be necessary as a condition of approval of that final plat, the developer shall be required to dedicate said lands upon approval of that final plat. This may include, but not be

limited to, the dedication and development of land for parks, trails, open space, rights-of-way and easements.

- (4) No final plat shall be approved by the City Council until:
- (a) All of the improvements required by these subdivision regulations have been installed, inspected and approved by the City Engineer, or properly secured in accordance with the provisions of Section 11-5-12 on forms approved by the City.
 - (b) As-built plans, supporting documentation, certificates and data for completed utility improvements have been provided, reviewed and accepted by the City Engineer, and also provided in a digital format acceptable to the City and compatible with City computer systems. All as-built plans, supporting documentation, certificates and data for completed utility improvements shall be signed and stamped by a licensed professional engineer.
 - (c) The final plat has been submitted in final form on reproducible Mylars, with all requisite signatures, and also in a digital format acceptable to the City, and compatible with City computer systems.
 - (d) Payment to the City of any atypical costs incurred by the City within the subdivision review process, which costs are specifically subject to reimbursement.
 - (e) The security for the two-calendar year construction warranty has been provided by the subdivider in a form acceptable to the City.
- (5) Following City Council approval of the final plat and verification that the documentation has met all applicable codes and regulations, the final plat shall be executed by the appropriate City staff and recorded with due diligence.

(Ord. No. 2626 , § 3(exh. A), 5-16-2023)

Sec. 11-5-7. Administrative review hearing.

- (A) Upon City Council final action concerning either preliminary plat or final plat, the subdivider may request, in writing and submitted to the City within 30 days of said final action, with appropriate fees paid as set forth in Section 3-1 of the City of Montrose Regulations Manual, an administrative review hearing before the City Council.
- (B) The administrative review hearing shall be limited to review of:
- (1) Denial of the plat;
 - (2) Minimum standards and/or conditions imposed as a requirement of approval of the plat.
- (C) The hearing shall be conducted on record, and the Council shall prepare and submit to the subdivider a written summary of its findings and decision in the matter.

(Ord. No. 2626 , § 3(exh. A), 5-16-2023)

Sec. 11-5-8. Issuance of building permits.

- (A) Until any required public improvements are accepted by the City, the City shall not be obliged to issue any building permits within a subdivision, except as provided herein. Provided that all other applicable City codes and regulations have been satisfied, building permits may be issued only to the subdivider for any property with an approved Preliminary Plat. The subdivision must have sufficient access and water to allow for adequate fire protection as determined by the fire protection district. No certificates of occupancy, temporary or otherwise, shall be issued unless and until:
- (1) All public and necessary on- and off-site improvements have been completed;

-
- (2) A Letter of Substantial Completion or a Preliminary Letter of Infrastructure Completion has been issued by the City; and
 - (3) A final plat has been approved and recorded.
- (B) A Letter of Substantial Completion or a Preliminary Letter of Infrastructure Completion shall evidence City inspection and approval.
- (C) The two-calendar year Construction Warranty shall begin to run from the date of said Preliminary Letter of Infrastructure Completion.
- (Ord. No. 2626 , § 3(exh. A), 5-16-2023)

Sec. 11-5-9. Land dedication.

- (A) All property and easements dedicated to the City on any plat shall become property of the City upon execution of the plat, free and clear of all mortgages, liens and encumbrances.
- (1) Prior to the recordation of the final plat, the subdivider shall provide written evidence to the City Attorney that the title to lands underlying the improvements is free and clear from all liens and encumbrances, except those items or encumbrances that may be approved in writing by the City Attorney.
 - (2) All dedicated improvements shall be subject to the two calendar year construction warranty, as provided above.
- (B) *Parks, Open Space and Trails.*
- (1) For all new residential developments requiring subdivision, the owner shall pay money in lieu of park land dedication as determined by the City to be necessary or required, to defray the cost of and provide parks and open space as calculated below.
 - (2) Those developments that dedicate adequate quantities and qualities of park land acceptable to the City, in the City's sole discretion, shall not be required to pay the money in lieu of park land dedication. Only park land dedicated to the City of Montrose, and approved by the City, in the City's sole discretion, that meets the City's parks, trails, and open space plan, or the City's Comprehensive Plan, the minimum design standards as set forth herein, and that is improved to meet the City's park standards and specifications, shall qualify to relieve the subdivider of payment of money in lieu of park land dedication.
 - (3) When in-lieu payments are permitted, the following standards apply:
 - (a) Lot or Unit x 0.0175 (acres park land per lot or unit) x \$90,000.00 (value per developed park land acre, based upon \$25,000.00 per acre undeveloped land value plus \$65,000.00 park land development cost) = \$1,575.00 per lot or unit.
 - (b) Monies collected in lieu of park land dedication shall be collected at time of issuance of building permit, and placed into a City park development fund to be earmarked for future acquisition or development of parks, opens space, or trails. No security as set forth in Section 11-5-12 shall be required.
 - (4) Monies paid in lieu of park land dedication pursuant to this Section are to enable the City to provide parks in the proper locations, and of the proper sizes to serve the citizens of the City.
 - (5) Private open space or recreation areas shall not be a substitute for the dedication of park land, or money in lieu of park land dedication.
 - (6) All non-public common areas, parks and open spaces shall be held in private ownership and maintained in perpetuity, with appropriate platted restrictions on use and covenants for ownership and

maintenance in accordance to the provisions of Section 11-5-11 (B). All non-public common areas shall be located, constructed and installed in compliance with plans as reviewed and approved.

- (7) For the purposes of these provisions, developed park land shall require prior submittal and approval of a park plan by the City, which plan shall address the City's park standards and specifications.
- (8) When authorized by the City, the required dedication of developed park land may be partially or wholly substituted by alternative dedication and/or preservation of open space areas such as riparian habitat, wetlands habitat, wildlife habitat and view corridors as approved by the City.
- (9) Parks that are sized, developed, and located to meet the needs of the City and constructed in accordance with City standards and specifications may be dedicated to the City, and if so dedicated, shall be available for use by the public.
- (10) Consistent with the City's Comprehensive Plan, subdividers shall dedicate to the City developed park land based upon a formula of seven acres of developed and usable park land per density of 1,000 residents, calculated at build-out of the proposed subdivision. For the purpose of this calculation, it shall be assumed that each residential unit shall house two and one-half residents.
- (11) Sidewalks and recreation trails shall be integrated with existing and planned sidewalks and recreation trails in accordance with the City's parks, trails and open space plan or Comprehensive Plan. The owner of each project shall dedicate the appropriate easements and/or rights-of-way consistent with said plans.
- (12) Unless otherwise authorized, all sidewalk and recreation trails shall be available for use by the public and shall be dedicated to the City.
- (13) Natural watercourses may be developed and preserved consistent with City floodplain management regulations, Storm Drainage Requirements and Federal Clean Water Act Section 404 Permit requirements, to minimize safety, environmental, and other hazards, and shall be integrated with the City's Comprehensive Plan for such watercourses whenever feasible. Parks, open space and trails shall be situated within floodplains instead of developed lots when reasonable to do so.

(C) *School Land Dedication.*

- (1) The subdivider shall dedicate to the City land for development of school based upon the below formula of 17.83 acres of vacant land per density of 1,000 units or lots, calculated at build-out of the proposed subdivision. This is based upon an average of 0.64 students per residential unit.
- (2) All of the dedicated land shall be of a singular parcel, shall meet the minimum size requirements for the intended use, and shall be suitable for construction of school facilities. The RE-1J School district shall review the subdivider's request to dedicate land or pay cash-in-lieu of land dedication, and shall provide its recommendation to the City land use staff accordingly.

Elementary school	15 acres
Middle school	30 acres
High school	55 acres

- (3) For those subdivisions where the dedication of school land is not practicable, such as subdivisions involving small land area, or where the area of the land is not suitable or sufficient for the purposed construction of school facilities, the City shall require a money-in-lieu-of payment equal to the value of the property otherwise developed and dedicated in accordance with these provisions. The value of the property shall be based upon Montrose County Land Values, as adjusted from time to time, and calculated in Table 5.1 as follows:

Table 5.1
School Land Cash-In-Lieu Calculation

School	Student/Lot	Acres/Student	Dollars/Acre	In-Lieu Fees
Elementary	.29	.033	\$25,000.00	\$243.00
Middle	.154	.067	\$25,000.00	\$258.00
High	.192	.037	\$25,000.00	\$178.00
TOTAL				\$679.00

- (4) Monies collected in lieu of school land dedication shall be collected at time of issuance of building permit (or Certificate of Occupancy for those buildings commenced prior to final plat approval) and placed into a school land fund to be disbursed to the RE-1J school district on a quarterly basis. No security as set forth in Section 11-5-12 shall be required.
- (5) When possible, the requirement for money in lieu of dedication shall be noted as a plat note on the final plat of the subdivision, or within the recorded declaration of covenants for residential development not requiring subdivision, such as mobile home parks.
- (6) The following shall be exempted from school land dedication requirements or payment-in-lieu-of fees:
 - (a) Skilled nursing facilities as defined in the Section 11-15-11 of this Title;
 - (b) City-approved subdivisions that are subject to recorded covenants restricting the age of the residents of said dwelling units such that the dwelling may be classified as housing for older persons pursuant to the Federal Fair Housing Amendments Act of 1988;
 - (c) Residential zoning uses that do not accommodate permanent residential housing. Said developments shall be required to record a covenant running with the land, prohibiting permanent residential housing therein, in a form acceptable to the City, if a waiver of the fee in lieu of school land dedication is requested.

(Ord. No. 2626 , § 3(exh. A), 5-16-2023)

Sec. 11-5-10. Required improvements.

- (A) All subdivisions shall be provided, at the expense of the subdivider, and subject to applicable zoning criteria, with the following public improvements as required to serve the subdivision and to mitigate its impacts.
 - (1) Street improvements:
 - (a) Paved streets;
 - (b) Paved alleys, if required by the City;
 - (c) Street signs;
 - (d) Street lights; and
 - (e) On- and off-site traffic mitigation improvements.
 - (2) Curbs, gutters, sidewalks and accessibility ramps.
 - (3) Blocks and lots.
 - (4) Parks, open space and recreation trails.
 - (5) Public utilities.
 - (a) A water system including fire hydrants and fire mains;
 - (b) A sanitary sewer system;
 - (c) A stormwater system; and

-
- (d) Other public utilities, including if available, gas, electricity, telephone, and CATV.
 - (6) Piped drainage facilities and waterways.
 - (7) Survey monuments.
 - (8) Berms, screening and buffers, if applicable.
 - (9) Off-street parking, mailbox location areas and bus stops, if applicable.
 - (B) Other improvements required as a condition of approval and found to be roughly proportional to the impacts being mitigated. All public improvements shall be subject to applicable City minimum design standards, regulations and specifications.
- (Ord. No. 2626 , § 3(exh. A), 5-16-2023)

Sec. 11-5-11. Private improvements.

- (A) The subdivider may provide, at his expense, certain private improvements, as specifically referenced below, to serve the subdivision and to mitigate its impacts, and in accordance with duly adopted City standards, if applicable, to include:
 - (1) Recreational facilities, parks, open space and trails;
 - (2) Piped drainage facilities and waterways;
 - (3) Mail box location areas;
 - (4) Berms, screening and buffers; and
 - (5) Other private improvements required as a condition of approval.
- (B) Such improvements shall be privately-owned and/or -maintained, and the plat shall contain appropriate restrictions and/or covenants governing use, ownership and maintenance in perpetuity enforceable by the City, providing for recovery of the City's costs by liens or assessment against the property in the subdivision. Such improvements shall be completed or secured similar to public improvements prior to final plat approval.

(Ord. No. 2626 , § 3(exh. A), 5-16-2023)

Sec. 11-5-12. Warranty and acceptance of improvements.

- (A) If the subdivider wishes to have the final plat approved prior to the installation, inspection and approval of all required improvements, the subdivider must provide security incorporated into a subdivision improvement agreement to guarantee the completion of all improvements within two calendar years after approval of the final plat in accordance with this Section.
 - (1) Said security shall be in the form of:
 - (a) A subdivision lien agreement placing an adequate lien upon the lots of the subdivision, with an escrow account with the City into which the subdivider shall pay, prior to the sale of any lot within the subdivision, an amount to be verified by the City Engineer equal to 150 percent of the pro rata cost to complete the subdivision improvements necessary to serve that lot; or
 - (b) A cash escrow deposited with the City or a clear irrevocable letter of credit in an amount to be verified by the City Engineer equal to 150 percent of the pro rata cost to complete the subdivision improvements necessary to serve that lot.

-
- (2) Funds in any escrow account shall be returned to the subdivider upon the issuance of either a Letter of Substantial Completion or a Preliminary Letter of Infrastructure Completion, depending on the circumstances.
 - (3) Security shall not be required for money in lieu of payments relative to park land and school land dedications provided in Section 11-5-9 (B) and (C), as such money payments shall be collected upon issuance of building permits relative to subdivided lots or units.
 - (4) Even though a final plat will have been recorded, when a subdivider chooses to secure public and necessary on- and off-site improvements with a subdivision improvement agreement, the subdivider shall agree not to sell, transfer, offer for sale or otherwise convey any portion of the property, including lot, unit or outlot, prior to the issuance of a Letter of Substantial Completion or a Preliminary Letter of Infrastructure Completion, depending on the circumstances. A sale or other transfer of the entire subdivision will be possible once the purchaser has provided the necessary security.
- (B) The subdivider shall complete all necessary on- and off-site improvements within two calendar years of the approval of the final plat by the Council. In the event that all necessary on- and off-site improvements are not completed, inspected and approved within two calendar years of the date of the approval of the final plat by the Council, no further building permits, occupancy permits, water taps or sewer taps shall be allowed by the City in such subdivision until such improvements are completed. It shall then be unlawful to sell any further lots in the subdivision until all necessary on- and off-site improvements are completed.
- (C) The City Council may authorize extensions of time to complete all improvements beyond the two-year limitation as set forth herein.
- (D) Following the completion of any required improvements and submission of the as-built plans, the City Engineer shall conduct an inspection and if the improvements are in accordance with the requirements of these and other applicable regulations and good engineering and construction standards, shall issue a Preliminary Letter of Infrastructure Completion as provided herein.
- (1) A letter of substantial completion may be issued when only landscaping and irrigation facilities are incomplete and secured as provided in Subsection 11-5-12 (A) of this Section.
 - (a) In the case of subdivisions that have been issued a letter of substantial completion, upon completion of the outstanding improvements and submission of the as-built plans therefor; the City Engineer shall conduct an inspection and shall issue a Preliminary Letter of Infrastructure Completion, if all public and necessary on- and off-site improvements are in accordance with the requirements of these and other applicable codes and regulations and good engineering and construction standards.
 - (2) The subdivider shall warrant the improvements against defects or failures in workmanship or materials for a period of two calendar years from the date of the Preliminary Letter of Infrastructure Completion. During this two-calendar-year construction warranty period, the City will, as applicable, assume the responsibility for snow removal in regard thereto, but the subdivider shall remain responsible for all other maintenance and to correct all defects or failures that appear in any such public improvements during the construction warranty period.
 - (a) The City shall determine what constitutes a defect or failure in its sole discretion, provided that such are not the result of public abuse, misuse or normal wear from use. The City Engineer shall notify the subdivider in writing of such defect or failure, setting forth a list of specific deficiencies. If within 30 days after the City has notified the subdivider of a defect or failure, the subdivider has not started or completed the required repairs, provided construction drawings and a proposed repair schedule for City review and approval, or submitted a written objection to the City's request for repair work, the City is hereby authorized to make the repairs or replacements or to order the work be done by a third party. The City may authorize a temporary repair if necessary due to weather conditions or materials availability. The subdivider shall pay

the cost of any repair work. Any appeal of the City Engineer's repair or replacement requirements shall follow the appeal process pursuant to Chapter 4-1-6 of the City Code.

- (b) At the end of two calendar years from the date of issuance of the Preliminary Letter of Infrastructure Completion, the subdivider shall request, in writing, that the City Engineer perform a final inspection of the improvements to facilitate the completion of the construction warranty.
 - (i) The City Engineer shall conduct an inspection of all public and necessary on- and off-site improvements, and upon final approval, as evidenced by the City's issuance of a Letter of Infrastructure Completion and acceptance, the City shall accept the improvements, and the security held by the City shall be returned to the subdivider.
 - (ii) All public and necessary on- and off-site improvements, including all physical facilities constructed by the subdivider necessary for the extension, maintenance and repair of municipal utility services and other public facilities constructed by the subdivider in public rights-of-way, easements, streets or alleys shall become the property of the City immediately upon the issuance of the Letter of Infrastructure Completion and acceptance by the City Engineer.
 - (iii) Following such conveyance, the City shall be solely responsible for the maintenance of such public improvements, unless otherwise provided for by agreement, except for any correction work required during the warranty period.
- (c) Any repairs or replacements noted in the final inspection shall be completed prior to the issuance of the Letter of Infrastructure Completion and acceptance.
 - (i) Upon notification, the subdivider shall promptly make all repairs or replacements in accordance with a repair plan prepared by the subdivider and approved by the City, which repair or replacement, in the opinion of the City, arose out of defects or failures and became necessary during the construction warranty period.
 - (ii) The subdivider shall warrant each repaired and/or replaced improvement or any portion or phase thereof for one calendar year following acceptance of such repair and/or replacement.
 - (iii) Inspection of any improvements does not constitute a waiver by the City of any rights or remedies that it may have on account of any defect in or failure of the improvements that are detected. The construction warranty shall continue until the Letter of Infrastructure Completion and acceptance is provided in writing to the subdivider.
- (3) The City shall require a construction warranty backed by financial security prior to issuance of a Preliminary Letter of Infrastructure Completion.
- (4) The subdivider may, at the subdivider's option, provide the City financial security for the two calendar year construction warranty in one or a combination of the following forms only:
 - (a) A cash escrow in the amount of 15 percent of the total construction cost of all public and necessary on- and off-site improvements required by the final plat.
 - (b) A letter or letters of credit on forms acceptable to the City, in the amount of 15 percent of the total construction cost of all public and necessary on- and off-site improvements required by the final plat.
 - (c) It is the responsibility of the subdivider to maintain the necessary amount of security at all times until all public and necessary on- and off-site improvements are completed and accepted by the City.
 - (d) The City shall not be obligated to administer burdensome security arrangements.

-
- (5) The security shall be available for the City to use to correct any defects or failures in accordance with City specifications during or after the two-year construction warranty period in the event the subdivider is unable or unwilling to perform any repair or replacement of the improvements in a timely fashion. The use of the proceeds from the security is a remedy that is cumulative in nature and is in addition to any other remedies that the City has at law or in equity.

(Ord. No. 2626 , § 3(exh. A), 5-16-2023)

Sec. 11-5-13. Minimum design standards.

- (A) *Minimum Standards, Conformity to Preliminary Plat, and Approval Required.* All public improvements shall be constructed in accordance with the minimum standards set forth below or other applicable City design and construction specifications and standards, and other applicable City ordinances or regulations. All public and private improvements shall be in substantial conformity with the preliminary plat as approved, the City Comprehensive Plan and amendments thereto, and in accordance with good engineering and construction practices. All plans must be approved in advance by the City Engineer.
- (B) *Minimum Standards.*
- (1) *Streets.*
- (a) Subdivider shall be required to make and install improvements to existing streets within and abutting the subdivision and/or other areas outside the subdivision or any filing thereof being considered, including, but not limited to, curbs, gutters, sidewalks and street paving improvements, when the subdivision and developments thereof will directly create a need for said improvements outside the subdivision itself, or a need to expand or improve existing public improvements to current standards in order to properly serve future residents of the subdivision, or if the subdivider or their predecessors of interest by virtue of their actions and the timing and scope of developing the subdivision or other property have created a situation where the needed improvements were not previously improved or installed. It shall be presumed that existing streets and sidewalks directly abutting the subdivision must be improved to current City standards in order to properly serve the subdivision.
- (b) In those cases where the City determines that the immediate improvement of the abutting street, or other on-site or off-site improvements, is not currently practical, or should be delayed, or the costs of such improvements should be shared with additional property likely to use and be benefited by the improvements, the developer may be allowed to execute recordable covenants on the plat or separately in a form provided by the City, binding the lots in the subdivision to future assessments or participation in an improvement district for the construction of such improvements.
- (c) Wherever topography will permit, the arrangement of the streets shall provide for the dedication and construction of street stubs to align with existing or future streets to adjoining developing or developable areas.
- (d) Cul-de-sacs shall terminate in a circular turn-around having a minimum right-of-way of at least 100 feet in diameter, and a paved turn-around with a minimum outside diameter of 80 feet. Cul-de-sacs shall be not less than 100 feet long, and not more than 500 feet long, as measured from the center of the cul-de-sac bulb to the center of the intersecting street; use of cul-de-sacs is limited to places where street connections would be impractical.
- (i) Cul-de-sacs longer than 300 feet shall require a recreation trail connection at the end that provides connectivity to the nearest City street.
- (e) Temporary dead-end streets which extend for a distance greater than the depth of one abutting lot shall be provided with a temporary turn-around having a diameter of at least 80 feet.

- (f) Whenever a new street is proposed along the edge of the subdivision, the entire street shall be dedicated and improved within the subdivision.
- (g) No more than two streets shall intersect at any point. Intersections shall be as near as practicable to 90 degrees. A street shall have a minimum straight distance of 100 feet from the intersection before it may be curved.
- (h) A straight section of 100 feet shall be provided between reverse curves on all streets.
- (i) All lots in the subdivision will have direct access to a dedicated street, subject to the following exceptions:
 - (i) One or more private shared access drives may be used to provide access up to no more than four dwelling units each, subject to City approval, in residential zoning districts. In general, shared access drives shall not be used as an extension to a cul-de-sac.
 - (ii) Reciprocal access easements may be approved to accommodate subdivisions with multiple commercial units with contiguous parking area in commercial zoning districts.
- (j) Any two local streets which intersect a common third local or collector street shall have centerlines no closer than 175 feet from one another. Any two local streets which intersect a common third minor arterial or major arterial street, shall have centerlines no closer than 350 feet from one another.
 - (i) The City may limit access to major arterial or minor arterial streets to facilitate traffic flows, or to promote public safety.
- (k) The maximum block length, as measured from the centerline of the nearest intersecting streets, shall be a maximum of 700 feet.
- (l) Street names must be approved by the City.
- (m) All streets, alleys, sidewalks, recreation paths, parks of two acres or larger, and other public ways or places must be dedicated to the City by the owners of any interest therein except the owners of severed mineral or water interests.
- (n) Streets shall be developed in accordance with the City's Comprehensive Plan roadway cross sections, the City's engineering specifications, as applicable, and the table below. The minimum dedicated rights-of-way and street widths shall be as shown in Table 5.2.

Table 5.2
Minimum Dedicated Rights-Of-Way and Street Widths

Street Classification	Minimum Right-of-Way	Minimum Street Width Urban = Width between Curb Flowlines Rural = Paved Width (asphalt or Concrete)
Major Arterial—Urban	124 feet *	92 feet ***
Major Arterial—Rural	124 feet *	76 feet ***
Minor Arterial—Urban	112 feet **	Varies with traffic volume and whether parking is allowed, see engineering specifications for road widths ***
Minor Arterial—Rural	112 feet **	Varies with traffic volume and whether parking is allowed, see engineering specifications for road widths ***
Collector	70 feet	46 feet
Local—Boulevard Style Alternative 2	50 feet; 50 feet	28 feet with detached 5-foot sidewalk; 36 feet with attached 6-foot sidewalk

Planned Developments	40 feet	24 feet with attached 6-foot sidewalks in addition to curb and gutter. Supplemental off-street parking may be required.
* ROW width shall be increased by ten feet within 500 feet of an arterial cross street intersection to allow a double left turn lane.		
** ROW width shall be increased by 12 feet within 500 feet of an arterial cross street intersection to allow a double left turn lane.		
*** The decision whether to require urban or rural street widths shall be made at sketch plan review.		

- (o) Subdivisions which include any part of an existing platted street which does not conform to the minimum right-of-way requirements of these regulations may be required to provide additional width necessary to meet the minimum right-of-way requirements of these regulations.
- (p) No street grade shall be less than one-half of one percent or exceed the maximum grade shown in Table 5.3.

Table 5.3
Maximum Street Grade

Street Classification	Maximum Percent Grade	Minimum Radius of Curve	Minimum Sight Distance*
Major Arterial	5 percent	400 feet	500 feet
Minor Arterial	5 percent	400 feet	500 feet
Collector	8 percent	300 feet	300 feet
Local	8 percent	100 feet	200 feet
* As measured between points four feet above the centerline of the street.			

- (q) Alleys shall be provided at the rear of lots within the commercial zoning districts, or as otherwise approved by the City. Alleys shall be 20 feet in width and shall be paved in accordance with City specifications.
- (2) *Curb, Gutter, Sidewalks and Trails.*
 - (a) Curb, gutter, and sidewalks or recreation trails shall be provided along all roadways consistent with the City's Comprehensive Plan.
 - (i) A minimum ten-foot-wide concrete recreation trail with the addition of two-foot obstacle-free recovery zones, constructed of Class 6 gravel aggregate, or a City-approved alternative, on each side of said trail shall be located along one side of the roadway, as determined by the City. Recreation trails shall be designed in accordance with the AASHTO "Guide for the Development of Bicycle Facilities."
 - (ii) A minimum six-foot-wide sidewalk shall be provided on the side of the roadway not occupied by the recreation trail described above. Greater sidewalk widths may be required in commercial areas.
 - (iii) Recreation trail lighting may be required in more heavily populated or urbanized areas, travel corridors, and commuter routes, as determined by the City. Recreation trail lighting shall provide a minimum 0.4 to 0.5 footcandles of illumination at all points along the length of the trail. The City's provisions, standards, and specifications regarding outdoor lighting shall also apply.

-
- (iv) Recreation trails with alternative non-hard surfaces and narrower widths may be approved in those instances where such trails are secondary to existing or proposed concrete recreation trails, and do not serve as connectors to the City's recreation trail system, as denoted within the City's Comprehensive Plan.
 - (v) Curb, gutter, and sidewalks shall be provided along collector and local streets. Six-foot detached sidewalks are required on collector streets. Five-foot detached or six-foot attached sidewalks are required for local streets.
 - (b) Sidewalks shall be located and constructed as necessary to interconnect the subdivision and lots therein with the network of City sidewalks and recreation trails.
 - (c) Accessibility ramps shall be provided in accordance with the Americans with Disabilities Act.
 - (d) The City may elect to require over-sizing of any sidewalk and participate in cost sharing thereof.
 - (e) The City may require any sidewalk to be wider than those standards set forth herein, upon a finding that such greater widths are necessary to serve the subdivision, due to:
 - (i) High density of the subdivision;
 - (ii) Special needs of the residents of the subdivision; or
 - (iii) Connection to existing wider sidewalks or recreation trails.
- (3) *Blocks and Lots.*
- (a) In residentially zoned districts, blocks shall be wide enough to permit two lots between lengthwise streets.
 - (b) The building line for residential lots on collector streets shall be set back 25 feet from the front property line.
 - (c) The building line on corner lots shall be set back 25 feet from both street front property lines.
 - (d) Lots which abut a street in the front and the rear shall be avoided except where a railroad right-of-way, a major arterial or minor arterial street is located to the rear of the lot, in which case such a lot shall have a minimum depth of 125 feet. Lots abutting cul-de-sacs shall have a minimum frontage of 25 feet.
 - (e) Every lot shall front on a designated collector or local street, subject however, to the following exceptions:
 - (i) One or more private shared access drives may be used to provide access up to no more than four dwelling units each, subject to City approval, in residential zoning districts;
 - (ii) Private access easements may be provided, subject to City approval, in subdivisions within commercial zoning districts across parking lot areas;
 - (iii) In such instances, the shared access improvements shall be subject to City specifications and the restrictions set forth in Section 11-5-11 (B).
 - (f) No residential lot shall front on a major arterial or minor arterial street. No access shall be permitted directly from a residential lot to a major arterial or minor arterial street.
 - (g) The lot depth shall not be more than three times the lot width at the front building line.
 - (h) Access drives and intersections shall comply with City access standards and the transportation plan. In addition, accesses onto County roads shall comply with applicable County regulations.
 - (i) Lots shall be at least 50 feet in width at the front building line. Lots abutting cul-de-sacs shall have at least 25 feet of linear frontage to the cul-de-sac.
 - (j) Sight triangles shall be shown on the plat as per the engineering specifications.

(4) *Public Utilities.*

- (a) All utilities shall be installed underground unless the City Engineer determines that soil or topographic conditions make that impracticable.
- (b) Utilities shall be installed prior to the paving of any street under which they are to be located and the individual service lines shall be connected and stubbed out prior to paving, in order to avoid the necessity of cutting into the pavement to connect any abutting lots.
- (c) Utilities will be sized and placed as necessary to facilitate connection with future subdivisions and developments. At a minimum, six-inch water main lines shall be provided in residential zoning districts, and eight-inch water main lines shall be provided in commercial and industrial zoning districts. At a minimum, eight-inch sewer main lines shall be provided in all zoning districts. Multiple buildings within a single lot shall each require a singular water and sewer lateral connection to a main line.
- (d) The City may elect to require over-sizing of the extended utility and pay for the cost of such materials accordingly.
- (e) City water and sewer systems shall be provided except where the City has required an alternative supplier by service area agreement with such alternative provider. In cases where alternative utilities are provided on a temporary basis, connection to City services shall be required at such time they are made available to the subject property.
- (f) In the event that City sewer service will not be available within a reasonable time period following final plat approval, engineered individual sewage disposal systems may be authorized by the City for those subdivisions occurring within the residential rural living zoning districts with lot sizes of five acres or greater. Advance City approval shall be required in each case.
- (g) All extension of City utilities shall require City approval and proper execution of City utility extension agreements. The extension of utilities shall be at the sole expense of the subdivider.
- (h) Prior to any installation or construction of utility extensions, the subdivider shall first submit proposed alignment location maps and engineered drawings for City approval. The subdivider shall acquire all necessary easements for the proposed utility location from all affected properties. The easements shall be conveyed to the City and executed on applicable City forms.
- (i) All utility extensions shall be subject to City inspection and approval. The City may elect to contract inspection services at the subdivider's expense.
- (j) All utility main line extensions, once approved by the City, shall be dedicated to the City with applicable utility easements. As-built plans and data shall be provided on hard copy in accordance with these provisions and on diskette in a digital format compatible with City computer systems.
- (k) Following the completion of any utility extension and submission of the as-built plans, the City Engineer shall conduct an inspection, and if the improvements are in accordance with the requirements of these and other applicable regulations and good engineering and construction standards, shall issue a Preliminary Letter of Infrastructure Completion.
 - (i) For a period of two calendar years thereafter, the subdivider shall be responsible for correcting all defects or failures that appear in such improvements.
 - (ii) At the completion of this two-calendar-year construction warranty period, upon written request from the subdivider, all public and necessary on- and off-site improvements shall again be inspected by the City Engineer, and upon final approval, may be accepted by the City, as evidenced by issuance of a Letter of Infrastructure Completion and Acceptance. The provisions set forth in Section 11-5-12(D) shall apply to improvements and construction covered by this Section.

(5) *Piped Drainage Facilities and Waterways.*

- (a) Stormwater discharge improvements shall be engineered and approved in accordance with City specifications. stormwater retention on site shall be discouraged. When feasible to do so and when requested by the City Engineer, all ditches shall be piped and subject to platted easements to be dedicated either to the City or to the applicable owner of the ditch facilities. The City may elect to allow the location of piped ditch facilities within its rights-of-way at its discretion. Perpetual maintenance shall be provided pursuant to plat notes and/or City-approved covenants.
- (b) Permission shall be acquired, in writing, from all applicable owners of ditch facilities prior to improvements thereto.
- (c) No discharges of urban stormwater into any irrigation ditch facilities shall be allowed. No discharges of urban stormwater into agricultural drainage ditch facilities shall be allowed, unless otherwise approved by the owning interest in said drainage facilities.

(6) *Monuments.* Monuments shall be set in concrete and placed at all corners of all street intersections, at the intersections of the boundary of the subdivision with street right-of-way lines, at angle points and points of curve in each street and at points of change in direction of the exterior boundaries of the subdivision. The top of the monument shall have a metal cap set flush to identify the location. All lot corners shall be monumented with a minimum of a #5 rebar 18 inches in length and metal cap.

(7) *Berms, Screening and Buffers.* Buffers and/or screening shall be provided between incompatible uses both within the subdivision and adjoining the subdivision in accordance with City design standards and specifications.

(8) *Street Lights.*

- (a) In all subdivisions, except for residential zoned rural living and estate subdivisions, streetlights shall be provided at all intersections and at intervals between intersections in accordance with City specifications.
- (b) In residential rural living zoning districts and estate subdivisions, street lights shall only be required at street intersections, with no interval requirements.
- (c) All streetlights shall conform to City standards and specifications, and with Chapter 11-9 of this Title.

(9) *Outdoor Lighting.* All outdoor and exterior lighting shall conform with Chapter 11-9 of this Title.

(10) *Flood Hazard Prevention.* All subdivision proposals shall conform to the flood hazard reduction standards in Section 11-6-5 (G) of this Title.

(Ord. No. 2626 , § 3(exh. A), 5-16-2023)

Sec. 11-5-14. Deviations from standards.

The Planning Commission may recommend to the City Council a deviation from the standards of Section 11-5-13 during preliminary or final plat review, if and only if all of the below criteria are met. The Council may accept or deny the recommendation accordingly.

- (1) Unusual topography or a hardship exists;
- (2) Alternative standards will more effectively protect the quality of the subdivision and the public welfare and more effectively achieve the purposes of these regulations;
- (3) Alternative standards will more effectively implement provisions of the City's Comprehensive Plan;
- (4) Alternative standards will more effectively conform to existing improvements within the subdivision, which existing improvements have been previously approved by either the City or the County of Montrose in accordance with applicable laws and regulations.

(Ord. No. 2626 , § 3(exh. A), 5-16-2023)

