Subdivision Standards

Land Development Code
Section 12

CITY OF GUNNISON
DEVELOPMENT ASSISTANCE PACKET

This Development Assistance Packet has been prepared for your convenience and assistance in processing land use applications in the City of Gunnison. You should note that this Development Assistance Packet contains excerpts from the *City of Gunnison Land Development Code (LDC)*. Please be advised that the *LDC* is amended from time to time and such amendments may not be included within the Development Assistance Packet. It is your responsibility to review the entire *LDC* and all amendments thereto, which are maintained in the office of the City Clerk, to determine if you have all of the current ordinances related to the *City of Gunnison Development Code* and what effect, if any, the *LDC* has on your property, project, or application.

Prepared by the City of Gunnison
Community Development Department
(970) 641-8090

January 2014

Application Fact Sheet
City of Gunnison Land Development Code
Minimum Application Contents
In accordance with §6.5 C.

City of Gunnison
P.O. Box 239
Gunnison, CO 81230
(970)641-8090

Applicant Name(s):

Phone #:_____ **Fax #:** _____ **E-Mail:** _____

Mailing Address:_____

City:_____**State:** _____**Zip:**_____

Legal Description

Site Address of Property:_____ Zoning _____
Block:_____Lot(s):_____Addition:_____

Disclosure of Ownership- Please provide one of the following:

☐ Assessor Parcel Info ☐ Mortgage ☐ Deed ☐ Judgments

☐ Liens ☐ Contract ☐ Easement Agreement ☐ Other Agreements

Summary of Request:

Attachments: ☐ Vicinity Map (8.5"X11") ☐ Description of Proposal

☐ Names, Addresses and Map of Adjoining Property Owners (From Assessor's Office)

☐ Vested Property Rights ☐ Authorization of Agent (Power of Attorney from Owner, if not the applicant)

☐ Site Plan (11"x17") **to scale**, includes dimensions and location of all structures, parking spaces and access, snow storage, landscaping, live cover, utility lines, road/street names, land uses of adjacent properties, setbacks. Include a table for all dimensional requirements based on §2.6. (See attached sample)

YOU ARE REQUIRED TO SUBMIT FOUR (4) COMPLETE COPIES OF YOUR APPLICATION

Signature(s)

_____ Date _____
_____ Date _____

For Office Use Only

☐ Conditional Use ☐ Variance ☐ Zoning Amendment
☐ Major Subdivision ☐ Minor Subdivision ☐ Subdivision Exemption
☐ Mobile Home/RV Park ☐ PUD ☐ Vacation
☐ Consolidated Application

City of Gunnison
Minimum Application Contents

- ☐ Name of Applicant(s)
- ☐ Applicant's mailing address and telephone number
- ☐ Name of owner, if not applicant
- ☐ Power of Attorney, Authorization of Agent, or letter from owner authorizing application
- ☐ Site address of subject property
- ☐ Legal description of subject property
- ☐ Disclosure of Ownership – names of all owners of the property, all mortgages, judgments, liens, easements, contracts and any agreements that run with the land.
- ☐ Vicinity map, 8½ x 11 locating the subject parcel within the City of Gunnison
- ☐ Written Description of the proposal and an explanation in written, graphic or model form of how the proposed development complies with the review standards applicable to the application.
- ☐ Names and mailing addresses of adjoining property owners within 100 feet of the application property boundary and a map showing the location of these owner's properties in relation to the proposal. Include properties adjacent to the sides, rear, front and diagonal, across streets and alleys. (Obtain from County Assessor's Office)
- ☐ Vested property rights, if any.
- ☐ A site plan, 11 x 17 to scale, showing dimensions and locations of existing and proposed features, buildings, road and street names, alleys, utility lines (overhead and underground), landscaping, individual parking spaces, access, building setbacks from all property lines, snow storage area. Site plan should include a table showing the dimensional standards (see Table 2-3 attached), and the actual measurements and percentages of the parcel. See the Community Development Office for Assistance.

City of Gunnison Land Development Code – Commonly Used Articles:

Section 2	Zoning Districts includes Principal Use Table (Table 2-3) Dimensional Standards (Tables 2-4 and 2-5)
Section 3	Specific Use Regulations
Section 4	General Development Standards (includes Road Construction Standards, General Site Access, Off-Street Parking and Loading (Table 4-7), Landscaping, Buffering and Screening, Outdoor Lighting)
Section 6	Development Review Procedures
Section 7	Conditional Uses
Section 8	Variances
Section 12	Subdivision Standards

The *Land Development Code* is available on-line at: www.gunnisonco.gov
Copies can also be obtained from the Community Development Office

ADDITIONAL DOCUMENTS MAY BE REQUIRED
Thank you for your complete application.
Call 641-8090 for additional information

TABLE 2-4 RESIDENTIAL DIMENSIONAL STANDARDS

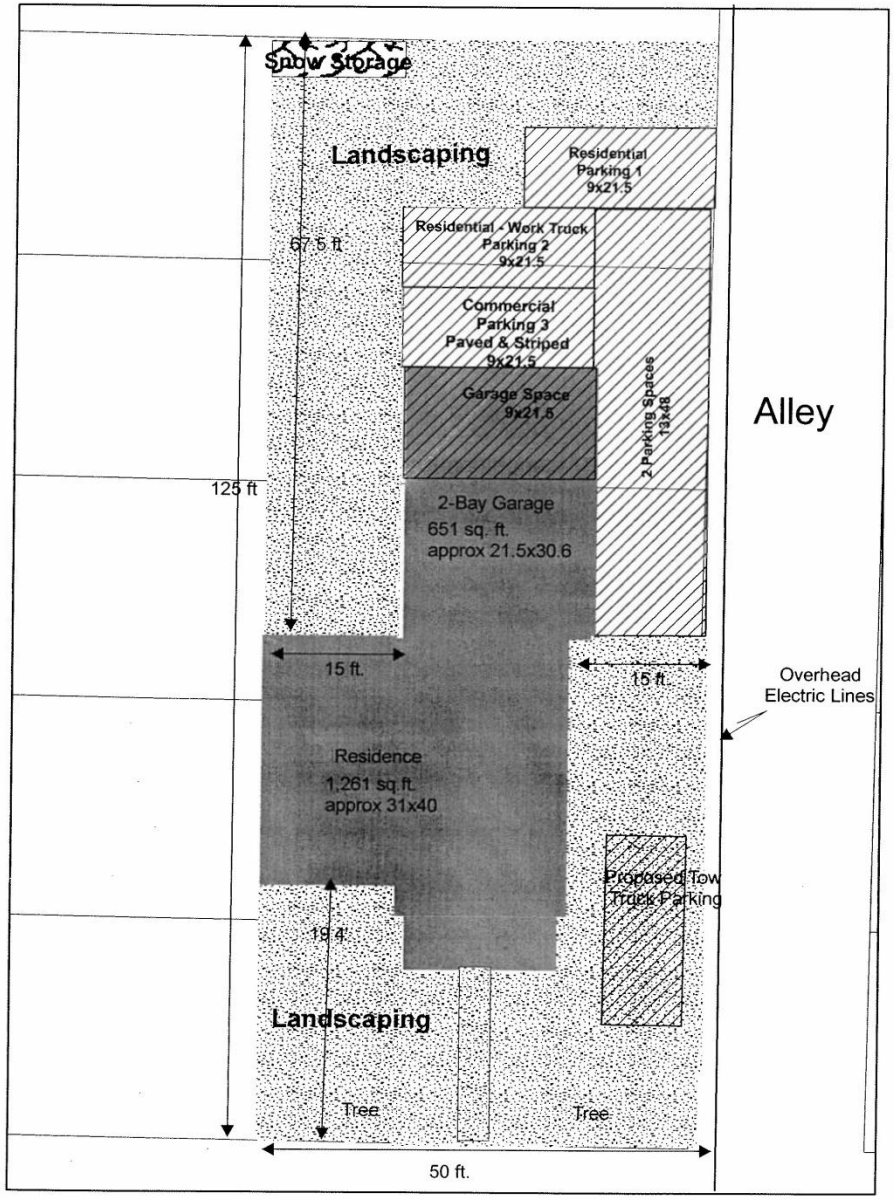
Dimensional Standard	R-1	R-1M	R-2	RMU	R-3
Maximum density (units/acre)[1]	3.5	6	14	16	30
Lot Size Single-Family (sq. ft.)[1]	8,000	6,250	6,250	6,250	6,250
Lot Size Duplex (per unit) (sq. ft.)[1]			3,125	3,125	3,125
Lot Size Townhouse (per unit) (sq. ft.)				3,125	3,125
Lot Size Multi-Family (per unit) (sq. ft.)[1]					
Single Story				3,000	3,000
Two Story				2,500	2,500
Three Story				2,000	2,000
Maximum lot coverage structures	40%	40%	40%	45%	45%
Maximum lot coverage parking/access	10%	10%	15%	20%	40%
Minimum lot coverage landscape area	50%	50%	45%	35%	15%
Minimum lot frontage[1]					
Single-Family	50'	50'	50'	50'	50'
Duplex (per unit)			25'	25'	25'
Townhouse (per unit)				25'	25'
Multi-Family				100'	100'
Zero-Lot Line	50'	50'	50'	50'	50'
Minimum setback front[2]	**15'**	**15'**	**15'**	**15'**	**15'**
Minimum setback side Provided that one additional foot of setback shall be required for each two and one-half feet (a 1:2.5 ratio) of building height over 22.5 feet	10'	5'	5'	5'	5'
Minimum setback rear lot line: principal building Provided that one additional foot of setback shall be required for each two and one-half feet (a 1:2.5 ratio) of building height over 22.5 feet	10'	5'	5'	5'	5'
Minimum setback rear lot line: accessory building	10'	5'	5'	5'	5'
Maximum building height	35'	35'	35'	35'	35'
Maximum building height for detached accessory structure	30'	30'	30'	30'	30'
Minimum building width	24'	24'	20'	20'	20'
Minimum floor area Principal Dwelling (sq. ft.)	480	480	480	300 efficiency 480 multi-family	300 efficiency 480 multi-family
Floor Area Thresholds Accessory Dwelling (sq.ft.)			720		
Minimum storage area (sq.ft.)			32	32	32
Snow storage (% of parking and access coverage)	15%	15%	15%	15%	15%

[1] Density calculations for residential development may be subject to Slope Protection Standards (§5.2) and Section 13.
[2] Covered porches and the landings and steps of a covered porch may encroach into the front yard pursuant to §1.7.L.3.d

TABLE 2-5 NONRESIDENTIAL ZONE DISTRICT DIMENSIONAL STANDARDS				
STANDARD	**B-1**	**C**	**CBD**	**I**
DENSITY				
Max. density (units/acre)	7	14	NA	7
LOT				
Minimum lot size (sq. ft.)	6,250	8,000	--	6,250
Minimum lot frontage (ft.)	50	50	--	50
Maximum lot coverage: (%) structures	40	50	100	60
Maximum lot coverage: (%) Parking Access	15	40	N/A	30
Minimum landscape area (%)	45	10	--	10
BUILDING				
Maximum building height (ft.)	35	35	35	35
Minimum building width (ft.)	24	--	--	--
Minimum floor area: Multi-family (sq. ft.)	480	300 efficiency 480 multi-family	--	--
Minimum floor area: Second story residence (sq. ft.)	300	300	300	300 min 700 max
Minimum storage area (sq. ft.)[1]	32	32	32	--
BUILDING SETBACKS				
Minimum from side lot line (ft.)	5	5[2]	no. req.	5[1]
Minimum from rear lot line (ft.) principal building	5	5[2]	no req.	5[2]
Minimum from rear lot line (ft.) accessory building	5	5[2]	N/A	N/A
Minimum from front lot line (ft.)	15[3]	15[2]	no req.	0[2]
Other Standards				
Snow Storage Area (% of parking and access coverage)	15	15	N/A	15

[1] Storage is required for multi-family dwellings) (§3.3D)
[2] Uses adjacent to residential zone districts shall comply with Zone District Buffer Standards (§4.6 F. 3).
[3] Parking not allowed within front setback area in B-1 Zone District

SAMPLE SITE PLAN



Tomichi Avenue

APPLICANT NAME: _____
SITE ADDRESS: _____
11 X 17 SITE PLAN

Total Parcel Size: 6,250 square feet:

Dimensional Standards:

Dimension	Required	Actual
Structures:	50%	30% 1,912 sq. ft.
Landscaping:	10%	42% - 2,577 sq. ft.
Parking/Access	40%	28% - 1,761 sq. ft. (see below)

Landscaping Requirements:
This site is located in the Entrance Overlay zone which requires two trees within five feet of the sidewalk.

Parking Requirements:

Residence	2 parking spaces
Bays	2 parking spaces per 2 bays
Tow Trucks	3 spaces on rear of lot

Seven spaces required by Code
Two spaces will be located in driveway access

Total Parking/Access Dimensions:

Parking 1	9 x 21.5	193.50
Parking 2	9 x 21.5	193.50
Parking 3	9 x 21.5	193.50
Parking 4 & 5	13 x 48	624.00
Parking 6	in bay	does not count toward uncovered parking

Total Uncovered Parking/Access: 1204.5 sq. ft./19%

Notes:
Snow Storage: (approximately 15' x 4') will be on the northwest side of the lot in the landscaped area. Landscaping is predominantly live cover except 220 sq. ft. of sidewalks.

1 inch equals 15 feet

Section 12. Subdivision Standards

§12.1 PURPOSE

The subdivision of land is a significant step in the process of urban development. The arrangement of land parcels for residential, commercial, industrial, recreational, utility, and other public purposes will determine to a large degree the qualities of health, safety, convenience, environment, and general welfare of the City.

These regulations are intended to and shall be administered in a manner to:

A. Implement Master Plan. Implement the *City of Gunnison Master Plan*.

B. Accurate Records. Establish adequate and accurate records of land subdivision.

C. Compatible Development. Compatibly relate the development of tracts of land to the existing community and facilitate the future development of adjoining tracts, when appropriate.

D. Public Improvements. Provide for adequate, safe and efficient public utilities and improvements, proper design of storm water drainage, and streets and other public facilities.

E. Public Spaces. Provide for light, air, parks, and other spaces for public uses.

F. Protection from Hazards. Provide for protection from fire, flood, air traffic, and other natural and manmade hazards.

G. Development Costs Paid by Developers. Provide that the cost of improvements which primarily benefit the tract of land being developed be borne by the owners/developers of the tract.

H. Protection of Environment. Protect the natural resources, air and water quality, wildlife habitat, scenic characteristics, and other features of the environment from adverse impacts of development.

I. Creative Planning. Encourage the use of creative land planning and development techniques.

§12.2 APPLICABILITY

Land within city limits. These subdivision regulations shall apply to all land located in the city and all land which is annexed to the city.

§12.3 OVERVIEW OF SUBDIVISION PROCEDURE

A. Subdivision Types. Three types of subdivision applications may be submitted to the City. An overview of these three types of subdivisions is provided herein. The Sketch Plan, Preliminary Plat and Final Plat review procedures, application contents and review standards as they may apply to each type of subdivision are described in greater detail in the sections which follow this overview.

1. **Subdivision Exemption**. Activities exempted from the subdivision regulations are limited to boundary line adjustments, condominiums (§38-33-101 *et.seq. C.R.S.)* and common interest

ownership plats (§38-33.3-101 et. seq., *C.R.S.)* and insubstantial changes to a recorded plat. A subdivision exemption is reviewed and acted upon by the Community Development Director as described in §12.4, Subdivision Exemption.

2. **Minor Subdivision.** A Minor Subdivision is a subdivision which proposes not more than eight lots or units and which subdivides a parent parcel of less than four acres or an approved subdivision reclassification. A Minor Subdivision is subject to an expedited subdivision three-step review process, wherein the Sketch Plan and review by the Commission has been deleted. The applicable review steps are as follows:

   a. **Step One**. Review of the preliminary plat by the Commission at a public hearing, as described in §12.6, Preliminary Plat Review.

   b. **Steps Two and Three**. Review of the Final Plat by the Commission and City Council, as described in §12.7, Final Plat Review. (Ordinance 3, 2015)

3. **Major Subdivision**. A Major Subdivision is a subdivision which proposes more than eight lots or units, or which subdivides a parent parcel of four acres or greater. A major subdivision is subject to the full four-step subdivision review process, as follows:

   a. **Step One.** Review of the Sketch Plan by the Commission as described in§12.5, Sketch Plan Review.

   b. **Step Two.** Review of the Preliminary Plat by the Commission at a public hearing, as described in §12.6, Preliminary Plat Review.

   c. **Steps Three and Four.** Review of the Final Plat by the Commission and City Council, as described in §12.7, Final Plat Review.

B. Subdivision Reclassification. Major Subdivisions may, at the discretion of the Community Development Director, be reclassified as a Minor Subdivision, prior to the application submittal.

1. **Purpose.** A subdivision reclassification is intended to afford a means for a defined Major Subdivision to be reclassified to a Minor Subdivision, if the proposal provides a demonstrated community benefit that may include, but not be limited to, preservation of public open space, development of affordable housing, trail development or to facilitate the purpose of an organization providing a valuable community benefit.

2. **Process.** Prior to the submittal of a formal subdivision application, the applicant may submit a formal written document to the Director requesting the reclassification of a Major Subdivision to a Minor Subdivision. The written request shall explain how the specific characteristics of said subdivision comply with the Reclassification Review Standards. The Director will provide a written notification of the decision to the applicant and the Commission. The Commission is authorized to deny the Directors decision.

3. **Reclassification Review Standards.** An application for a Subdivision Reclassification shall comply with the following standards:

   a. **Community Benefit.** The proposed subdivision will provide a derived community benefit as described in the Purposes of this subsection.

   b. **Utility Services.** Public utility services (water, wastewater, electrical, gas, stormwater) are easily available to the land tract proposed for subdivision and only private service extensions are anticipated.

   c. **Dedications.** The land tract is serviced by existing city streets and easements (trails, utilities) and/or the dedication of public streets and easements can be addressed through the Minor Subdivision Review process.

   d. **Non-Motorized Facilities.** The extension of non-motorized transportation facilities can be addressed though the Minor Subdivision process.

   e. **Consistency with the Master Plan.** The intended uses shall be consistent with the *City of Gunnison Master Plan*.

4. **Subdivision Requirements.** A reclassification approval shall not be construed as a waiver from any of the established requirements for subdivision established by the *Land Development Code*. (Ordinance 3, 2015)

C. **Planned Unit Development Subdivision (PUD).** The Commission may authorize a subdivision to be developed as a Planned Unit Development (PUD). A PUD is a form of subdivision development in which certain zone district and improvement standards may be applied in a refined manner that encourages innovative land planning practices and achieves desired public purposes as determined by the Commission.

1. **Procedures**. Regardless of parcel size or lot number, a subdivision which is developed as a PUD shall comply with all of the procedures specified for a Major Subdivision.

2. **Application Contents**. The application contents for the PUD shall be the same as those for a subdivision; provided, that as part of the Sketch Plan and Preliminary Plat applications, the applicant's narrative also shall describe how the proposed development departs from the City's traditional development standards and how, on balance, it improves upon what otherwise would be developed on the property and achieves the purposes of PUD.

3. **Concurrent PUD and Zoning Amendment Applications.** If the application for a PUD subdivision is being processed contemporaneously to a PUD zoning amendment application, it will follow the procedures described herein:

   a. **Public Notice and Action by Planning and Zoning Commission**. The Commission shall hold a public hearing for the PUD zoning amendment, following the provisions of §10.3 E., at the same meeting that a public hearing for Preliminary Plat is conducted. The Commission recommendation for the PUD zoning amendment will be forwarded to the City Council while the final PUD application is reviewed by the Commission.

b. **Public Notice and Action by City Council.** The City Council shall hold a public hearing for the PUD Zoning Amendment, following the provisions of §10.3 F. The City Council shall not consider the final PUD application until such time that the second reading of the PUD Zoning Amendment Ordinance is acted upon. A City Council determination of denial or remand of the PUD Zoning Amendment shall constitute a denial or remand of the PUD Subdivision application.

4. Review Standards. PUD Subdivision Standards are established in §10.7.

§12.4 SUBDIVISION EXEMPTION

A. Procedure. An applicant requesting Subdivision Exemption approval shall follow the stages of the land development process outlined below.

B. Preapplication Conference. Attendance at a preapplication conference is optional, but recommended, for an applicant intending to submit an application for a Subdivision Exemption.

C. Submit Application. The application for Subdivision Exemption shall follow the submittal requirements cited below, depending upon the application type:

1. Boundary Line Adjustment/Insubstantial Change to a Plat of Record. If the application is either a Boundary Line Adjustment or Insubstantial Change to a Plat of Record, the application contents shall apply with the provisions of §12.7 B. and §12.7 C.

2. Common Interest Community Plats-Required Map Data. The application for condominium or planned community shall include the following data and plat map information:

a. the plat map shall contain certificates pursuant to §12.7 C. items 1-4, and approval signature statements pursuant to §12.7. E;

b. the plat map shall define all common areas, usages of buildings and grounds and plans for the interior division of the building showing horizontal and vertical boundaries of all units;

c. a draft copy of the declaration applicable to the common interest community;

d. a draft copy of applicable bylaws;

e. any proposed restrictive covenants;

f. all utility lines, meters, and easements; and,

g. any other information required by the *Colorado Common Interest Ownership Act of the State of Colorado* (§38-33.3-101 et seq., *C.R.S.).*

D. Staff Review. The Community Development Director shall review the application to determine whether it is complete. The Community Development Director shall assess the application to determine compliance with the standards outlined in §12.8, Subdivision Review Standards. Based on this assessment, the Community Development Director may approve, deny, or remand the application to the applicant with instructions for modification or additional information or action.

The Community Development Director may solicit the assistance of other agencies and organizations in drafting the report.

E. Public Notice. Public notice that an application for a Subdivision Exemption is being considered by the Community Development Director shall not be required.

F. Actions Following Approval

1. **Signature.** Following approval of the Subdivision Exemption, the applicant shall submit two Mylar copies of the exemption plat to the Community Development Director, who shall be authorized to sign the exemption plat on behalf of the City and have it attested by the City Clerk. The Community Development Director shall deliver one copy of the signed exemption plat to the Gunnison County Clerk and Recorder for recordation.

2. **Expiration.** The exemption plat shall be submitted to the Community Development Director within one year after the exemption application has been approved, or such approval shall expire.

3. **Extension**. An applicant may request an extension of the deadline for recordation of the exemption plat by submission of a written request to the Community Development Director prior to the expiration date, which shall demonstrate good cause for granting the extension. The approval shall be deemed extended until the Community Development Director has acted on the request for extension. The Community Development Director shall be authorized to extend the approval by a period of up to one year and to impose additional conditions, if necessary.

G. Review Standards. An application for Subdivision Exemption shall comply with the standards applicable to all subdivision applications, contained in §12.8, Subdivision Review Standards, and if applicable, §12.9, Planned Unit Development Subdivision Review Standards. The following additional standards shall also apply to certain types of Subdivision Exemption applications, as specified herein.

1. **Boundary Line Adjustment**. The lot lines between contiguous lots which are under separate or single ownership may be adjusted if the following conditions are met:

   a. **Purpose.** The adjustment shall be for the purpose of correcting a surveying or engineering error in a recorded plat, permitting an insubstantial boundary change between contiguous parcels or addressing a specific hardship.

   b. **Consent**. The owners of affected properties whose lot lines are being adjusted shall provide written consent to the application.

   c. **Further Division.** The adjustment shall not create the opportunity to further subdivide either lot to create a new lot for resale or development.

   d. **Conformance.** All resulting lots shall meet the standards of this *Land Development Code*. If any of the lots or structures thereon is nonconforming prior to the adjustment, then no adjustment shall be allowed that increases the net nonconformity of the lots or structures.

2. **Insubstantial Change to Recorded Plat**. An Insubstantial Change may be made to a recorded plat as follows:

   a. **Limitations**. An Insubstantial Change shall be limited to changes to address engineering or technical constraints discovered during development which could not be anticipated during the original approval process, or any other change to a plat which has no material effect on the character of the approved plat, the representations made by the applicant or the conditions of approval. Street locations and street rights-of-way shall not be changed.

   b. **Conformance**. Following approval of the Insubstantial Change, the recorded plat shall continue to conform to all applicable standards of this *LDC*.

   c. **Amendments.** A change to a plat which is not insubstantial, including any resubdivision of a lot other than a boundary line adjustment, shall be considered an Amendment and shall follow the review procedures applicable to Minor Subdivisions.

§12.5 SKETCH PLAN REVIEW

A. **Procedure.** An applicant requesting Sketch Plan approval shall follow the stages of the land development process outlined below.

1. **Preapplication Conference.** Attendance at a preapplication conference is mandatory for an applicant intending to submit an application for Sketch Plan approval.

2. **Submit Application.** The applicant shall submit a complete application to the Community Development Director, containing those materials listed in §12.5B, Application Contents. The Community Development Director shall notify the Commission of receipt of the application.

3. **Staff Review.** The Community Development Director shall review the application to determine whether it is complete, as specified in §6.6 A., Completeness Review. The Community Development Director shall forward a report to the Commission which summarizes the application's compliance with the review standards contained in §12.8, Subdivision Review Standards, and other applicable provisions of this *LDC*. The technical comments and professional recommendations of other agencies, departments and organizations may be solicited in drafting the report.

4. **Public Notice**. Public notice that an application for a Sketch Plan approval is being considered by the Commission shall be required.

5. **Public Action by Commission.** The Commission shall conduct a public hearing and review the conformance of the application with all applicable provisions of this *LDC*. The Commission shall approve, approve with conditions, deny the application, or remand it to the applicant with instructions for modification or additional information or action. The Commission may, as a part of their approval, waive preliminary subdivision plan application contents if requested by the Community Development Director or applicant if it is determined that the waiver is justified and not contrary to the subdivision purposes.

6. **Actions Following Approval**

a. **Effect of Sketch Plan Approval.** Approval of a Sketch Plan shall not constitute final approval of the subdivision or permission for development to occur. Sketch Plan approval shall only constitute authorization to proceed with an application for preliminary plat approval.

b. **Expiration**. If an application for preliminary plat approval is not submitted to the City within one year of the date of approval of the Sketch Plan, the Sketch Plan approval shall expire.

c. **Extension**. An applicant may request an extension of the submission deadline for the Preliminary Plat by submission of a written request to the Community Development Director prior to the expiration date, which shall demonstrate good cause for granting the extension. The approval shall be deemed extended until the Commission has acted on the request for extension. The Commission shall be authorized to extend the approval by a period of up to one year and to impose additional conditions if necessary.

B. Application Contents. An application for Sketch Plan approval shall contain the following information:

1. **Minimum Contents**. The minimum contents for all applications specified in §6.5 C, Minimum Application Contents, as well as the submittal data included herein.

2. **Conceptual Site Plan**. A graphic conceptual site plan or plans of the proposed development shall be prepared at a map scale large enough for effective public presentations, but generally no less than one inch equals 200 feet. An applicant may provide several alternative plans to show how the preferred alternative was arrived at and address how the features of the land and goals of the *Master Plan* were taken into consideration. Topography shall be depicted using five-foot contour intervals except for sites with grades less than 4 percent where maximum two-foot contours will be provided. Graphics shall be used to accurately represent the key aspects of the proposal, without misleading exaggeration of scale or emphasis. The site plan shall include the following, as applicable:

   a. **Topographic Features.** Significant topographic features including natural and artificial drainage ways, ditches, bodies of water, approximate 100-year floodplain, wetlands, vegetative cover, soil types and prominent geologic features.

   b. **Development Scheme**. Schematic representation of the proposed development including general lot location and size, type and density of housing units, total number of square feet of proposed nonresidential space by type and general location, parks, recreation and open space areas, off-street parking areas, and proposed landscaping.

   c. **Utility and Facility Plans**. Conceptual plans to address water supply, sewage disposal, stormwater facilities, solid waste collection, fire protection, irrigation ditch system, and proposed school and other public facility sites.

   d. **Circulation Plan.** The proposed internal road and pedestrian access scheme and the surrounding road system (existing and future) which provides access to the site. Typical geometric cross-sections shall be shown and proposed roads shall be designated as either private or public.

e. Land Survey. Sufficient land survey data (section corners, quarter corners, township and range, etc.) to identify the land to be subdivided, and two ties to quarter-section and/or section corners, or other monuments acceptable to the Community Development Director.

f. Easements. All recorded easements or rights-of-way which could affect the proposed development.

g. Existing Conditions. All existing structures, utilities and other physical features which could affect the proposed development, including existing roads and driveways within 350 feet of the subdivision site.

3. Narrative. The Sketch Plan shall be accompanied by a narrative description which provides a conceptual description of the proposed land uses, densities, intentions for design and landscaping and road and utility plans. The narrative shall provide a tabular summary which offers sufficient information to demonstrate that the Sketch Plan conforms to all applicable dimensional standards and off-street parking requirements and shall also include such other data essential to the evaluation as may be requested by the City to enable an adequate conceptual evaluation of the proposed subdivision.

4. Vicinity Map. A vicinity map shall be submitted along with the Sketch Plan. The vicinity map shall show the location of the proposed subdivision, all adjacent lands owned or under option by the applicant, commonly known landmarks and federal, state and local streets with names, and the zone district(s) in which the proposed subdivision and adjacent properties are located.

5. Preliminary Plan Application Content Modification Request. At the time of Sketch Plan submittal, the applicant may request modification from the preliminary subdivision application submittal requirements. This modification is subject to approval by the Commission as specified in §12.5 A.5. The applicant must demonstrate that the modification is justified and not contrary to the purposes stated in §12.1 for subdivisions.

§12.6 PRELIMINARY PLAT REVIEW

A. Procedure. An applicant requesting Preliminary Plat approval shall follow the stages of the land development process outlined below.

1. Preapplication Conference. Attendance at a preapplication conference is mandatory for an applicant intending to submit an application for preliminary plat approval.

2. Submit Application. The applicant shall submit a complete application to the Community Development Director containing those materials listed in §12.5 B., Application Contents.

3. Staff Review. The Community Development Director shall review the application to determine whether it is complete, as specified in §6.6 A, Completeness Review. The Community Development Director shall forward a report to the Commission which summarizes the application's compliance with the review standards contained in §12.8 Subdivision Review Standards, and other applicable provisions of this *LDC*. The technical comments and professional recommendations of other agencies, organizations and consultants shall be solicited in drafting the report as necessary.

4. **Public Notice.** Public notice that an application for Preliminary Plat approval is being considered by the Commission shall be provided as specified in §6.7, Stage 4: Provision of Public Notice.

5. **Public Action by Commission**. The Commission shall conduct a public hearing to review the conformance of the application with all applicable provisions of this *Land Development Code*. If the Commission finds the application is in conformance, it shall approve the application. If not, then the Commission may approve the application with conditions, remand the application to the applicant for additional information, or deny the application.

6. **Actions Following Approval**

   a. **Effect of Preliminary Plat Approval**. Approval of a Preliminary Plat shall not constitute final approval of the subdivision or permission for development to occur. Preliminary Plat approval shall only constitute authorization to proceed with an application for Final Plat approval.

   b. **Expiration.** If an application for Final Plat approval is not submitted to the City within one year of the date of approval of the Preliminary Plat, the Preliminary Plat approval shall expire. The Final Plat may reflect the entire Preliminary Plat or any logical part thereof. In the case of a partial submission, the approval of that portion of the development shall automatically gain an extension of six months for the remaining area before another phase of the plat is required to be submitted in final form.

   c. **Extension.** An applicant may request an extension of the submission deadline for the Final Plat by submission of a written request to the Community Development Director prior to the expiration date, which shall demonstrate good cause for granting the extension. The approval shall be deemed extended until the Commission has acted on the request for extension. The Commission shall be authorized to extend the approval for a period of up to one year and to impose additional conditions if necessary.

B. Application Contents. An application for Preliminary Plat approval shall contain the following information:

1. **Minimum Contents.** The minimum contents for all applications specified in §6.5 C, Minimum Application Contents, unless a waiver has been granted by the Commission as part of the Sketch Plan approval.

2. **Form.** Preliminary Plans clearly and legibly drawn in ink and shall show the proposed layout of the subdivision and all information required by the *LDC*.

3. **Preliminary Plat.** A Preliminary Plat reflecting the layout of the lots, blocks and structures in the proposed subdivision. The preferred scale of the plat is one inch equals 100 feet; the minimum allowable scale is one inch equals 200 feet. Sheet size shall be 24 inches by 36 inches. If it is necessary to draw the plat on more than one sheet, a sheet index shall be placed on the first sheet. The Preliminary Plat shall contain the following:

   a. name of subdivision;

b. legal description;

c. name(s) and addresses of owner(s), subdivider, land planner and land surveyor registered in the state of Colorado;

d. scale of the plat;

e. north arrow;

f. date the plat was prepared;

g. draft certificates and approval signature statements as required by §12.7 C. of the *LDC*;

h. boundary lines of proposed subdivision (shown as a heavy solid line), proposed zoning boundary lines, approximate dimensions of all lots, blocks and all land intended to be held in common for use by all property owners in the proposed subdivision—survey data will include the length of all arcs, chords, radii, and curvature and tangent bearings;

i. proposed street names; and,

j. the location and dimensions of all existing and proposed streets, alleys, easements, ditches, and utilities within or adjacent to the proposed subdivision.

4. Vicinity Map. A vicinity map shall be submitted along with the Preliminary Plat. The vicinity map shall show the location of the proposed subdivision; all adjacent lands owned or under option by the applicant; commonly known landmarks; federal, state and local streets with the names; and, the zone district(s) in which the proposed subdivision and adjacent properties are located.

5. Existing Conditions. A map of existing conditions, including but not limited to the following:

a. existing buildings and structures;

b. location and approximate dimensions of all existing or recorded section lines, streets, alleys, easements, irrigation ditches and existing utilities;

c. identification and delineation of stream/river corridors, wetlands, special flood hazard areas and floodways;

d. areas of geologic and wildfire hazard;

e. existing topography, depicted as contours at a vertical interval of not more than five feet where the slope is greater than ten percent and not more than two feet where the slope is ten percent or less—topographical data shall reference USGS datum. In addition, the submittal shall include an analysis of the area and percentage of the total site that falls into the following slope categories:

i. 0% to 10%;

ii. 10.1% -20%;

iii. 20.1% - 25%; and

iv. 25.1% and over.

f. other important natural or physical features within and adjacent to the tract to be subdivided.

6. **Location of Public Facilities.** Location and approximate dimensions for all proposed streets, alleys, irrigation ditches, easements and stormwater facilities/drainage ways to be reserved for public use. Sight distance measurements shall be included for each street intersection.

7. **Sidewalks.** Sidewalk location and width when required.

8. **Land Dedications.** Approximate dimensions of all proposed land dedications for public trail purposes.

9. **Lot Square Footage and Gross Acreage.** Approximate square footage of each lot and the total gross acreage of the subject property.

10. **Limits of Disturbance.** A proposed delineation of the limits of disturbance (LOD) for road and utility construction and/or overlot grading boundary.

11. **Drainage Report.** A Phase II Drainage Report prepared by a licensed engineer, showing all proposed drainage facilities, prepared according to the criteria established in the latest revision of the City of Gunnison Stormwater Management Manual.

12. **Utilities.** Identification of provisions for water, sewer and electricity.

13. **Commitment Letter.** A commitment letter from private utility providers stating that they will provide services. This includes providers of natural gas, telephone, and cable.

14. **Preliminary Drawings.** Preliminary drawings prepared by a licensed engineer for water, sewage, drainage systems, electrical system and street lighting plan.

15. **Road Plans prepared and certified by a registered civil engineer or land surveyor.** Drawings shall include plan view and delineated center line profile with designated stations and road sections.

16. **Grading Plan prepared and certified by a registered civil engineer or land surveyor.** The plan shall include the following items:

    a. A contour map showing the existing and proposed topography of the entire site. The map shall have a minimum of five-foot contour intervals at a minimum scale of one inch equals one hundred feet where terrain modification is not proposed. In areas where terrain modification is proposed, two-foot intervals at a scale of one inch equals 100 feet or at alternative scale approved by the Director are required. Staff may require greater detail, including but not limited to depiction of slopes on adjacent properties and how proposed resulting slopes and finished grades will relate or transition to slopes existing on adjacent properties.

b. Reference to any specific grading recommendations made in a required hazard mitigation plan.

c. Location, type and height of proposed retaining structures showing top and bottom elevations.

d. Gradient of proposed cut-and-fill slopes must be shown in horizontal:vertical notation.

e. An erosion control plan for all disturbed areas.

i. The erosion control plan shall include the phasing and timing for implementation of erosion control measures to prevent and minimize erosion during and after construction.

ii. Erosion control plans shall be developed in accordance to *Stormwater Discharges Associated with Construction Activity General Permit Application and Stormwater Management Plan Preparation Guidance* (CDPHE Water Quality Control Division).

f. A phasing schedule showing when each stage of the project will be completed, including the total area of soil surface which is to be disturbed during each stage and an estimate of starting and completion dates.

g. Other items that may be required at the discretion of the staff if necessary to necessitate a complete and reasonable review of the development, including but not limited to:

i. cross-sections at identified locations;

ii. identification of all structures on, or adjacent to the site that may be affected by grading and development, and presentation of detailed mitigation measures to reduce any negative impact to existing structures during development.

17. Hazard Mitigation Plans for identified hazard areas.

18. Specific designation of all lots that contain any slope greater than 10 percent.

19. Anticipated phases of development and timing.

20. Title Insurance. A commitment for title insurance showing the ownership to the property in the proposed subdivision.

21. Site Development Tabulation. A tabular summary of the development proposal which identifies the total proposed development area in acres, with a breakdown of the percentages and amounts devoted to specific land uses; total number and type of proposed residential units; total number of square feet of proposed nonresidential space; number of proposed lots; and sufficient information to demonstrate that the Preliminary Plat conforms with all applicable dimensional standards and development standards.

22. Development Report. A written report, with accompanying technical and graphic material as necessary, which shall address the factors listed below, to demonstrate that the proposal

conforms to the *City of Gunnison Master Plan* and the standards of this *LDC*. The extent of the analysis of each factor shall depend on the applicability of the particular factor to the subject property and its impact on the surrounding area.

a. Site Characteristics. A description of site features such as streams, areas subject to 100-year flood frequency, lakes, high ground water areas, topography, vegetative cover, and other features are pertinent to evaluation of the proposed development.

b. Soils. A description of those soil characteristics of the site which would have a significant influence on the proposed use of the land, with supporting soil maps, soil logs, and classifications sufficient to enable evaluation of soil suitability for development purposes. Data furnished by the USDA Natural Resources Conservation Service or a licensed engineer shall be used. The data shall include the engineering soil group designation, shrink/swell potential of the soils, the ground water levels, and the resulting foundation requirements. Additional data may be required by the City if deemed to be warranted due to unusual site conditions.

c. Geology. A report on the geologic characteristics of the area including any potential natural or manmade hazards which would have a significant influence on the proposed use of the land, including, but not limited to, hazards from steep or unstable slopes, rock fall, avalanches, faults, ground subsidence or radiation, a determination of what effect such factors would have, and proposed corrective or protective measures.

d. Water Supply and Sewage Disposal. Data addressing the population planned to occupy the proposed subdivision and future development phases and other developments that may need to be served by extensions of the proposed water supply and sewage disposal systems pursuant to §4.1 of this *LDC*. The resulting domestic, irrigation, and fire flow demands shall be expressed in terms of gallons of water needed on an average day and at peak time and the resulting amounts of sewage to be treated shall be expressed in gallons per day.

i. Ability to Serve. An analysis shall be submitted of the current ability of the City to provide domestic and irrigation water and water for fire flows and to collect and treat sewage generated by the property to be subdivided.

ii. Water Rights. A statement shall be submitted addressing the quantity, quality and availability of any water that is attached to the land.

e. Cost of Improvements, Phases and Covenants. A preliminary estimate of the cost of all required public improvements, tentative development schedule (with development phases identified), proposed or existing covenants and proposed maintenance and performance guarantees. The subdivider shall submit, at least in summary or outline form, any agreements as may be required by §12.10, Subdivision Improvements Agreement, relating to improvements and dedications.

f. Solar Energy. A description of the steps that have been taken to protect and enhance the use of solar energy in the proposed subdivision. This shall include how the streets and lots have been laid out and how the buildings will be sited to enhance solar energy usage.

g. Floodplain. If applicable, a report shall be submitted identifying the location of the 100-

year floodplain and the drainage ways near or affecting the property being subdivided. If any portion of a 100-year floodplain is located on the property, the applicant shall also identify the floodway and floodway fringe area. The applicant shall also describe the steps that will be taken to ensure that development locating in the floodway fringe area is accomplished in a manner which meets Federal Insurance Administration standards.

h. Wetlands. If applicable, a report shall be submitted on the location of wetlands, as defined by the U.S. Army Corp of Engineers, on or affecting the property being subdivided. The report shall outline the development techniques planned to ensure compliance with federal, state and local regulations.

i. Traffic Analysis. The Community Development Director and/or Commission may require the developer to submit a traffic analysis prepared by a qualified expert, to determine the impacts of a proposed development on surrounding city streets and to evaluate the need for road improvements to be made.

j. Irrigation Ditch System. An analysis shall be provided of the current ability of the City to provide irrigation water to the subdivision, and a description of the water needed to serve the proposed subdivision.

k. Landscape Plan. A preliminary landscape plan meeting the specifications of §4.6, Landscaping, Buffering and Screening.

l. Parking. A depiction of how the required off-street parking requirements will be met in the development.

23. Schematic Plan. In the event that the Preliminary Plan covers only a portion of the subdivider's entire ownership, a schematic plan of the anticipated land development plan for the entire tract, including street and utility systems and proposed easements, shall accompany the Preliminary Plan.

24. Final Plan Application Content Modification Request. At the time of Preliminary Plan submittal, the applicant may request modification from the final subdivision application submittal requirements. This modification is subject to approval by the Commission as specified in §12.5 A.5. The applicant must demonstrate that the modification is justified and not contrary to the purposes for subdivisions as stated in §12.1.

25. Final Plan Application Waiver

§12.7 FINAL PLAT REVIEW

A. Procedure. An applicant requesting Final Plat approval shall follow the stages of the land development process outlined below.

1. Preapplication Conference. Attendance at a preapplication conference is optional, but recommended, for an applicant intending to submit an application for Final Plat approval.

2. Submit Application. The applicant shall submit a complete application to the Community Development Director containing those materials listed in §12.7 B, Application Contents.

3. **Staff Review**. The Community Development Director shall review the application to determine whether it is complete, as specified in §6.6. A, Completeness Review. The Community Development Director shall forward a report to the Commission which summarizes the application's compliance with the review standards contained in §12.8, Subdivision Review Standards, and other applicable provisions of this *LDC*. The technical comments and professional recommendations of other agencies, organizations and consultants shall be solicited in drafting the report, as necessary.

4. **Public Notice**. Public notice that an application for a Final Plat approval is being considered by the Commission shall not be required.

5. **Public Action by Commission**. The Commission shall conduct a meeting to review the conformance of the application with all applicable provisions of this *LDC*. If the Commission finds the application is in conformance, it shall make a recommendation that the City Council approve of the application. If not, then the Commission may recommend approval with conditions, remand the application to the applicant for additional information or modification or deny the application.

6. **Action by Council**. The City Council shall consider the recommendations of the Commission at a meeting, for which public notice shall not be required. The Council shall approve, approve with conditions or deny the application or shall remand it to the applicant with instructions for modification or necessary additional information.

7. **Actions Following Approval**

   a. **Signature.** Immediately following approval of the Final Plat, the applicant shall submit two Mylar copies of the plat to the Community Development Director to be signed by the Mayor and the Chair of the Commission and to be attested by the City Clerk. The Community Development Director shall deliver one copy of the signed plat to the Gunnison County Clerk and Recorder for recordation.

   b. **Expiration**. The Final Plat shall be submitted to the Community Development Director for recordation within one year after the Final Plat application has been approved or such approval shall expire.

   c. **Extension.** An applicant may request an extension of the deadline for recordation of the Final Plat by submission of a written request to the Community Development Director, prior to the expiration date, which shall demonstrate good cause for granting the extension. The approval shall be deemed extended until the City Council has acted on the request for extension. The City Council shall be authorized to extend the approval by a period of up to one year and to impose additional conditions if necessary.

B. Application Contents. An application for Final Plat approval shall contain the information required herein:

1. **Final Plat Requirements**. The Final Plat shall contain all information on the approved Preliminary Plan or plat, except contours, plus the requirements set forth below. Site staking may also be required to be updated or added**.**

   a. **Legibility, Format and Number of Copies**

i. The final subdivision plat, including all drawings and signatures, shall be clearly and legibly drawn in black waterproof ink on Mylar. Each sheet shall be twenty-four inches by thirty-six inches in size with a one-inch marginal line from each edge. The title, all drawings, affidavits, certificates, acknowledgments, endorsements, acceptances of dedication and notarial seals shall be within the marginal lines.

ii. The original, two Mylar reproducible copies, and four prints shall be filed in the office of the City of Gunnison Community Development Department.

iii. An 11" x 17" reduction of each of the sheets comprising the Final Plat shall also be filed in the Community Development Department.

iv. The Final Plat and final construction plans shall be submitted in a digital format compatible with City systems:
AutoCAD r12 or newer DWG
ArcView 10.0 or newer

b. **Boundary, Scale and Sheet Number.** The boundary of the tract shall be designated by a border line applied on the face of the tracing and on the inside of the boundary line. Every sheet comprising the plat shall bear the title, scale of not more than 200 feet to the inch, north point (designated as true north) and sheet number, the latter to be set forth in the lower right-hand corner of the plat.

c. **Key Diagram and Vicinity Map**

i. If more than one sheet is used, a key diagram showing the area covered by each sheet shall appear on the title sheet. Cut-lines will be shown on individual sheets.

ii. A vicinity map shall be included showing the area adjacent to the proposed subdivision or annexation. Said vicinity map shall have a maximum scale of one inch equals one thousand two hundred feet (1" = 1,200') or an alternative scale approved by staff prior to submittal.

d. **Affidavits, Dedications, Certificates and Approval Signatures**. Affidavits, certificates, acknowledgments, endorsements, acceptances of dedication and notarial seals shall appear only once and upon the first, and such other as may be required, of several sheets. These provisions shall be the forms defined in§12.7 C.

e. **Dimensions.** Accurate dimensions for all lines, angles and curves used to describe boundaries, streets, alleys, easements, areas to be reserved for public use and other important features shall be provided. Sufficient data shall be shown to readily determine bearing and length of every lot line and boundary line. No ditto marks shall be used. Lots shall show net acreage to the nearest one-thousandth. Length, radius and total delta and chord bearings of each curve and the bearing of radial lines to each lot corner on a curve shall be shown, and defined in a table format on the plat. The map or plat shall show all easements to which lots are subject in such manner that the easements may be retraced in the field. Easements for storm drains, sewers, building lines and other purposes shall be denoted by fine dashed lines. The centerline of all streams and natural drainage channels which are not offered for dedication to public use on the map or plat shall be shown by

dashed lines.

f. **Lots subject to slope development standards (Table 5-1) should be specified by plat notations.**

g. **Relation to Adjacent Areas.** The map or plat shall show corners of all adjoining subdivisions, or portions thereof, by lot or block number and tract name. The relation of the tract to adjoining subdivisions shall be shown by ties consisting of courses and distances. The map or plat shall show all city boundaries crossing or adjoining the subdivisions clearly designated and tied in.

h. **Block and Lot Numbers.** In tracts containing more than one block, the blocks shall be designated in alphabetical or numeric order. Lots shall be designated numerically, beginning with the number "1," in each block.

i. **Street Names.** Street names that have been approved by the Community Development Director, in coordination with the E-911 Communications Director.

j. **Notation of Monuments.** The character, type and position of all monuments and covers shall be noted on the final map or plat to the nearest hundredth of a foot.

k. **Monument and Mathematical Checking.** All permanent monuments and lot pins shall be placed prior to the approval of the final map or are subject to placement by the *Subdivision Improvements Agreement*. The City Engineer, or a designated representative, shall, by a field examination of the subdivision, determine whether or not all monuments shown on the map or plat have been set as required by this *LDC*. The Engineer shall determine that the outside boundaries of the property included within the addition or subdivision close mathematically.

l. **Dedication of Property.** An enumeration of the streets, alleys, easements, trails, public parks/open areas and other public facilities as shown on the map or plat, and a dedication thereof to the public use, shall be indicated.

m. **Future Street Dedication.** The staff shall determine whenever a street is necessary for future additions or subdivisions, but which street is not presently warranted for construction, that the necessary dedication for such future street is provided on the map or plat.

2. Final Subdivision Utility and Civil Engineer Plan Requirements

a. **Improvements Generally.** No final map or plat shall be approved unless the improvements required by §12.8 C. have been installed, or the installations of the same have been guaranteed in accordance with the provisions of §12.10. Final construction plans for all improvements (two paper copies and one digital copy) shall be submitted at the time of Final Plat submittal. As-built plans (one Mylar, two paper copies and one digital copy) shall be submitted at the time the first building permit is issued or construction of the improvements is completed, whichever comes first.

b. **Preparation of Plans.** All profiles and plans, including each sheet, shall be twenty-four inches by thirty-six inches (24" x 36") and prepared, stamped and signed by a registered professional engineer in the State, with an approval block for the City Engineer.

c. **Subsequent to Final Approval**. Subsequent to Final Plat approval, site-specific lot surveys and corner lot pins shall be provided to each lot and shall be used in the preparation of the lot for development.

d. **Plan View and Street Profile.** The existing and proposed centerline plan view profile of each street with grades, and existing profiles at right and left sidelines of the right-of-way.

e. **Road Cross-Section.** The cross-section of all roads showing the shoulder, valley pans, curb and gutter, and surface width taken for each block at the point of greatest cross-slope and showing the width of sidewalks, irrigation ditches and the location and size of utility mains.

f. **Road Construction Cost Estimate.** The plan will include material unit price and quantity lists, and estimated labor and equipment costs.

g. **Sanitary Sewer Plan and Profile.** A plan and profile of proposed sanitary sewers with grades and pipe sizes indicated.

h. **Domestic Water.** A plan of the proposed water distribution system showing pipe sizes and location of valves and fire hydrants. Plans shall include material unit price and quantity list and labor and equipment costs. Design and construction standards shall be in accordance with the current requirements of the *City of Gunnison Construction Standards*, or as determined by the City Engineer.

i. **Electrical Distribution.** A plan of the electrical distribution system to include the location of transformers and street lights and will include material unit price, quantity list, labor costs, and equipment costs.

j. **Stormwater Drainage Report.** A report and plans required for a Phase III Drainage Report as defined by Section 3.5 of the *City of Gunnison Stormwater Management Manual*.

k. **Irrigation Systems.** A design of the irrigation ditch system to include ditch grade, culvert size, ditch sumps, head gates, and material unit price, quantity list, labor costs and equipment costs.

3. Treasurer's Certificate. A treasurer's certificate of taxes reflecting that taxes are not delinquent.

4. Deed. A general warranty deed and title insurance policy which deeds to the City, or other appropriate public agency, all lands other than streets which are to be held for or used for public purposes.

5. Subdivision Improvements Agreement. A complete *Subdivision Improvements Agreement*, in accord with §12.10, any other applicable agreements, and any proposed covenants for the subdivision.

C. Certificates. Certificates required to appear on the final subdivision plat shall be in a form substantially as set forth herein.

1. Certificate of Dedication and Ownership

Know all men by these presents, that the undersigned, being all of the Owner(s), Mortgagee(s) and Lien-holder(s) of certain land in the City of Gunnison, Gunnison County, Colorado, described as follows:

Beginning _____, containing _____ acres, more or less, have by these presents laid out, platted and subdivided the same into lots, blocks or tracts, as shown on this plat, under the name and style of_____ and do hereby dedicate to the City of Gunnison as public roads, the streets and roads as shown on said plat, these being _____. The undersigned hereby further dedicate to the public all utility easements and dedicate to the City of Gunnison for public use all water and water rights, both tributary and nontributary, arising upon, flowing upon or lying under the property as described and as shown hereon.

The undersigned hereby further dedicates to the public utilities the right to install, maintain and operate mains, transmission lines, service lines and appurtenances to provide such utility services within this subdivision or property contiguous thereto, under, along and across public roads as shown on this plat and also under, along and across utility easements as shown hereon.

The lands comprising this subdivision are subject to certain covenants which are recorded in Book _____ at Page _____ of the records of Gunnison County, Colorado.

Executed this _____ day of _____, 20____.
Owner(s): Mortgagee(s) and Lienholder(s):

_____
SS

County of Gunnison
The foregoing dedication was acknowledged before me this _____day of_____ 20____, by_____. Witness my hand and seal.

My Commission expires_____.
_____Notary Public

2. Certificate of Street and Utility Maintenance

Public notice is hereby given that neither the dedicated public roads nor the public utilities shown on this plat will be maintained by the City of Gunnison until and unless the subdivider constructs the streets and roads and utilities in accordance with the subdivision agreement, if any, and the subdivision regulations in effect at the date of the recording of this plat and approval of the City has been issued to that effect. When the City approves a street or utility for maintenance, the street or utility shall become public in all senses of the word and the subdivider has no further obligations in regards to that particular street or utility.

3. Surveyor's Certificate

I, _____, a Registered Professional Land Surveyor in the State of Colorado, do hereby certify that the survey represented by this plat was made under my

supervision and the monuments shown thereon actually exist and this plat accurately represents said survey.

_____
Registered Land Surveyor

4. Title Certificate

I, _____, an attorney at law duly licensed to practice before the Courts of Record in the State of Colorado, certify that I have examined title to all lands herein dedicated and shown upon this plat, and title to such lands is in the dedicator free and clear of all liens, taxes and encumbrances except as follows:

EXCEPTIONS

Signed this _____ day of _____, 20_____.

_____
Attorney at Law

D. Exempt Plat Approval. Exempt Plats will contain the following signature statement in-lieu of the Planning and Zoning Commission and City Council Signature Statements cited in sub-paragraph E., below.

1. Community Development Director Approval

This plat of _____(plat name), is determined to meet all development standards of the City of Gunnison, Colorado, *Land Development Code*.

_____
Community Development Director
City of Gunnison

Date: _____

E. Approval Signature Statements of Approval Bodies

1. Planning and Zoning Commission Approval

This plat is approved by the City of Gunnison Planning Commission this _____ day of _____, 20_____.

_____
Chairman

2. City Council Approval

This plat is approved for filing and the City hereby accepts the dedication of the streets and roads shown hereon subject to the provisions in "Street Maintenance" set forth above, and further accepts the dedication of the easements shown hereon.
Signed this _____ day of _____, 20_____.

CITY OF GUNNISON

BY: _____
Mayor

3. Recorder's Certificate

This plat was filed for record in the Office of the County Clerk and Recorder of Gunnison County at_____ __M on the _____ day of_____, 20___, reception no. _____.

County Clerk and Recorder

BY:_____
Deputy

§12.8 SUBDIVISION REVIEW STANDARDS

In order to achieve the intent and purpose of this *LDC*, the proposed subdivision shall comply with the following standards:

A. Master Plan. The proposed subdivision shall carry out the purpose and spirit of the *Master Plan* and conform to all of the plan's applicable intent statements, specific directions and recommended actions. It shall be designed to be compatible with surrounding land uses, to protect neighbors from undesirable noise, glare and shadows and shall not cause adverse effects on their privacy, solar access and views.

B. Zone District Standards. The proposed subdivision shall comply with the use and dimensional standards of the underlying zone district and shall provide off-street parking as required for the use(s).

C. Improvements. The proposed subdivision shall be provided with improvements which comply with Section 4 and Section 5.

1. **Streets.** Existing and proposed streets shall be suitable and adequate to carry anticipated traffic within and in the vicinity of the proposed subdivision.

2. **Utilities.** Existing and proposed utility services shall be suitable and adequate to meet the needs of the proposed subdivision. As a condition of obtaining water service, any water rights which run with the property shall be dedicated to the City.

3. **Landscaping**. Landscaping, buffering and screening as required by §4.6 shall be achievable given the underlying lot widths and rights-of-way dimensions.
4. **Phases**. If the subdivision is to be developed in phases, each phase shall contain the required parking spaces, landscape areas, utilities, and streets that are necessary for creating and sustaining a stable environment.

D. Natural Features. The layout of lots and blocks shall provide desirable settings for structures by making use of natural contours and maintaining existing views, affording privacy for residents

and protecting them from adverse noise and vehicular traffic. The system of roadways and the lot layout shall be designed to take advantage of visual qualities of the area. Natural features and native vegetation shall be preserved whenever possible.

E. Floodplains. Tracts of land or portions thereof lying within the 100-year floodplain may only be subdivided for open space until the subdivider has shown that compliance with the requirements of the City's floodplain regulations can be met.

F. Future Streets. When a tract is subdivided into lot(s) or parcel(s) which are intended for future re-subdivision, such lot(s) or parcel(s) shall be so arranged so as to permit the logical location and opening of future streets and appropriate resubdivision, with provision for adequate utility easements and connectors for such resubdivision.

G. Common Recreation Facilities. Where a development is proposed to contain common recreation facilities, such facilities shall be so located within the development so as to be easily accessible to the residents and to least interfere with neighboring developments.

H. Lots and Blocks

1. **Pattern.** The size, shape and orientation of lots shall be appropriate to the design and location of the proposed subdivision and to the type of development contemplated. Where appropriate, lots shall be laid out to respect the existing city pattern. Blocks generally shall not be less than 300 feet nor more than 1,200 feet in length.

2. **Frontage.** Residential lots should front only on local streets; however, when necessary, lots designated to face a collector street shall provide adequate means for automobile turnaround within the lot.

3. **Right Angles.** Side lot lines shall be approximately at right angles or radial to street lines.

4. **Double Frontage Lots.** Double frontage lots are prohibited, except where they are necessary to provide for the separation of residential development from collector or arterial streets or to overcome specific limitations of topography or orientation. A planting and screening easement of at least 10 feet shall be provided along the portion of the lot which abuts such a Collector or Arterial street. There shall be no right of access across a planting and screening easement. The screening easement shall be maintained by the property owner.

5. **"T" Intersections**. The building area of lots shall not, to the maximum extent feasible, face directly into the oncoming traffic of an intersecting street of a "T" intersection.

6. **Solar Energy.** For purposes of protecting and enhancing the potential for utilizing solar energy in the proposed subdivision, detached single-family lots are encouraged to be laid out in such a manner that the houses will be oriented so that their long axis will run east/west and so that the houses will not block the solar access of adjacent houses.

§12.9 PLANNED UNIT DEVELOPMENT SUBDIVISION REVIEW STANDARDS

In addition to the Subdivision Standards in §12.8 above, all PUDs are subject to requirements and standards and criteria contained in §10.7 E. and F.

§12.10 SUBDIVISION IMPROVEMENTS AGREEMENT

A. Written Agreement. Prior to the approval of the Final Plat, the subdivider shall submit a written agreement to construct all required public improvements shown in the Final Plat documents and perform repairs occasioned by such improvements.

1. **Estimate of Costs**. The written agreement shall reflect an estimate of the cost, including inflation, of the various improvements and repairs and a time schedule for their completion, as well as an estimate from the City Engineer of the cost to inspect said public improvements.

2. **Time Limit**. Public improvements shall be installed within a time limit determined by the City and the developer. This time shall be reflected in the agreement.

B. Financial Guarantee. The subdivider shall deposit with the City a performance and payment bond, an irrevocable letter of credit, line of credit, cash, and/or other acceptable means which is sufficient in the judgment of the Council to assure the completion of the improvements or repairs required under §12.10 A. Said security shall be due to the City in conjunction with the recordation of the Final Plat and shall be in an amount equal to 125 percent of the cost of supplying and installing the improvements depicted on the approved Final Plat, based on estimates provided by the applicant and approved by the City Engineer.

C. Release. As improvements are completed and as "as built drawings" are submitted, the subdivider may apply to the Public Works Director for a release of part or all of the collateral deposited with the City in conformance with §4.2.I (Street Dedications) and §4.2.J (Acceptance of Streets and Public Utilities). Upon inspection and approval, the Public Works Director may release all or part of the collateral.

1. **Deficiencies**. If the Public Works Director determines that any of such improvements are not constructed in substantial compliance with specifications, it shall furnish the subdivider a list of specific deficiencies and shall be entitled to withhold collateral sufficient to ensure substantial compliance.

2. **City May Complete Improvements**. If the Public Works Director determines that the subdivider has not constructed any or all of the improvements in a timely manner or in accordance with all of the specifications, the City may withdraw and employ from the deposit of collateral such funds as may be necessary to construct the improvement or improvements in accordance with the specifications.

D. Development Permit. When the subdivider or developer is ready to begin construction of the public improvements set forth on each filing of the Final Plat and in the Subdivision Improvements Agreement, a site development permit shall be obtained from the Community Development Department. Construction shall begin within 30 days of issuance of the permit, or the permit shall expire.

1. **Inspection Fee**. Before the development permit is issued, the developer shall pay the inspection fee as determined by the City Engineer.
2. **Review Plat and Agreement**. At the time the development permit is issued, the developer and the City shall review the Final Plat and the *Subdivision Improvements Agreement* to assure that all requirements, inspections, etc., are known to the developer and will be met during the construction period. A preconstruction meeting with all involved parties, including the City, inspectors, developer and contractor, should be conducted.

E. Common Property in a PUD

1. **Ownership Covenant.** Where there is more than one ownership interest in the land upon which the PUD is to be situated or in the above airspace and all such interests are not coextensive, the PUD approval shall be conditioned upon a covenant running with the land that establishes an organization among all owners to own and maintain common open space, if any.

2. **Failure to Maintain.** Failure to maintain shall be deemed as a violation of the *LDC* and is subject to Section 15, Violations, Penalties and Enforcement.

§12.11 VACATION OF RECORDED PLAT, RIGHT-OF-WAY OR EASEMENT

An applicant requesting to vacate a recorded subdivision plat, public right-of-way or a dedicated easement shall follow the stages of the City of Gunnison land development process outlined below.

A. Preapplication Conference. Attendance at a preapplication conference with the Community Development Director is optional, but recommended, for an applicant intending to submit an application to vacate a recorded subdivision plat, public right-of-way or a dedicated easement.

B. Submit Application. The applicant shall submit a complete development application to the Community Development Director which contains those materials listed in §6.5 C, Minimum Application Contents.

C. Staff Review. The Community Development Director shall review the application to determine whether it is complete, as specified in §6.6 A, Completeness Review. The Community Development Director shall forward a report to the Commission which summarizes the application's compliance with the review standards contained in this Section and other applicable provisions of this *LDC*. The technical comments and professional recommendations of other agencies, organizations and consultants may be solicited in drafting the report.

D. Public Notice. Public notice that the Planning and Zoning Commission will conduct a hearing to consider an application to vacate a recorded subdivision plat, public right-of-way or a dedicated easement shall be provided as specified in §6.7, Stage 4: Provision of Public Notice.

E. Action by Commission. The Commission shall hold a public hearing to review the conformance of the development application with all applicable provisions of this *LDC*, including the review standards listed herein below.

1. **Access to a Public Road**. No roadway shall be vacated so as to leave any adjoining land without a means of access to another public road. Furthermore, there shall be an express reason for and a derived benefit to the City for a vacated roadway request.

2. **Easements**. In granting a vacation, the City may reserve easements for the installation or maintenance of utilities, ditches and similar improvements.

3. **Master Plan.** A subdivision plat, public right-of-way or dedicated easement may be vacated if the vacation would be consistent with or implement the applicable intent statements, specific directions and recommended actions of the *Master Plan*.

4. **Transfers or Sales of Lots.** A subdivision plat may be vacated if none of its lots has been sold or transferred; or if there have been sales or transfers there has been no development on any lots in the subdivision and all of the owners agree to the vacation of the plat.

The Commission shall make a recommendation that the City Council approve, approve with conditions, or deny the application, or shall remand it to the applicant with instructions for modification or additional information or action.

F. Action by Council. The City Council shall consider the recommendations of the Commission at a public meeting. The Council shall approve, approve with conditions, or deny the proposed vacation or shall remand it to the applicant with instructions for modification or additional information or action.

G. Actions Following Approval. Whenever the City shall approve an application vacating a public right-of-way, the City shall provide abutting land owners with a quit claim deed for the vacated lands. Each abutting land owner shall be deeded that portion of the vacated right-of-way to which the owner's land is nearest in proximity.