



REGULAR PLANNING COMMISSION MEETING AGENDA
Wednesday, August 14, 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.

Public participation for this meeting will be in-person in the City Council Chambers and via Zoom at the following link:

Telephone participation is available at:

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 July 24, 2024 Planning Commission meeting
- 4) Additions or Deletions
- 5) **NORTH RIDGE TOWNHOMES SUBDIVISION PRELIMINARY PLAT** This proposed subdivision consists of 8 individually conveyable townhouse units, located on a vacant parcel along Cirque Way, known as Lot 1 of the Merck Amended Plat of Lots 118 & 119 Windsor Village



Filing No. 12. The applicant is Ken Williamson.

6) Other Business

7) Next Meeting will be August 28, 2024

8) Motion to Adjourn



City of Montrose Planning Commission

July 24, 2024

The Montrose City Planning Commission held a meeting on July 24, 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: David Fishing (Chair), Delphine Jadot, Richard Rogers, Phoebe Benziger, Steve Ball and Ronald L. Cairns. Absent: Chad Huffman (Vice-Chair).

Staff Members Present: Jace Hochwalt (Community Development Director), William Reis (Planner II), Chris Dowsey (City Attorney), Greg Stunder (Staff Attorney), Scott Murphy (City Engineer), Sharon Dunning (Building Services Technician).

There was 1 member of the public in attendance.

Call to Order

Chairperson David Fishing called the meeting to order at 5:00 p.m.

Approval of Minutes

Delphine Jadot moved to approve the minutes of the June 26, 2024 meeting as submitted. Phoebe Benziger seconded, and the motion carried.

Additions or Deletions

Greg Stunder, new Staff Attorney for the City, introduced himself.

Childcare Facility Conditional Use Permit

This application is a request to allow a childcare facility within the "P" Public District at 703 S 9th St. Under the "P" zoning regulations, childcare facilities are a conditional use. The applicant is the City of Montrose.

Staff and Applicant Presentation

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

Questions for Staff/Applicant

Planning Commissioners and staff discussed running of the daycare, potential customers and partnership organizations, a potential grant award, and the current resident.

Public Comment

none.

Discussion

Planning Commissioners and staff discussed outdoor equipment.

Motion and Vote

Phoebe Benziger moved to approve the request to allow the conditional use of a childcare facility within the "P" Public District, located at 703 S. 9th Street. The request meets the code criteria based on the evidence and testimony presented at this hearing and as outlined in the staff report. Delphine Jadot seconded, and the motion carried unanimously.

Public Works Shop Addition Zoning Hearing

This is a proposal for the initial zoning of "P" Public District for the proposed Public Works Shop Addition, approximately 23.3 acres. This property is located south of the intersection of S Rio Grande Ave and E Oak Grove Rd. The applicant is the City of Montrose.

Staff/Applicant Presentation

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

Questions for Applicant and Staff/Applicant

Planning Commissioners and staff discussed the property location, attractiveness of facilities, trail access, parking, and landscaping.

Public Comment

One member of the public came forward with concerns about impacts to the walking path and wildlife.

Discussion

Staff addressed the public's concerns regarding impacts of the new Public Works facility.

Motion and Vote

Delphine Jadot moved to recommend to City Council approval the initial zoning request of "P" Public District. The request meets the Code criteria based on the evidence and testimony presented at this hearing and in the staff report. Richard Rogers seconded, and the motion carried unanimously.

Rio Grande Right of Way Addition Zoning Hearing

This is a proposal for the initial zoning of "P" Public District for the proposed Rio Grande Right of Way Addition, approximately 1.14 acres. This is a portion of the existing S Rio Grande Ave. The applicant is the City of Montrose.

Staff/Applicant Presentation

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

Questions for Staff/Applicant

None.

Public Comment

One member of the public came forward with questions about the location of the property.

Discussion

None.

Motion and Vote

Richard Rogers moved to recommend to City Council approval the initial zoning request of “P” Public District. The request meets the Code criteria based on the evidence and testimony presented at this hearing and in the staff report. Phoebe Benziger seconded and the motion carried unanimously.

Other Business

Jace Hochwalt discussed the status and next steps of the code update process.

Next Meeting

The next Planning Commission meeting is scheduled for August 14, 2024.

Adjournment

Phoebe Benziger moved to adjourn the meeting. Richard Rogers seconded, and the meeting ended at 5:54 p.m.

Chairperson

Attest



CITY OF MONTROSE
Planning Services

MEMO

TO: Planning Commission
FROM: William Reis, Planner II
DATE: August 14, 2024
RE: North Ridge Townhomes Subdivision Preliminary Plat
ATTACHMENTS

- Exhibit A: Maps
- Exhibit B: Excerpts from City of Montrose Municipal Code

Planning Commission Consideration:

The Planning Commission shall make a recommendation to City Council to approve, deny, or approve with conditions the North Ridge Townhomes Subdivision Preliminary Plat. The Planning Commission will consider all of the information in this memo in making a decision.

Applicant: Ken Williamson

Application Background:

The North Ridge Townhomes Subdivision is a proposed development on Lot 1 of the Merck Amended Plat of Lots 118 & 119 of Windsor Village Filing No. 12 along Cirque Way in Montrose. The property is approximately 0.63 acres in size. The property is zoned "R-3A" Medium High Density District. The property is planned to have 8 conveyable townhome units. Townhouses, which are defined as multifamily structures according to the municipal code, are a use-by-right on the property. The applicant must subdivide in order to make each unit individually conveyable.

The hearing before City Council to approve or deny the Preliminary Plat is tentatively scheduled for September 3, 2024.



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. Comprehensive Plan - Land Use Map Designation:

- The Comprehensive Plan Future Land Use Map identifies this parcel as located in an area proposed as follows: **Residential Mixed Density Medium**. *The Residential Mixed Density Medium district provides for a variety of residential types, mixed within a neighborhood, including single-family homes, townhomes, duplexes and triplexes. 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): The “R-3A” Medium High Density District is intended to provide for an area which is suitable for single-family homes, duplexes and multifamily residences, along with certain other compatible land uses.
- The proposed uses are compatible with general conditions in the area. The property is adjacent to properties that are zoned “R-1B” Small Estate District, “R-3” Medium Density District, and “R-3A” Medium High Density District.

4. The North Ridge Townhomes Subdivision 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 North Ridge Townhomes Subdivision Preliminary Plat. The Planning Commission may also continue the item. Proposed motions for Planning Commission consideration are included below.

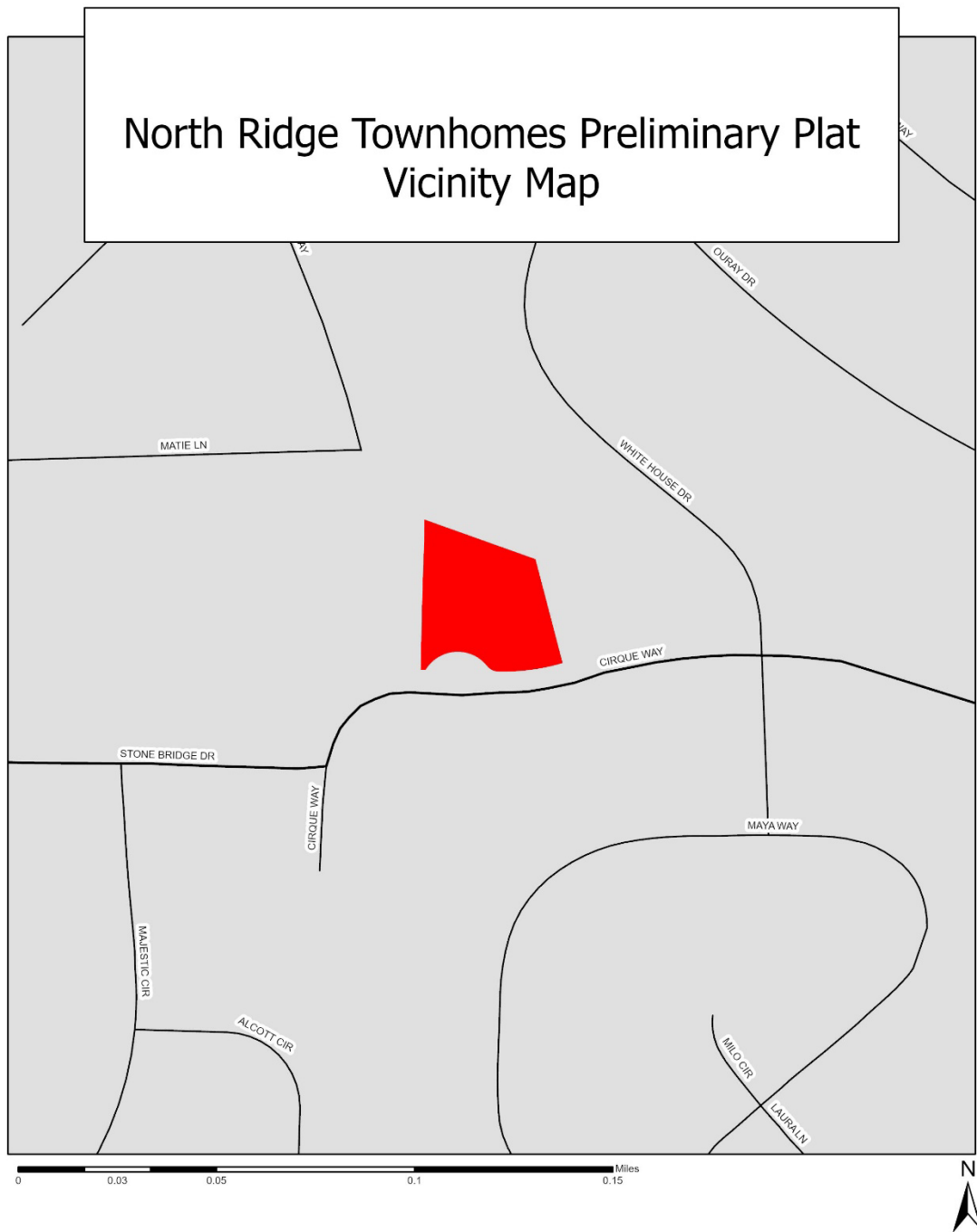
Planning Commission Recommendation Alternatives for Preliminary Plat:

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.”

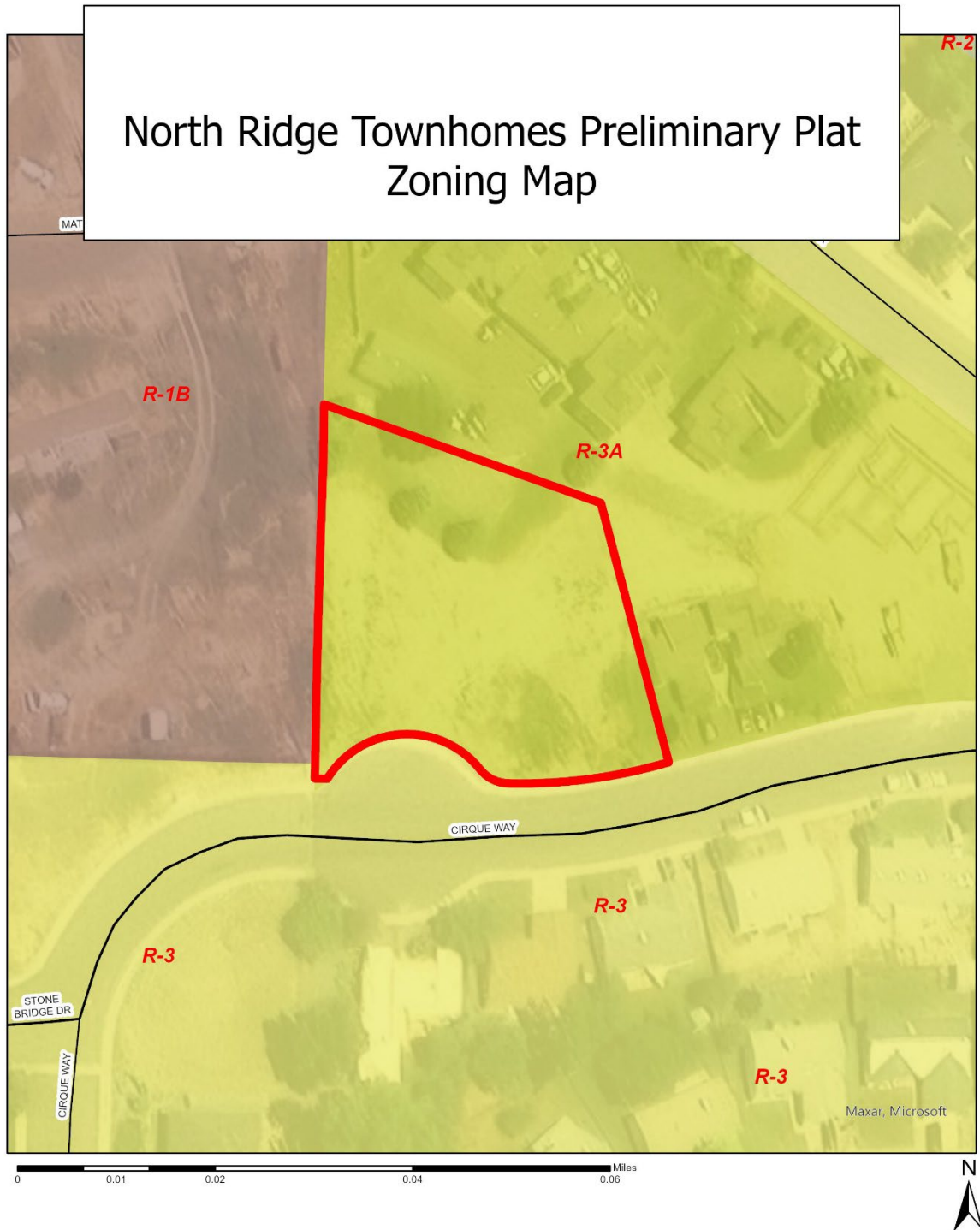
Denial Motion: “I hereby make a motion to recommend to City Council denial of the Preliminary Plat application. The application does not meet the Code criteria based on evidence and testimony presented at this hearing and in the staff report.”



EXHIBIT A: Area Maps
Vicinity Map



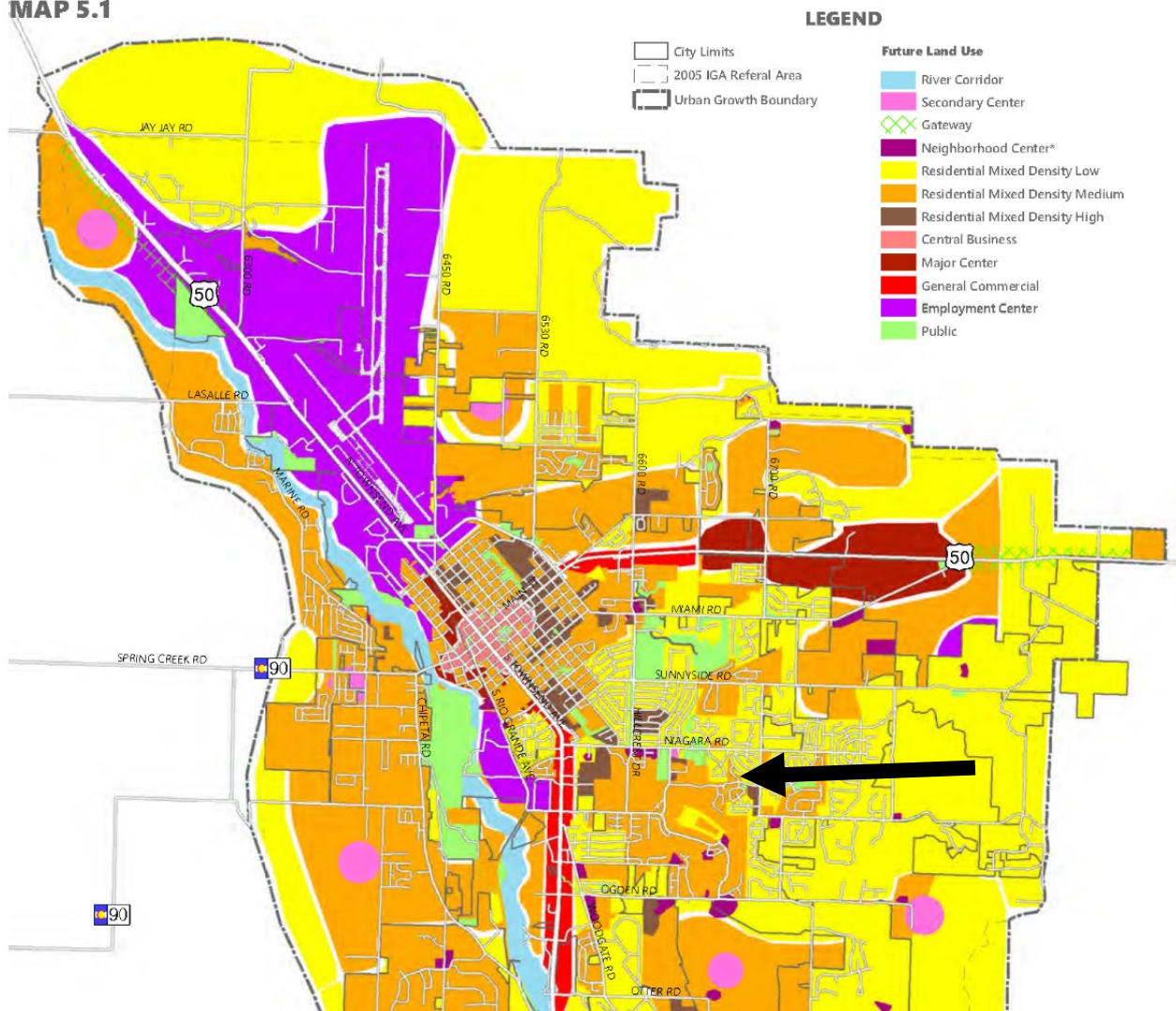
Zoning Map



Comprehensive Plan Future Land Use Map

FUTURE LAND USE

MAP 5.1



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:

Lot 1, Merck Amended Plat of Lots 118 & 119 of Windsor Village Filing No. 12, according to the plat thereof filed for recorded June 19, 2007 as Reception No. 775919, County of Montrose, State of Colorado, containing 0.63 acre.

Have by these presents laid out, platted and subdivided the same into lots, as shown on this plat, under the name and style of NORTH RIDGE TOWNHOMES SUBDIVISION and do hereby dedicate, grant and convey to the City of Montrose, Colorado, for the use of the public, insert specific name streets and parks and generic name of other dedications, such as alleys, etc.), as hereon shown.

The easements shown on this plat are dedicated, granted and conveyed to the City of Montrose, Colorado for public utilities, and insert other purposes, if anyl purposes, including but not limited to water, sewer, electrical, telephone, gas 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____.

Ken Williamson

STATE OF COLORADO)

) ss.

COUNTY OF MONTROSE)

The above Certificate of Dedication and Ownership was acknowledged before me on this day of _____, 20____, by Ken Williamson

Witness my hand and official seal.
My commission expires _____

Notary

STATE OF COLORADO)

) ss.

LIENHOLDER'S AFFIDAVIT

COUNTY OF MONTROSE)

Before a Notary Public, duly qualified and acting in and for said city, county, and state, appeared Ken Williamson, known by official government-issued photograph identification to be the affiant herein, who stated the following under oath:

The undersigned holder of a lien pursuant to an instrument recorded under Reception No. 945448, in the records of the Montrose County Clerk and Recorder, hereby joins in this subdivision and the dedication of easements, streets and other properties to the City shown hereon. The undersigned duly swears or affirms that: 1) he/she is authorized to sign this Plat on behalf of the lien-holding entity named below for which he/she functions as an agent; and 2) said agency includes the actual authority to sign this Plat joining in this subdivision and any dedications to the City; and 3) that all necessary corporate or other legal formalities have been met to allow the agent's signature below to be effective; and 4) that the signature below was made by the person whose name it purports to be.

by _____ title _____
of Bank of Colorado

Subscribed and sworn to before me this _____ day of _____, 20____,
by _____, the _____ of Bank of Colorado.

Witness my hand and official seal.
My commission expires _____

Notary

SURVEYOR'S CERTIFICATE

I William D. Wiley, 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 policy issued by Colorado Title & Closing Services, dated 1/4/2023, bearing policy number MT22105448.

William D. Wiley
Colorado Registered Land Surveyor
Registration No. 12180
Date: _____

APPROVAL OF CITY MANAGER

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

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 intrests in real property made on this plat are hereby excepted by the City.

Mayor

APPROVAL OF PRELIMINARY PLAT

City Engineer

Date

City Attorney

Date

Chair, Planning Commission

Date

Mayor, City Council

Date

ENGINEER'S CERTIFICATE

I, _____, 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.

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 Title Policy No. _____, 20____, issued by _____ Title Insurance Company, dated _____, 20____ (the "Title Policy"), which insures to _____ the title to the Land herein platted and described in the above Certificate of Dedication and Ownership, and that, based solely on my review of the Title Policy, title to such land is in the Owners and Dedicators; and that the title to the Land dedicated hereon, including the dedication for utility easements, is free and clear of all liens and encumbrances except as specifically set forth in the Title Policy.

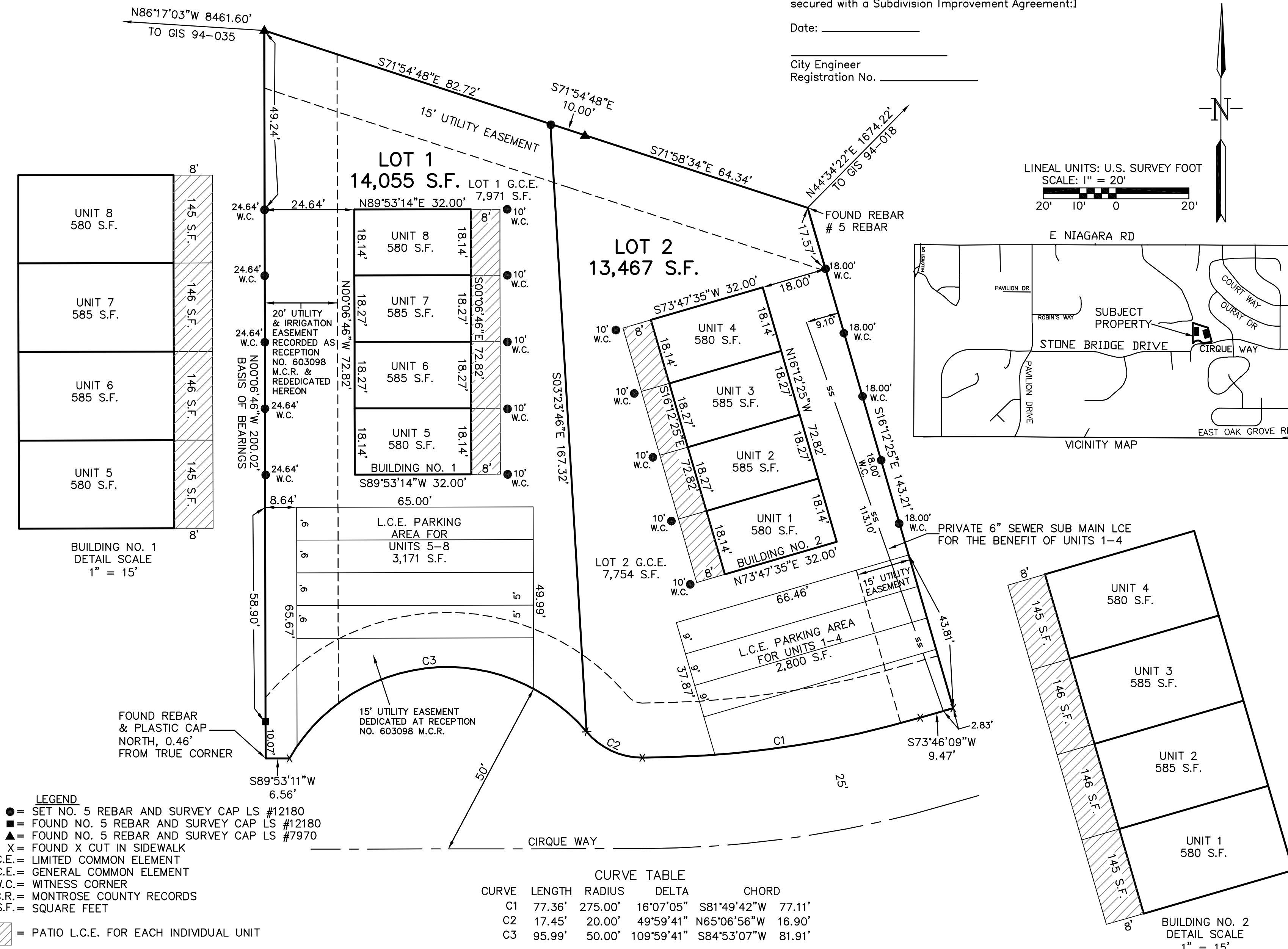
Attorney
Atty. Reg. No. _____
Date: _____

CERTIFICATE OF COMPLETED IMPROVEMENTS

I, _____, 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 or a Preliminary Letter of Infrastructure Completion has been issued, Security for the two (2) year warranty on all public improvements has been received to be held in escrow by the City in accordance with Municipal Code ? 4-7-6 (D), and other applicable City ordinances and regulations. (The following landscaping and/or irrigation improvements have been secured with a Subdivision Improvement Agreement.)

Date: _____

City Engineer
Registration No. _____



PLAT NOTES

1. The lots shown hereon are subject to the applicable plat notes that were adopted and shown on the final plat of Lot 1, Merck Amended Plat of Lots 118 & 119 of Windsor Village Filing No. 12, recorded June 19, 2007 at Reception No. 775919, County of Montrose, State of Colorado.

2. Driveway/Right-of-Way Reciprocal Access Easements
Reciprocal Access Easements

The Owner(s) denoted on the CERTIFICATE OF DEDICATION AND OWNERSHIP, hereon, 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 _____, in North Ridge Townhomes Subdivision, their

respective heirs, successors and assigns, a perpetual and reciprocal right-of-way easement, over said portions so selected and reserved for use as driveways for ingress and egress. These reciprocal easements shall be appurtenant to each of the said lots in North Ridge Townhomes Subdivision, which right shall run with the land, and shall be a benefit and a burden to each of the said lots, their owners, and all parties claiming by, through, or under them.

3. Driveway Maintenance

Any driveways owned by:

1) the owners' association, if any, or
2) jointly held by the owners of more than one division of real property located in the North Ridge Townhomes Subdivision, or
3) subject to a reciprocal driveway use or access agreement or plat note, shall be jointly responsible for the maintenance of said driveways, unless said maintenance responsibilities are addressed by this subdivision's Covenants Conditions and Restrictions, if any, filed with the Montrose County Clerk and Recorder's Office for the County of Montrose, Colorado, in which case said driveway maintenance shall be as set forth in said Covenants Conditions and Restrictions. This provision shall run with the land in the NORTH RIDGE TOWNHOMES SUBDIVISION, and shall be a benefit and a burden to the owners of all lots final platted thereon, and shall be applicable to said owners, their successors, heirs, and assigns, and all parties claiming by through or under them.

4. Privately Owned Common Elements

A. All general common elements, now existing or hereafter conveyed, shall be owned and maintained by _____ [name of owners' association], or in the absence of such entity, by the owners of all units having unique legal descriptions in the NORTH RIDGE TOWNHOMES SUBDIVISION, jointly and severally.

B. All limited common elements, now existing or hereafter conveyed shall be owned by _____ [name of owners' association], or in the absence of such entity, by the owners of all units having unique legal descriptions in the NORTH RIDGE TOWNHOMES SUBDIVISION, jointly and severally. Maintenance of said limited common elements shall be as set forth in said association's declaration of covenants, conditions and restrictions, if any, or otherwise said maintenance shall be the obligation of the respective unit.
C. The units depicted on this plat shall have uniform exterior appearance. Future improvements, modifications and repair to the units' exteriors shall be done in accordance with any applicable covenants and regulations of the owners' association, and performed in such a manner as to ensure uniformity and compatibility of the exterior of the units.
D. Easements are reserved on, over, and under the Common Elements and the units as shown on the Plat, for construction, maintenance, and repair of public and/or private utilities.
E. Party Walls exist over and along the common boundaries between the units. The unit owners shall be deemed to own the necessary easements for the perpetual lateral and subjacent support, maintenance, and repair of the respective Party Walls and utilities therein, with equal rights of joint use.
F. The City is not responsible or liable in any manner for the maintenance, repair, or operation of such general and limited common elements, nor shall the City be responsible for future dedications of such general and limited common elements. Upon failure to properly maintain such general and limited common elements 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(s), 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.

5. Conveyance of General and Limited Common Elements
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 _____ [name of owners' association], a Colorado nonprofit corporation, all general and limited common elements shown and designated on this Plat.

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 _____, under Reception No. _____.

Clerk and Recorder
Montrose County, Colorado

NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three 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 years from the date of the certification shown hereon.

CF: 23-10 WILLIAMSON N RIDGE Plot Scale _____ 1" = 20' Book _____ Page _____	PRELIMINARY PLAT NORTH RIDGE TOWNHOMES SUBDIVISION	
BLW DATE: 4/11/23	SITUATED IN SECTION 35, T49N, R9W, N.M.P.M., FORMERLY KNOWN AS LOT 1, MERCK AMENDED PLAT OF LOTS 118 & 119 OF WINDSOR VILLAGE FILING NO. 12 CITY OF MONTROSE, COUNTY OF MONTROSE, COLORADO	
REVISIONS: 4/21/23 PER REVIEW 7/27/23 10/24/23 REVISE UNITS 1/14/24 SKETCH 4/25/24 PRELIMINARY 5/19/24 PER REVIEW 7/15/24 ADD ENG. CERT	FOR: KEN WILLIAMSON	
MESA SURVEYING INC. P.O. Box 1287 Montrose, CO 81402 (970)-240-9994		
Sheet _____ of _____	File No. 23-10	

EXHIBIT B: Code Excerpts for Subdivisions

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. 11-5-4. 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. 11-5-13. 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.



- (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)

