

MONTROSE COUNTY
SUBDIVISION REGULATIONS
Amended Version

Adopted

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ARTICLE I

TITLE – PURPOSE - AUTHORITY

1.1 Title

These regulations shall be referred to as the "Montrose County Subdivision Regulations".

1.2 Purpose

These regulations are designed and enacted for the purpose of promoting the health, safety, and welfare of the present and future inhabitants of Montrose County, Colorado by establishing minimum standards for the division of land and the improvement of that land:

- A. To guide future growth and development in consistency with the applicable plans and regulations of Montrose County.
- B. To establish reasonable and equitable procedures and standards for the subdivision of land.
- C. To provide for the proper arrangement of roads in relation to existing or planned roads and highways and provide for safe and convenient vehicular and pedestrian traffic circulation.
- D. To ensure that public facilities are available to serve the development.
- E. To insure proper land surveys and secure adequate records of land titles and that the subdivision of lands is recorded with proper legal descriptions and monuments.
- F. To ensure a safe water supply in terms of quality, quantity and dependability and adequate and safe sewage disposal systems.
- G. To manage natural resources.
- H. To minimize the impacts of air and water pollution and the degradation of land.
- I. To preserve historic public access to public lands.
- J. To assure safe design and proper construction of streets, utilities and drainage systems.
- K. To assure minimum improvements to the subdivision so that the lot purchaser will receive a buildable lot.
- L. To maintain or improve safety from fire, flood and other potential disasters.

- M. To ensure that the costs of new development are paid by the developer and not by the citizens of Montrose County.
- N. To determine the appropriate means to regulate such matters as the County Planning Commission and/or Board of County Commissioners may deem necessary in order to best protect the public interest.

1.3 Authority

The Montrose County Subdivision Regulations are authorized by Section 30-28-133 et seq., Colorado Revised Statutes, as amended, and are hereby declared to be in accordance with all provisions of the statute.

ARTICLE II

DEFINITIONS

The language set forth in the text of these Regulations shall be interpreted in accordance with the following rules of construction:

- A. The singular number includes the plural and the plural the singular.
- B. The present tense includes the past and future tenses, and the future the present.
- C. The word "shall" is mandatory, while the word "may" is permissive.
- D. The masculine gender includes the feminine and vice versa.

The following words and terms, wherever they occur in these regulations shall be construed as herein defined. Words and terms that occur in these regulations, but that are not defined herein shall be construed as defined in the latest or current edition of Webster's New Collegiate Dictionary published by Merriam-Webster.

Amended Plat: A division of land, lot combination, plat note removal or to adjust property lines which are part of an existing subdivision plat previously recorded with the County Clerk and Recorder.

Automatic Sprinkler Systems: A sprinkler system, for fire protection purposes, is an integrated system of underground and overhead piping in accordance with fire protection engineering standards. The system includes a suitable water supply. The portion of the system above the ground is a network of specifically sized or hydraulically designed piping installed in a structure or area, generally overhead, and to which automatic sprinklers are connected in a systematic pattern. The system is usually activated by heat from a fire and discharges water over the fire area.

Block: A parcel of land bounded on all sides by roads or streets.

Board: The Montrose County Board of County Commissioners.

Board of Health Regulations: The Montrose County Board of Health Regulations as amended from time to time.

Boundary Line Adjustment: The altering of a boundary line between two (2) or more adjoining properties (Lots) which are currently not part of an existing subdivision plat previously recorded with the County Clerk and Recorder, provided that no additional parcels are created by the change.

Canal: A main ditch that has its headgate in a river or reservoir and provides delivery of irrigation water to "lateral" or "delivery" ditches.

Certified: To present in formal communication and attest as being true and/or as represented and/or as meeting a standard.

Cistern: A concrete, plastic, fiberglass, etc. vault or vaults totaling a minimum of 1500 gallons placed underground for water storage.

Colorado Geological Survey (CGS): The state government agency within the Department of Natural Resources whose mission is to help reduce the impact of geologic hazards on the citizens of Colorado, to promote responsible economic development of mineral and energy resources, provide geologic insight into water resources, provide avalanche safety training and forecasting, and to provide geologic advice and information to a variety of constituencies.

Colorado Revised Statutes (C.R.S.): The Colorado Revised Statutes

Common Elements: Land, buildings, central services, utilities, and other amenities and facilities (including open space) described on the subdivision plat and owned and used in common by all property owners in the subdivision for their benefit and enjoyment, whose maintenance and upkeep is set forth in the subdivision's restrictive covenants.

Complete Application: A Subdivision Application for which all required materials, as specified by the relevant section(s) of these Regulations, have been submitted to the Planning and Development Department, and for which a "Complete Application" form has been executed by the Planning and Development Department.

Comprehensive (Master) Plan: The plan, pursuant to C.R.S. 30-28-106, adopted by the Montrose County Planning Commission as amended from time to time.

Consistent: Free from variation or contradiction.

Consulting County Surveyor: A Professional Land Surveyor who has been contracted by the County to review plats.

Consumer: Any person contacted as a potential purchaser, lessee, or renter, as well as one who actually purchases, leases, or rents property in the subdivision.

Contiguous Ownership: Lands under common ownership, which touch at any common point.

Corps of Engineers (Corp): The United States Army Corps of Engineers.

Correction Plat: A plat to correct one or more technical errors on a previously recorded plat. A correction plat may not be used to alter property boundaries.

County: The local government of Montrose County Colorado.

County Road: A County Road is a road which has been deeded to or dedicated to and accepted by the County or a road which the County identifies as a County Road by inclusion in the County Road System, either as a Primary or Secondary Road (C.R.S. 43-2-108 et seq.).

NOTE: Pursuant to C.R.S. 43-4-201 et seq., those roads included on the Highway Users Tax Fund (HUTF) and listed as funded roads are on the Primary Road System. Those roads included on the HUTF and listed as unfunded are on the Secondary Road System.

Dedication: A grant by the owner to the public through a public agency for a right to use land which involves a transfer of property rights and an acceptance of the dedicated property by the appropriate public agency.

Delivery Ditch: A branch ditch which has its headgate in a lateral ditch and provides delivery of irrigation water to user properties.

Density: The numerical value obtained by dividing the total number of dwelling units in a development by the net (excluding publicly dedicated roads and streets) area of the actual tract of land (in acres) upon which the dwelling units are proposed to be located and including open space and associated recreational facilities or other common elements within the development.

Detention: A stormwater drainage scheme designed to capture specific quantities of stormwater from a development and gradually release the stormwater at a sufficiently slow rate to avert flooding.

Drainage: Surface water runoff and the removal of surface water runoff from lands proposed for development utilizing drains, grading, or other means that include runoff controls to minimize erosion and sedimentation during and after construction or development and the prevention or alleviation of flooding.

Dwelling Units (Units): One or more rooms in a dwelling designed for occupancy and used by one family for living purposes, and having its own cooking and sanitary facilities.

Easement: A right granted by the owner for the use of his private land which is shown on a recorded plat or other recorded document, for the specific purposes stated on the plat or other recorded document.

Exemption: The Board may, by resolution, exempt from the definition of the terms of "subdivision", any division of land to which these Regulations would otherwise apply, if the Board determines that such division is not within the purposes of these Regulations. Pursuant to these Regulations, an Exemption shall also include a survey plat in addition to the resolution required by Statute.

Expansive Soils: Soils or soft bedrock that increase in volume as they get wet and shrink as they dry out. They are also commonly known as bentonite, expansive, or montmorillinitic soils.

Farm: A parcel of land that is used to produce agricultural products that originate from the land's productivity for the primary purpose of obtaining monetary profit. [ref. C.R.S. 39-1-102 (3.5)]

Fee In-Lieu: Cash payment that is required of a subdivider as a substitute for a dedication of land for school purposes, calculated in dollars per lot.

Fee Simple: A private property land right whereby a property owner unconditionally owns a specified piece of land, including the right to develop the land and the right to transfer ownership of the land.

Final Plat: A drawing and supporting materials of certain described land prepared in accordance with these Regulations as an instrument for recording evidence of the legal division

of land with the County Clerk and Recorder. This is the third and final stage of the Major Subdivision Process.

Fire Flow: The amount of water produced by a fire hydrant and stated in gallons per minute that is required by these regulations in order to facilitate adequate fire suppression capability by a fire protection district when responding to a fire.

Flag Lot: A lot with fee-simple access from a public or private roadway to the bulk of the lot provided by means of a narrow corridor or “pole”.

Floodplain: An area consisting of the channel (floodway) and the relatively flat area adjoining the channel of a river, stream, watercourse, or lake that has been or may be covered by floodwater and that is anticipated to receive floodwaters in a one hundred year storm.

Floodway: The channel of a river, stream or watercourse and portions of the floodplain adjoining the channel, that are reasonably required to carry and discharge the floodwater of the river, stream, or watercourse.

Frontage: The side of a lot or tract abutting a County Road, Street, or State Highway. For corner lots, double frontage lots, and through lots, all sides of a lot adjacent to a road, street, or highway shall be considered the frontage.

Geological Report: A report containing data of the relevant site characteristics and analyses applicable to the proposed subdivision as required by Colorado Revised Statutes CRS 30-28-133(3)(b)(I-IV), and as required under these Subdivision Regulations.

Grandfathered: The status accorded certain properties, uses, and activities that are considered legally existing prior to the date of adoption of these Subdivision Regulations, the standards contained therein, or amendments thereof. Generally, a grandfathered property, use, or activity may be continued indefinitely (but not significantly expanded) irrespective of the new standard adopted by these Regulations.

Groundwater: Water found underground that fills the open spaces between particles of sand, gravel, clay, silt, and consolidated rock fractures.

Health Officer: The Montrose County Board of Health Officer or Designee who ensures compliance of the Montrose County Board of Health Resolution.

Inundation Area: Those areas of the County subject to flooding (as delineated in an emergency preparedness brief and associated maps) when a complete dam failure occurs together with the condition known as an Inflow Design Flood (IDF).

Planning and Development Director: The County employee charged with administering the Montrose County Planning and Development Department which includes the Planning and Building divisions.

Land Use Fee Schedule (Fee Schedule): The list of fees as adopted and amended from time to time that identify the costs of applications and services of the Planning and Development Department.

Lateral: A branch ditch, which has its headgate in a main ditch or "Canal" and provides delivery of irrigation water to delivery ditches.

Legal Description: A written legal description shown on the plat of each subdivision or exemption, certified by a Professional Land Surveyor. The legal description shall describe the entire property being divided, including any dedications shown on the plat.

Lot: The numbered unit less than 35 acres in size into which land is divided on a subdivision plat, with the intention of offering such unit for sale, lease, or separate use, either as an undeveloped or developed site, regardless of how it is conveyed.

Major Subdivision: A subdivision of land which results in four (4) or more lots that are each less than 35 acres in size.

Master Plan: The plan adopted by the Montrose County Planning Commission for guiding the physical development of land and transportation facilities, and any amendment or extension of such Plan. Sometimes referred to as a Comprehensive Plan or Comprehensive Master Plan in literature or legislation.

Minor Subdivision: The subdivision of land which results in the creation of no more than three (3) lots which are less than thirty-five (35) acres each in size.

Off Street Parking Space: The space required to park one passenger vehicle which space shall not be less than two hundred (200) square feet in area (10' x 20'), exclusive of access drives.

On-Site Waste Water Treatment System (OWTS): A soil absorption system of any design capacity or a treatment system with a capacity of 2,000 gallons per day or less designed for collecting, storing, treating, neutralizing, stabilizing, or disposing of domestic sewage which is not part of or connected to a sewage treatment works.

Open Space: An area of land, regardless of ownership, upon which no built development has taken place or from which such development has been removed.

Outlot: The unit into which land is divided on a subdivision or exemption plat; the specific purpose of which is not for resale to the public as a developable lot, but which use or purpose (open space, drainage area, etc.) is described on the plat. Montrose County shall not issue building permits on platted outlots.

Person: An individual, partnership, corporation, association, unincorporated organization, trust, joint venture, affiliated ownership, or any other legal entity.

Planning Commission: The Montrose County Planning Commission, Montrose, Colorado.

Permanent Monument: Any structure permanently placed on or in the ground, including those expressly placed for surveying reference.

Preliminary Plan: A drawing of a proposed subdivision and specified supporting materials, drawn and submitted in accordance with the requirements of these Regulations, to permit the evaluation of the proposal prior to construction. This is the second part of the Major Subdivision review process.

Private Sewer System: A privately owned and operated sewer system that is designed to serve one or more lots or structures.

Private Water System: A privately owned and operated water system that is designed to serve one or more lots or structures.

Private Well: A privately owned domestic well which has been permitted by the Colorado State Division of Water Resources.

Professional Engineer (P.E.): An engineer duly registered and licensed pursuant to C.R.S. 12-25-101 et seq.

Professional Geologist: A person who is a graduate of an institution of higher education which is accredited by a regional or national accrediting agency, with a minimum of thirty semester (45 quarter) hours of under-graduate or graduate work in a field of geology and whose post-baccalaureate training has been in a field of geology with a specific record of an additional five years of geological experience, to include no more than two years of graduate work. Ref: C.R.S. 34-1-201(3).

Professional Land Surveyor (P.L.S.): A land surveyor duly registered and licensed pursuant to C.R.S. 12-25-201 et seq.

Project Engineer: A professional engineer (P.E.) retained by the subdivider as the engineer of record being in direct responsible charge for the subdivision.

Public Road: A Public Road is (a) a road dedicated to public use by a deed or other instrument, (b) a road that has been declared a public road by any court, (c) a road over private lands which has become public by adverse possession, (d) a road over the public domain made a public road by law, and (e) a toll road or portions thereof which may be purchased by the board of county commissioners of any county from the incorporators or charter holders thereof and opened to the public.

Public Sewer System: A publicly or quasi-publicly owned and operated wastewater treatment and disposal system which is designed to treat more than 2000 gallons of sewage per day and must meet the Colorado Department of Public Health and Environment criteria for public sewer systems.

Public Water System: A publicly or quasi-publicly owned and operated water system which serves water to the public and must meet the Colorado Department of Public Health and Environment criteria for public water systems.

Ranch: A parcel of land which is used for grazing livestock for the primary purpose of obtaining monetary profit. [ref. C.R.S. 39-1-102 (13.5)]

Red Lined Drawings: Plans, drawings, plats or other documents that have been reviewed by County Staff and marked for revisions by the preparing individual or organization.

Replat: The changing pursuant to these Regulations, of any existing lot or lots of any Subdivision Plat previously recorded with the County Clerk and Recorder, provided that no additional lots are created by the change.

Reservation: A legal obligation to keep property free from development for a stated period of time, not involving any transfer of property rights.

Retained Land: Any parcel of land thirty-five (35) acres in size or greater that has been excluded from or intentionally left out of a subdivision.

Retention: A stormwater drainage scheme designed to capture specific quantities of stormwater from a development and store the stormwater in quantities sufficient to avert flooding and which does not have an outlet to adjoining watercourses or wetlands other than an emergency spillway.

Right-of-Way: That portion of land shown on a subdivision plat as dedicated in fee-simple to the public or as otherwise acquired by law for use as roads, streets, trails, utilities, or other public purpose. In no case shall a right-of-way be construed to mean an easement.

Road: An open way for travel or transportation.

Roadway: That portion of the public right-of-way designed, improved, or ordinarily used for vehicular traffic.

Significant Deviation: Means either (1) a change in the site design which increases or decreases (a) the number of dwelling units allowed in the subdivision, or (b) the number of lots; (2) a change in the size of the land which is subject to the approval process; (3) a change in the location of roads, drainage structures, easements, outlots, or common areas that may be detrimental to a functional operation; (4) changes in site design that create or increase incompatibility of the use of the subject land with adjacent land uses; or (5) site design which changes the location of building envelopes. Changes made solely in response to the direction of the Planning Commission or Board of County Commissioners do not constitute a significant deviation.

Sketch Plan: A drawing of the proposed subdivision with all required accompanying material drawn and submitted in accordance with the requirements of these Regulations, to evaluate feasibility of the land for development at an early stage in the planning of the subdivision. This is the initial part of the Major Subdivision Review Process.

Standards and Specification for Roads and Bridges: The Montrose County Standards and Specifications for Roads and Bridges as amended from time to time.

Subdivider or Developer: Any person, firm, partnership, joint venture, association, or corporation participating as owner, promoter, developer, or sales agent in the planning, platting, development, promotion, sale, or lease of a subdivision [Ref. § 30-28-101 (9), C.R.S.].

Subdivision: Any division of property that results in one or more parcels which are less than 35 acres in area, excluding those divisions identified in C.R.S. 30-28-101(10)(c).

Subdivision Improvements Agreement (SIA): An agreement between the County and the subdivider whereby the subdivider agrees to construct required improvements for a subdivision and provides a security for completion of the improvements.

Subdivision Plat: A drawing of a subdivision and supporting materials, drawn and approved in accordance with the subdivision regulations in effect at the time of approval as an instrument for recording of real estate interests with the Clerk and Recorder.

Title Company: An abstract company or title insurance company lawfully organized or recognized to do business in the State of Colorado.

Tract: The numbered unit greater than 35 acres in size into which land is divided on an exemption plat, with the intention of offering such unit for sale, lease, or separate use, either as an undeveloped or developed site, regardless of how it is conveyed.

Vicinity Map: A map provided on a subdivision or exemption Plat that may or may not be constructed to scale, that clearly shows the property proposed for subdivision or exemption, its relationship to adjacent roads and any retained lands that may be extant. Merely copying an USGS Map or providing a Control Map shall not be considered acceptable for a vicinity map.

Waste/Return Ditch: A ditch which collects irrigation water and delivers such water to downstream users or returns such water to the system for redistribution.

Wetland: An area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support a prevalence of vegetation typically adapted for life in saturated soil conditions; containing hydric soils or hydrophytic vegetation.

ARTICLE III

GENERAL PROVISIONS AND DESIGN STANDARDS

These general provisions and design standards shall be addressed in each phase of the subdivision process unless otherwise noted in a specific section.

3.1 Territory Covered by Subdivision Regulations

These Subdivision Regulations shall apply to the entire unincorporated area of Montrose County. They shall apply to all new divisions of land into one or more parcels where any of the resulting parcels are reduced to less than thirty-five (35) acres in size.

3.2 Enforcement

- A. No person or other entity shall subdivide any tract of land which is located wholly or in part in Montrose County, Colorado, except those which lie in an incorporated city or town, nor shall any person, firm, partnership, joint venture, association corporation, or other entity sell or exchange any parcel of land which is in any part of a subdivision of a larger tract of land, nor shall any person or other entity offer for recording, any deed conveying such a parcel of land, or any interests therein, unless there shall be on file with the County Clerk and Recorder a plat of said subdivision; which plat shall have been approved by the Board and be of record at the time of such sale.
- B. Divisions of land that are subject to the subdivision requirement of Article 28, Title 30, CRS, and that are completed subsequent to August 25, 1972, in non-compliance with such requirements are in violation of these Regulations. If such violation is found, the Planning and Development Department shall direct that such illegal division of land be rectified by compliance with the applicable subdivision process in accordance with these Regulations. Such illegal division of land occurring on or after July 1, 1999 shall not be rectified by an Exemption from Subdivision Regulations. [Amended 4/5/99]

3.3 Penalties

Any person or other entity, or agent thereof, who transfers or sells any subdivided land before a final plan for such subdivided land has been approved by the Board and recorded or filed in the office of the County Clerk and Recorder shall be guilty of a misdemeanor and shall be subject to a fine of not less than five hundred dollars and not more than one thousand dollars for each

parcel or interest in subdivided land which is sold. The Board shall have the power to bring an action to enjoin any such person or entity from selling subdivided land before a Final Plat for such subdivided land has been approved by the Board.

3.4 Permit Issuance

Building permits, OWTS permits, driveway and access permits, plumbing permits and electrical permits shall not be issued for the construction of any building upon any land for which a subdivision plat is required by this Resolution, unless and until the Preliminary Plan, Final Plat, Minor Subdivision Plat or Exemption From Subdivision Regulations has been approved by the Board of County Commissioners.

3.5 Checklists

A checklist for all stages of subdivision development shall be available on request from the County Planning and Development Department.

3.6 On-site Review

The Planning and Development Department staff and, when appropriate, members of the Planning Commission may make an on-site review of each subdivision property prior to consideration by the Planning Commission.

3.7 Notification of Other Governing Jurisdictions

When a proposed subdivision is located within two (2) miles of a municipal boundary or a county border, a copy of the applicable plat and project description will be forwarded to the governing body of such municipality or county for review and comment.

3.8 Divided Parcels

- A. A parcel of land under common ownership that is transected by a fee simple State Highway right-of-way, a fee simple County Road right-of-way, or other fee simple property legally created (w/ a metes and bounds legal description encompassing an existing parcel of land) and accepted for a public or quasi-public purpose as shown by recorded instrument shall be deemed separate tracts. Under no circumstances shall a fee

simple property without a metes and bounds description which clearly defines the length, width and overall area of said property be considered to divide property in Montrose County.

- B. A parcel of land under common ownership that is bisected by a boundary between adjoining counties as determined by a Professional Land Surveyor and shown on a Plat of Survey recorded with the Montrose County Clerk and Recorder shall be deemed separate tracts.

3.9 Surveyor

- A. All Preliminary Plans, Final Plats, Minor Subdivision Plats, Amended Plats, Boundary Line Adjustment Plats, Correction Plats and Exemption Plats shall be prepared by a Professional Land Surveyor.
- B. In general, no additional review of a plat will be required, however, a copy of any of these plats may be sent to the County Surveyor or Consulting County Surveyor as necessary to determine the technical accuracy of the plat. The decision of when to refer a plat for surveyor review shall be at the discretion of the County Planning and Development Director, Planning Commission or the Board. All fees incurred by the review shall be paid in full by the subdivider prior to consideration of the reviewed plat by the Board.

3.10 Computer Disk Requirement

An AutoCAD compatible file with a “.dwg” extension shall be provided for the GIS/Assessor’s parcel map for all Board approved plats that are to be recorded with the County. The digital file shall be tied to two known section or aliquot corners and shall include the distance and bearing to each corner.

3.11 Addressing

Lots and tracts in subdivisions and other plats approved under these regulations shall be addressed in accordance with the separately adopted Montrose County Standards and Policy for Road Naming and Addressing in Unincorporated Areas as amended.

3.12 Application Fees

A fee shall be required for all applications required by these regulations. Fees paid to the Planning and Development Department are not subject to refund due to withdrawal, denial or other change in the status of the application. Fees may be refunded at the discretion of the Planning and Development Director or by Board action. The Land Use Fee Schedule shall be determined by the Board by separate resolution.

3.13 School Fees In-Lieu of Land Dedication

- A. Where no land is required by the School District within the proposed Subdivision, or Exemption for land located within the boundaries of the RE-1J School District, the subdivider shall be required to pay the RE-1J School District a sum of money not exceeding the full market value of the land which would otherwise be required for school purposes. The land required and its value shall be determined by the Board by Resolution. Current market value for comparable subdivided lands shall be used in determining land value and shall be set by resolution of the Board during each odd numbered year based on documentation and calculations sufficient to establish a rational nexus and rough proportionality for sites and land areas in the unincorporated area of the RE-1J School District, pursuant to the fair market value as estimated by the County Assessor's Office. Such fair market value estimates shall be provided by the Assessor's Office with the advice and consultation of the RE-1J School District and the County Planning and Development Office during each odd numbered year based on the current subdivided land values then in effect. When it is determined that such estimates and calculations would not result in a meaningful change to the fee-in-lieu in any given odd numbered year, the required Board Resolution revising the fee-in-lieu may be set aside in favor of continuing to operate under the existing Resolution.

- B. The School In-Lieu Fee shall be set by separate Resolution by the Board.

3.14 Development in Hazard Areas

Subdivisions located within a Flood Area, a Wildfire Hazard Area or a Geologic Hazard Area as defined by these regulations shall comply with the following requirements:

- A. FLOOD AREAS - When a subdivision is proposed that is located within a known floodplain area as identified in the currently adopted FEMA Flood Insurance Study-Vol.1&2, the 2000 CWCB Hydrology Addendum, the 1980 Corps of Engineers Flood Hazard Information for Montrose and Olathe, the applicable Corps of Engineers Flood Hazard Information for the Gunnison and Uncompahgre Rivers, the applicable

Floodplain Information and Urban Drainage Report for Cedar Creek, Montrose Arroyo, Dry Creek, or as mapped by the National Flood Insurance Program, the subdivider shall address the following requirements:

- 1) Delineate the floodplain on the Preliminary Plan and Final Plat.
- 2) Show the Standard Plat Note for Floodplain Hazards on the Final Plat.
- 3) In the event that the project as designed requires the alteration of the Flood area as mapped, the subdivider shall obtain approval of the alteration by FEMA (FEMA approval of the alteration shall be certified by a "Letter of Map Revision" from FEMA which is to be provided to the Planning and Development Department by the subdivider), and submit such approval to the County for review by the Flood Plain Administrator prior to Board consideration of a Preliminary Plan.
- 4) The subdivider shall dedicate a right of way or easement and construct adequate infrastructure to safely route the 100-yr base flood conforming substantially to the lines and grades of the effected natural or artificial watercourse that traverses the subdivision. Adequacy of drainage infrastructure shall be determined by the County Engineer or his/her designee based on the Montrose County Standards and Specifications for Roads and Bridges and the associated reference documents contained therein.

B. WILDFIRE HAZARD AREAS - When a subdivision is proposed that may be located within a wildfire hazard area which is designated as a "Substantial" or "High" Hazard Level on the Montrose County Wildfire Hazard Areas Map, the Standard Plat Note for Wildfire Hazard Areas shall be shown on the plat [Ref. Appendix C]

C. GEOLOGIC HAZARD AREAS - When a subdivision is proposed that may be located within a geologic hazard area (as identified in the Site Characteristics Analysis or the Colorado Geological Survey review letter), the subdivider shall delineate the geologic hazard area on the Sketch Plan, Preliminary Plan and Final Plat(s) and shall comply with the following requirements:

- 1) In all cases where a known geologic hazard impacts a subdivided property, a building setback shall be provided based on the recommendation of the project geologist.
- 2) Provide building envelopes which have been approved by a Professional Engineer or Geologist on all lots which are encumbered by the known geologic hazard.
- 3) Where there are slopes in excess of 20%, provide a slope analysis map for future reference purposes in administering the Building Permit/Site Plan Review process.

3.15 Dams

Property proposed for subdivision that is located within the inundation area of Ridgway Dam shall include the "Standard Plat Note for Ridgway Dam" on the Final Plat [Ref. Appendix B]. Other properties similarly affected by other dams where inundation information is available or can be generated from known record sources shall include an equivalent plat note on the Final Plat.

3.16 Storm Drainage and Flood Control

A drainage report, authored, signed and sealed by a Professional Engineer shall be submitted along with the Preliminary Plan for all Planned Developments and Major Subdivisions. All drainage reports shall be prepared in accordance with the Montrose County Stormwater and Drainage Regulations and shall be subject to the approval of the County Engineer or his/her designee.

3.17 Utility, Irrigation or Shared Driveway Easements

- A. Utility Easements - All lots in subdivisions shall have direct access to a utility easement of at least 15' in width. All proposed utility easements shall be shown on the Preliminary Plan and the Final Plat. Easements shall be provided for placement and maintenance of public utilities along all front lot lines for the full road right-of-way frontage as well as in other locations as may be appropriate to address unusual concerns. A public utility is considered to be, but not limited to, the following:
 - 1) Sewer
 - 2) Potable water
 - 3) Natural gas
 - 4) Electrical power
 - 5) Telephone or cable television

- B. Utility and Irrigation Easements - Utility and irrigation easements shall be a minimum of twenty-five (25) feet wide and designed to accommodate both utility and irrigation installations located immediately adjacent to the public right-of-way. All utility and irrigation easements shall be shown on the Preliminary Plan as well as the Final Plat and Minor Subdivision Plat. Where necessary, additional width may be required to address unusual circumstances such as post box turnouts, steep slopes, or canals or laterals. Guidelines for specific placement of a utility or ditch within the easement are provided

in the Montrose County Standard Specifications for Roads & Bridges, Utility Location & Easement Guidelines for Interior Subdivision Streets.

- C. When a utility and/or irrigation easement is located parallel to an interior lot line, the entire width of the easement shall be located on one side only of the property line.
- D. Shared Driveway easements shall be a minimum of thirty feet (30) in width and a minimum of forty (40) feet in length, measured from the property line adjacent to the road right-of-way.
- E. If required, all easements shall be described by a metes and bounds legal description prepared by a Professional Land Surveyor, shall be established by an easement deed or shall be delineated on the Minor Subdivision Plat. No obstructions of any type shall be allowed in a shared driveway easement.

3.18 Health Regulations

All subdivisions shall comply with the Montrose County Board of Health Regulations and any applicable State Health Department Regulations.

3.19 Montrose Regional Airport

Pursuant to C.R.S. 43-10-113, properties proposed for subdivision that are located within the Influence Area, the Conical Surfaces, or the Approach Surfaces of the Montrose Regional Airport are subject to certain development restrictions as delineated in the Montrose Regional Airport Master Plan/Layout Plan, which is adopted and incorporated herein by reference. Said restrictions vary by the area or surface within which the property is located and shall be documented on the Final Plat by the applicable Standard Plat Note; either the "Standard Plat Note for Airport Influence Area" [Ref. Appendix B], or the "Standard Plat Note for Airport Conical and/or Approach Surfaces" [Ref. Appendix B]. Within each area or surface, execution and recording of an Avigation Easement [Ref. Appendix C] shall be required with each subdivision or exemption.

3.20 Lots

All lots hereafter established in connection with the development of a subdivision shall comply with the following standards:

- A. All lots shall conform to the requirements of the zoning district within which the subdivision is located, with the exception of designated outlots. Lots shall be designed in conformance with the minimum lot size requirements of the applicable zone district of the Montrose County Zoning Resolution, or the Montrose County Board of Health Resolution, whichever is more restrictive.
- B. All lots which access directly onto a dedicated County Road or State Highway shall have a minimum road frontage of fifty (50) feet. .
- C. Based on the information presented in the Site Characteristics Analysis, and otherwise authorized by Colorado Revised Statutes, Montrose County has the right to require the applicant to provide detailed information, such as but not limited to, detailed site specific OWTS .
- D. Flag Lots: The pole portion of the lot shall be no longer than 500 feet. The width of the pole lot shall not be less than 30 feet. The buildable area of the lot excluding the pole portion shall be at least 25,000 square feet in area.
- E. All lots in minor subdivisions must adjoin by a common property line and may not include a parent parcel over 35 acres.

3.21 Zoning

- A. All proposed subdivisions of property in Montrose County shall include a statement of the proposed use(s) (i.e., residential, business, commercial, industrial, public, open space, etc.) and the entire area of the proposed subdivision shall be zoned for the stated use(s). When the subject property is not already zoned for the proposed use(s), the Applicant shall file a Rezoning Application for the appropriate zone district(s) together with the Preliminary Plan Application.
- B. At the time of Preliminary Plan approval, the subdivision must comply with all zoning requirements. An exception may be allowed for existing accessory buildings that are permanently affixed to the ground and that encroach into side or rear zoning setbacks on exterior property boundaries of the subdivision, but which do not extend into the dedicated right-of-way or across the subdivision boundary, and thereby impact a neighboring property.

3.22 Platting Designations

All land that is to be platted on a subdivision or exemption plat shall have its purpose clearly designated on the plat (Right-of-Way, Open Space, Lots, Tract, Outlot, etc.). Only properties that have been platted as a “Lot” or “Tract” may be considered suitable for building purposes and the issuance of future permits.

3.23 Wetlands

Wetlands ½ acre in area or greater (as identified in the Geological Report, the CGS Review, a Corps of Engineers site visit, a County Engineering Department site visit or by a Corp of Engineers Consultant) shall be field surveyed and delineated on the Sketch Plan, Preliminary Plan and the Final Plat(s). Appropriate Corp of Engineers permits shall be obtained if the subdivision improvements will disturb any portion of the delineated wetlands. Necessary Corps permits and/or permissions shall be obtained prior to approval of the Preliminary Plan by the Board. The Standard Plat Note for Wetlands shall be shown on all plats in which a wetland ½ acre or greater in area is shown. [Ref. Appendix B]

3.24 Master Plan

All subdivisions shall consider the land use designations set forth in the Land Use Element of the Montrose County Master Plan.

3.25 Fences and Ditches

Prior to Final Plat approval by the Board, all fences and other improvements shall be removed from the County Road right-of-way. Removal of any fences or ditches that may be located in the right-of-way is not required adjacent to retained land.

Where canals or laterals are located in the County Road right-of-way, the subdivider shall meet with County Planning, County Engineering, and the ditch company to devise a proposed subdivision design that will minimize the impacts on the ditch company facilities and provide a road right-of-way that protects the public safety, while maximizing the County’s ability to efficiently maintain the facilities located in the public right-of-way.

Where delivery ditches are located in the County Road right-of-way, the subdivider shall remove the ditches from the right-of-way (including newly dedicated right-of-way). The relocation shall

be completed prior to consideration of any Final Plat, Minor Subdivision Plat or Exemption Plat by the Board, or the Board may consider a plat if the relocation is assured by execution of a Subdivision Improvements Agreement with sufficient collateral.

Where waste/return ditches are located in the County Road right-of-way, the Subdivider shall remove the ditches from the right-of-way (including newly dedicated right-of-way). The relocation shall be completed prior to consideration of any Final Plat, Minor Subdivision Plat or Exemption Plat by the Board, or the Board may consider a plat if the relocation is assured by execution of a Subdivision Improvements Agreement with sufficient collateral.

Fences and Ditches may remain in the County Right-of-way if approved by Montrose County and a Plat Note is added to the subdivision plat.

3.26 Road Improvements Standards

- A. All roads and streets within a subdivision shall be required to be improved to adopted County specifications prior to Final Plat approval, or pursuant to Article IX, the construction may be assured by a Subdivision Improvements Agreement and sufficient collateral as approved by the Board.

- B. All driveway access(s) onto County roads shall be designed, constructed, and approved in accordance with the adopted Standards and Specifications for Roads and Bridges and with Section 3.34 of these Regulations. When a driveway accesses onto a designated collector or arterial road, the "Standard Plat Note for Further Subdivision on a Collector or Arterial Road" shall be included on the subdivision or exemption plat [Ref. Appendix B].

- C. Major Subdivisions shall be laid out in a manner that each lot will front on an interior dedicated County Road. The road(s) shall be constructed in accordance with the Montrose County Standards and Specifications for Roads & Bridges. Easements to access subdivided lots shall not be an option, in a Major Subdivision or in a Planned Development. Easements may be allowed in Minor Subdivisions and Large Tract Exemptions provided they meet the design standards specified in Section 3.30 of these regulations.

- D. Where right-of-way is being dedicated for the purpose of constructing a new road, the subdivider shall construct said road for the full length of the right-of-way dedication within the proposed subdivision prior to Board approval of any Final Plat or Minor Subdivision Plat. Dedications that are being made pursuant to Section 3.38 of these regulations and not as part of the proposed subdivision design shall be exempt from

this Section 3.26.D. If a subdivision is to be completed in phases, roads may be built in sections as necessary to serve each phase.

3.27 Approval of Roads and Bridges

Prior to Board consideration of a Final Plat, Minor Subdivision or Exemption Plat for which road construction has occurred, a Professional Engineer retained by the subdivider shall certify that all construction has been completed under his/her direct supervision in accordance with the approved plans and specifications. Upon receipt of Red-Lined Drawings, As-Built Plans, and applicable test results, the County Engineer will review the documentation provided by the Project Engineer and conduct needed inspections to confirm that the required improvements have been installed, and whether the County can accept them as complete subject to warranted and secured obligations.

3.28 Roads and Streets

All roads and streets to be established in connection with the development of a subdivision shall comply with the Montrose County Standards and Specifications for Roads & Bridges and with the following design standards:

- A. Continuation of Existing Road Pattern - Wherever topography will permit, the centerlines of all proposed roads and streets shall be the continuations of centerlines of existing roads in adjacent and contiguous lands.
- B. Dead end roads (Cul-de-sacs) - Dead end roads and streets shall terminate in a circular turn-around area having a minimum right-of-way of at least one hundred (100) feet in diameter and a paved or graveled driving surface with a minimum outside diameter of eighty (80) feet. Similarly, where subdivision roads terminate in a dead end at the boundary of a subdivision or a filing, a temporary turn-around area shall be provided. The length of a dead end road shall not exceed 1500 feet.
- C. Road Intersection – Roads and Streets will be required to intersect one another at an angle as near to a right angle as is practicable in each case.
- D. Where a subdivision containing forty (40) acres or more adjoins unsubdivided acreage of forty (40) acres or more under single ownership, a minimum of one road connection between the subdivision and the adjacent unsubdivided acreage shall be made in order to provide adequate future traffic circulation in the area. Subdivisions containing 160 acres or more shall provide a minimum of two (2) road connections between the

subdivision and adjacent unsubdivided acreage of at least forty (40) acres in area under single ownership. Exceptions may be made at the discretion of the Planning and Development Director or Board where existing development or severe topography effectively eliminates any realistic or practical opportunity for a future road connection.

Where property adjacent to a proposed subdivision has been laid out in a manner intended to provide future road connections between subdivisions, road connections utilizing the existing connecting roads shall be made between existing and proposed adjoining subdivisions.

- E. Road Naming - All roads in unincorporated Montrose County, including roads created in a subdivision or other plat under these regulations, shall be named in accordance with the separately adopted Montrose County Standards and Policy for Road Naming and Addressing in Unincorporated Areas as amended.

- F. Road Name Signs – Road or street signs shall be placed at all street intersections by the subdivider at the subdivider’s expense, and approved by the County Engineer or his designee. All signs erected within the subdivision shall be in conformance with the Manual on Uniform Traffic Control Devices (MUTCD).

3.29 Road and Street Maintenance

The Board shall withhold all public street improvements and public maintenance from all rights-of-way that have not been accepted for such purposes by Resolution of the Board of County Commissioners.

3.30 Access Easements

Easements for the purpose of accessing lots or tracts across another property or properties shall be allowed in Minor Subdivisions and Large Tract Exemptions only. The following standards shall apply to all easements used or proposed for access purposes within proposed subdivisions or exemptions. These standards may not be waived or altered for any reason.

- A. A maximum of three (3) parcels may be accessed by an easement. Any existing or proposed parcel that is encumbered by an easement shall be considered to be accessed by that easement.

- B. At least one of the lots or tracts within the proposed subdivision shall have a minimum of fifty (50) feet of frontage on a County Road or State Highway.
- C. Access easements shall have a minimum width of thirty (30) feet. No obstructions of any type shall be allowed in an access easement. Obstructions include, but are not limited to fences, buildings/structures, mailboxes, irrigation pipe and utility pedestals/poles.
- D. Access easements shall have a maximum length of one thousand five-hundred feet (1500).
- E. All access easements shall be described by a metes and bounds legal description prepared by a Professional Land Surveyor, shall be established by an easement deed and shall be delineated on the Minor Subdivision Plat or Large Tract Exemption Plat.
- F. The Standard Plat Note for Access Easements shall be shown on the plat. [Ref. Appendix B]
- G. All access easement(s) that access directly onto County Roads or State Highways shall obtain an access permit. Prior to final approval each access location associated with an access easement shall be designed, constructed and have been issued final permit approval in accordance with the standards and specifications for Road and Bridge and with Section 3.34 (County Roads) of these Regulations or the State Highway Department subject to Section 3.35 (State Highways) of these Regulations.

3.31 Fire Hydrants and Fireflow

- A. Fire hydrants which meet the requirements of the applicable fire protection district shall be installed in all Major Subdivisions prior to Board approval of any Final Plat.

B. Prior to Board approval of any Final Plat for a Major Subdivision, all hydrants located within residential subdivisions shall meet the following minimum fireflow requirements:

- 1) For subdivisions in which any residence will not have an automatic sprinkler system, the minimum fireflow for hydrants shall be 500 gallons per minute.
- 2) A minimum flow of 250 gallons per minute shall be acceptable for residential subdivisions provided that all residences constructed within the proposed subdivision will have automatic sprinkler systems which have been installed by a Registered Fire Suppression System Contractor who is registered with the Colorado Division of Fire Safety. Under no circumstances shall a Major Subdivision be approved in which the fireflow has not been proven to be at least 250 gallons per minute.
- 3) For all subdivisions in which sprinkler systems are required, the Standard Plat Note for Automatic Sprinkler Systems shall be shown on the plat.
- 4) The project engineer retained by the Applicant and/or subdivider shall provide a certified statement that the installed lines and hydrants meet these requirements and that the lines and hydrants function as designed. Proof of the flow rate at each hydrant shall be based on an actual test of the hydrant and this data shall be submitted to the Planning and Development Department.

C. Prior to Board approval of any Final Plat or Minor Subdivision plat in which the property is zoned commercial or industrial, all hydrants located within the subdivision shall meet the following requirements:

- 1) The minimum fireflow for all hydrants shall be 1,500 gallons per minute.
- 2) Engineered supplemental water sources and systems (tanks, ponds, etc.) shall be allowed for commercial and industrial subdivisions in order to provide the required 1,500 gallons per minute flow for commercial and industrial subdivisions.
- 3) The project engineer retained by the Applicant and/or subdivider shall provide a certified statement that the installed lines and hydrants meet these requirements and that the lines and hydrants function as designed. Proof of the flow rate at each hydrant shall be based on an actual test of the hydrant and this data shall be submitted to the Planning and Development Department.

3.32 Site Characteristics Analysis

- A. A Site Characteristics Analysis as defined in Article II and appendix D of these regulations shall be required for all subdivision applications.

- B. For Major Subdivisions, the Site Characteristics Analysis (Appendix D) shall be submitted as part of the Sketch Plan.

3.33 Intentionally Blank

3.34 Access onto County Roads

- A. Every lot in a Major Subdivision shall front on an improved dedicated County Road. Lots in Minor Subdivisions or Large Tract Exemptions which are served by an access easement which meets the design standards specified in Section 3.30 of these regulations may be excluded from the frontage requirement. Access onto an existing County Road shall only be allowed with an approved Access Permit.

- B. Approval of an Access Permit shall be based on a determination by the County Engineer that the proposed access will meet safety standards as set forth in the Montrose County Standards and Specifications for Roads & Bridges and that the total number of accesses onto the County Road System have been minimized by use of a Common Driveway Easement to the maximum extent practical. Existing common shared driveways shall be used for further subdivisions unless the County Engineer determines that the system is improved by the addition of another access. When it has been determined that a Common Driveway Easement is warranted, the "Standard Plat Note for Common Driveway Easement" shall be included on the Final Plat [Ref. Appendix B].

3.35 Access onto State Highways

Access onto a State Highway shall be approved by the State Highway Department prior to Board approval of a Minor Subdivision, Large Tract Exemption or Final Plat. State approval of an access shall not necessarily preclude the County from also requiring compliance with adopted County Access Standards.

3.36 Urban Development Standards

- A. Subdivisions in which any proposed lot is less than one (1) acre in size (excluding planned developments and Minor Subdivisions) shall include sidewalks, curb and gutters along the full frontage of all existing and proposed roads and streets that are adjacent to the property being subdivided. All sidewalk, curb and gutter design and construction shall be in accordance with the Montrose County Standards and Specifications for Roads and Bridges or as specified by the County Engineer.

- B. All sidewalks shall be located entirely within a public right-of-way or a pedestrian access easement that is granted to the public.

3.37 Road and Bridge Design Standards

All roads, bridges, driveways, culverts and other road improvements installed within Montrose County right-of-ways shall be designed and constructed in conformance with the Standards and Specifications for Roads and Bridges.

3.38 Dedication of Road Right-of-Way and Road Classifications

- A. For existing County roads:

Where an existing or proposed public road right-of-way will be used to provide access to a proposed subdivision or Large Tract Exemption, road right-of-way dedication shall be provided on the plat along all portions of existing roads that border the property being divided. Dedication widths shall be determined based on the classification of the road as shown in the Montrose County Transportation Plan Detail and the right-of-way standards specified in this Section 3.38. Right-of-way dedications shall be measured from both sides of the centerline of the existing road.

- B. For Future Alignments:

All subdivisions and Large Tract Exemptions shall dedicate right-of-way along section and quarter-section lines that are located within or immediately adjacent to the subject parcel. The width of the right-of-way dedication shall be 30' to both sides of the section or quarter-section line unless the line is on the alignment of an existing arterial road (as

designated by the Montrose County Transportation Plan Detail) in which case the dedication shall be 40' to both sides of the section or quarter-section line. For existing roads where the centerline of the road is more than ¼ (one-quarter) of the traveled way out of alignment with the section or quarter-section line, the road centerline shall be used as the baseline for the dedication. Where topography, existing development or other limiting factors exist, alternate right-of-way dedication shall be provided based on a joint recommendation of the County Engineer and Project Engineer. The Board may exempt certain plats from any dedication requirement where topography, existing development or other limiting factors make the feasibility of constructing a road on an alignment impractical or impossible in the opinion of the County Engineer.

C. County Road Classifications

Principal Arterial Road (100' Right-of-Way)

These are interregional roads conveying traffic between cities, towns, and other urban and rural activity centers. Efficient movement of traffic is the primary function of principal arterials; hence, private access and frontage should be limited to high-volume generators and intersections should be limited to collector roads and other arterials. To maintain functional integrity, access control, channelized intersections, and restricted parking are utilized.

Minor Arterial Road (80' Right-of-Way)

These are regional roads conveying traffic between urban and rural activity centers. Efficient movement of traffic is the primary function of minor arterials; but private access and frontage is not as limited as with principal arterials. Minor arterials should intersect only with collector roads and other arterials. To maintain functional integrity, access control is utilized and on-street parking is prohibited.

Collector Road (60' Right-of-Way)

These are regional roads which collect traffic from local roads and connect other local roads, and to minor and principal arterials. Efficient movement of traffic is an important function of collector roads and private access and frontage should be limited wherever possible. Collector roads intersect with other collectors, arterials, and local roads. To maintain functional integrity, access control is utilized wherever possible and on-street parking is prohibited.

Local Road (60' Right-of-Way)

These are roads designed to provide access to individual lots in a subdivision with lots of 1 acre or more in size where on-street parking is discouraged. Local roads intersect with other local roads, with collectors, and only where necessary, with arterials. To maintain the functional integrity of the collector and arterial road network and create desirable neighborhoods, local roads are designed to connect to neighboring subdivisions and to moderate traffic speeds.

Local Street (50' Right-of-Way)

These are streets designed to provide access to individual lots in a subdivision with lots less than 1 acre in size where on-street parking is accommodated by a wider street cross-section. Local streets intersect with other local roads, with collectors, and only where necessary, with arterials. To maintain the functional integrity of the collector and arterial road network and create desirable neighborhoods, local streets are designed to connect to neighboring subdivisions and to moderate traffic speeds.

Rural Road (60' Right-of-Way)

These are rural roads of a local nature that do not provide access to lots in a subdivision. They provide access from a higher classification of road to a local point of interest. They typically do not see a high volume of traffic, but are of great importance as they provide the primary or only route of access to points of interest. Access control is not of high priority.

3.39 County Inspections

The County Engineer shall be notified prior to the beginning date for any road and bridge construction that is proposed for acceptance on the County Road System. The road or bridge shall be constructed in accordance with the approved plans and specifications and approved in writing by the County Engineer prior to Final Plat approval.

3.40 Expiration of Applications and Approvals

A. Expiration of Minor Subdivision Applications and Approvals

- 1) If not approved by the Board, Minor Subdivision applications shall expire two (2) years after the date of submittal.

B. Expiration of Sketch Plan Applications and Approvals

- 1) If not approved by the Board, Sketch Plan applications shall expire two (2) years after the date of submittal.
- 2) Unless a complete Preliminary Plan application for the same subdivision is submitted within two (2) years of the date of Board approval of a Sketch Plan, the Sketch Plan shall expire.

C. Expiration of Preliminary Plan Applications and Approvals

- 1) If not approved by the Board, Preliminary Plan applications shall expire two (2) years after the date of submittal.
- 2) Unless a complete Final Plat application for the same subdivision is submitted within two (2) years of the date of Board approval of a Preliminary Plan, the Preliminary Plan shall expire.

D. Extension of Expiration Periods

- 1) An extension of the time limit to finish an application or file a subsequent plat or plan may be granted by the Board upon written request from an Applicant.
- 2) Requests for extension must be submitted in writing to the Planning and Development Department and shall include the following information:
 - a) The reason(s) for requiring additional time to complete the application or file a subsequent plat or plan.
 - b) An estimated completion date for the application.
 - c) The current status of the project, including details of what construction has been completed.
- 3) The Board may grant extensions of application and filing time periods for the following reasons:
 - a) The failure to complete the application or to file a plat or plan was caused by circumstances beyond the Applicant's control.
 - b) The extension is necessary for additional review time by the County Staff.
 - c) The property has been sold to an unrelated party.
- 4) An Applicant shall not be granted extensions based on any of the following reasons:
 - a) The denial of the extension would cause a financial hardship.
 - b) The need for the extension was caused by the Applicant's inability or refusal to comply with an applicable County ordinance or regulation.

- 5) If an extension is granted by the Board it shall be until a time and date certain and the expiration period shall last until that date unless another extension is granted pursuant to these regulations.
- 6) If a request for extension is denied, the application shall be deemed expired as of the expiration date specified by these regulations.
- 7) A fee shall be charged for the processing of a request for extension. This fee shall be set by the Land Use Fee Schedule as amended from time to time.
- 8) A request for extension shall be submitted to the Planning and Development Department along with payment for the required fee prior to the date of expiration for an application. If a request for extension is not received prior to the date of expiration, the application shall expire and be null and void.

3.41 Traffic Studies

When a property is proposed for subdivision, a Trip Generation/Distribution Letter shall be prepared in accordance with Article VII, TRAFFIC STUDIES, Montrose County Standards and Specifications for Roads and Bridges, where the projected increase in Average Daily Traffic (ADT) as a result of the design build-out of the proposed subdivision will be between 150 ADT and 400 ADT [pursuant to the Institute of Transportation Engineers (ITE) Trip Generation Handbook]. Where the projected build-out of the proposed subdivision will exceed 400 ADT [pursuant to the Institute of Transportation Engineers (ITE) Trip Generation Handbook], a Detailed Traffic Access and Impact Study shall be prepared in accordance with Article VII, TRAFFIC STUDIES, Montrose County Standards and Specifications for Roads and Bridges. Other concerns discussed in Article VII may also cause the County Engineer to require either the Letter or the Detailed Study, as applicable. Traffic Studies shall be submitted with the Sketch Plan. Traffic Studies shall be prepared by a Professional Engineer experienced in Traffic Engineering. The mitigation recommendations provided in the Traffic Study shall be incorporated into the Sketch Plan. The County Engineer may consider impacts identified in the study when evaluating 'Adequate Road Facilities' pursuant to Section 3.42 of these Regulations.

3.42 Adequate Road Facilities

External access to all subdivisions shall be via a dedicated County Road, or a public road under the jurisdiction of a municipal, State, or Federal governmental entity, that meets the minimum standards set forth in this Section.

The minimum standards for an existing road or a new road to be considered adequate for subdivision development are set forth in the "Montrose County Standards and Specifications for Roads & Bridges". The County Engineer shall determine if the minimum standards are complied with. A road accessing a proposed subdivision that meets these minimum standards does not

preclude the imposition of additional minimum road standards as may be determined by the County Engineer to be necessary to preserve the public health, safety and welfare.

The road(s) that access the subdivision shall be evaluated in accordance with the minimum standards of Section 4.08 of the Montrose County Road and Bridge Standards. This evaluation shall be provided to the County as part of the development proposal. All evaluations and analysis shall be conducted, signed and sealed by the Project Engineer or a Consulting Engineer experienced in traffic engineering and/or road design. The evaluation, analysis, and assumptions made shall be reviewed and concurred with by the County Engineer, prior to declaration by the County Engineer that the road accessing the proposed subdivision is either adequate or inadequate.

In the event that the subdivision will increase the traffic burden on an existing unpaved County Road in accordance with the ITE Manual by more than 10%, and will contribute to an overall traffic burden above 249 ADT, the roadway is considered inadequate unless upgraded to meet current County standards. The Project Engineer shall adequately justify the trip generation estimate and obtain concurrence from the County Engineer (Ref. § 4.08, Minimum Standards for Existing Public Roads, "Montrose County Standards and Specifications for Roads & Bridges").

3.43 Subdivision Approval Criteria

Each subdivision approved in Montrose County shall:

- A. Comply with the Montrose County Subdivision Regulations.
- B. Comply with the Montrose County Board of Health Regulations.
- C. Comply with the Montrose County Zoning Resolution.
- D. Comply with the Montrose County Standards and Specifications for Roads and Bridges.
- E. Consider the advisory recommendations of the land use designations of the Montrose County Master Plan.

3.44 Adequate Water Supply for Development

- A. All proposed subdivisions which will contain fifty (50) lots or more shall comply with C.R.S. 29-20-301 through 29-20-305 as amended from time to time.

- B. All reports required to be submitted to the County by C.R.S. 29-20-304 shall be prepared by a Professional Engineer licensed by the State of Colorado and submitted along with the Sketch Plan application for the proposed subdivision.

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ARTICLE IV

DISTRIBUTION OF PLANS & PLATS

4.1 Sketch Plan Distribution List

1. Planning and Development Department
2. County Engineer
3. County Attorney
4. County Board of Health Designee
5. School District
6. Local Government (as applicable)
7. Uncompahgre Valley Water Users Association
8. Bureau of Reclamation (if also referred to U.V.W.U.A.)
9. CDOT (as applicable)
10. Fire Protection District
11. Water Company
12. Colorado Geological Survey
13. Division of Water Resources
14. State and Federal Agencies (as applicable)
15. Geographic Information Systems Department
16. Sanitation District (as applicable)
17. Colorado Division of Wildlife (as applicable)
18. 911 Coordinator

4.2 Preliminary Plan Distribution List

1. Planning and Development Department (w/1 complete set of engineering drawings)
2. County Engineer (w/1 complete set of engineering drawings)
3. County Attorney
4. District Fire Department (w/1 complete set of engineering drawings)
5. CDOT (w/1 complete set of engineering drawings when applicable)

6. Geographic Information Systems Department
7. Montrose Regional Airport (as applicable)
8. Telephone Company
9. Water Company or District
10. Power Company
11. Gas Company
12. Montrose County Weed Manager
13. Sanitation District (as applicable)
14. Postmaster (subdivisions of 6 lots or more)
15. 911 Coordinator

4.3 Final Plat Distribution List

1. Planning and Development Department ((w/1 complete set of engineering drawings)
2. County Engineer (w/1 complete set of engineering drawings)
3. County Attorney
4. County Surveyor
5. Geographic Information Systems Department (if there are existing residences)
6. Tri-County Water (when applicable)
7. Fire Protection District (when applicable)
8. Uncompahgre Valley Water Users Association

4.4 Minor Subdivision Distribution List

1. Planning and Development Department
2. County Engineer
3. CDOT (as applicable)
4. Bureau of Reclamation (if also referred to U.V.W.U.A.)
5. Telephone Company
6. Water Company
7. Power Company
8. Gas Company
9. Uncompahgre Valley Water Users Association

10. Local Government (as applicable)
11. County Sanitarian
12. Fire Protection District
13. County Weed Manager
14. Geographic Information Systems Department
15. State and Federal Agencies (as applicable)
16. Colorado Division of Wildlife (as applicable)

4.5 Non-Subdivision Distribution List

1. Planning and Development Department
2. County G.I.S.
3. County Engineer
4. County Attorney
5. Utility Companies (as applicable)

ARTICLE V

MINOR SUBDIVISIONS

Minor Subdivisions (as defined by Article II of these regulations) are subject to the Montrose County Subdivision Regulations as specifically noted in this Article V as well as the General Provisions and Design Standards of Article III of these regulations unless otherwise indicated. Minor Subdivisions shall be reviewed by staff and acted on by both the Planning Commission and the Board. No Minor Subdivision shall be considered approved unless it has been approved by the Board at a duly noticed public meeting.

5.1 Minor Subdivision Submittal Requirements

All Minor Subdivision applications shall be submitted through the Montrose County Citizen Planning and Development Citizen Permit Portal.

- A. All Minor Subdivisions shall be required to submit the following items:
- 1) A completed Minor Subdivision Application form.
 - 2) A complete Site Characteristics Analysis.
 - 3) A current deed showing ownership of property.
 - 4) A signed, original power of attorney shall be provided with applications for which the Applicant is not the owner of the property.
 - 5) A Minor Subdivision Plat drawn in accordance with Section 5.4 of these regulations.
 - 6) Payment in full of the Minor Subdivision application fee as set by the Land Use Fee Schedule.

5.2 Minor Subdivision Review Process

The Planning and Development Department will notify the applicant through the on-line system that the intake is complete and has moved to the Plan Review Process. Additional copies of the proposed subdivision plat shall be provided by

the Applicant if necessary and then referred to the applicable reviewing agencies as specified in Section 4.4 of these regulations. The reviewing parties shall have twenty-one (21) days upon receipt of the referral to respond with written comment to the Planning and Development Department. An extension of this twenty-one (21) day review period may be granted by the planner assigned to the subdivision upon receipt of a written request for extension which states the necessity of the extension. The review period shall not be extended by more than this additional twenty-one (21) days. Within sixty (60) days of the end of the review period, the planner assigned to the application shall provide a review letter to the Applicant. When the Planning and Development Director or his/her designee determines that the Applicant has satisfactorily addressed the issues identified in the review letter, the Minor Subdivision shall be scheduled for a Planning Commission meeting.

- A. Upon reviewing a Minor Subdivision at a regularly scheduled meeting, the Planning Commission may recommend the following to the Board:
 - 1) Approval
 - 2) Approval with conditions
 - 3) Denial
 - 4) A continuance to a time and date certain.

- B. When the Planning and Development Director or his/her designee determines that the Planning Commissions conditions of approval (if any) have been satisfactorily addressed, a Minor Subdivision application shall be scheduled for a Board meeting.

- C. Upon reviewing a Minor Subdivision at a regularly scheduled meeting, the Board may:
 - 1) Approve
 - 2) Approve with conditions
 - 3) Deny
 - 4) Continue to a time and date certain.
 - 5) Table the item until further notice.

- D. After Board approval of a Minor Subdivision, the Applicant shall provide the Planning and Development Department with a signed Mylar copy of the plat with all applicable signatures affixed. The Planning and Development Department shall promptly file this plat with the Clerk and Recorder and provide a written copy of

the recording information to the Applicant. The Applicant shall provide the Planning and Development Department with the signed, Mylar copy of the plat for recording within six (6) months of date of Board approval of the Minor Subdivision. If the signed, mylar copy of the Minor Subdivision plat is not provided to the Planning and Development Department within the six (6) month time limit, the Board approval and the subdivision application shall be deemed expired. When the Board grants a conditional approval of a subdivision, the six (6) month time limit shall not begin until the date that all conditions have been satisfied.

- E. A denial of a Minor Subdivision application by the Board shall result in the application being null and void. The subdivider retains the right to submit a new application for subdivision with the County at any time following a denial.

5.3 Minor Subdivision Requirements

- A. Prior to Planning Commission consideration of any Minor Subdivision application, the following requirements shall be met:
 - 1) No less than fifteen (15) days prior to the Planning Commission meeting at which the application will be heard, the Planning and Development Department shall send written notice of the meeting to all adjacent property owners.

- B. Prior to Board approval of any Minor Subdivision application, the following requirements shall be met:
 - 1) Proof of potable water shall be provided for each lot. Tap receipts from the applicable water district, or an approved Well Permit from the Division of Water Resources shall be required.
 - 2) Proof of approved sewage disposal shall be provided for each lot. Tap receipts from the applicable sewer district or by review of the Site Characteristics Analysis shall be acceptable.
 - 3) All required Access Permits from the subdivision onto County roads shall be approved by the County Engineer or his/her designee.
 - 4) The RE-1J School District Fee In-Lieu shall be paid in full.

- 5) Any outstanding fees owed to the County shall be paid in full.

5.4 Minor Subdivision Drawings Requirements

A. All Minor Subdivision plats shall be drawn in accordance with C.R.S. 38-50-101(3) and C.R.S. 38-51-101 through 38-51-107, however, only the copy of the plat which will be recorded shall be printed on Mylar pursuant to 38-50-101(3). The following additional requirements shall apply to all Minor Subdivision plats submitted to Montrose County:

- 1) The plat shall be delineated on sheets 24" by 36".
- 2) There is no minimum drawing scale requirement, however, the drawing scale shall be adequate to insure that the plat is clear and legible and shall be an even multiple of standard engineering scales.
- 3) The minimum lettering size used on any plat shall be .08 inch.
- 4) The title sheet shall contain the title, consisting of the name of the subdivision/exemption. The subdivision/exemption name shall not be the same as the name of any existing city, town, subdivision or exemption of land into lots or tracts in this county, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion as to identify thereof. Reference to existing subdivisions and exemptions in the description must be worded identically with original records, and reference to book and page or reception number of record must be shown. Every sheet comprising the plat shall bear the tract name, scale, north arrow, legend, sheet number and number of sheets comprising the plats. Below the title show the location of tract within section, township, range and meridian. Characters (e.g. #, &, ^, <>, +, ", [], ?, *, ~, ®, @, %, °, etc.) shall not be used in any title occurring anywhere on a plat. The title of a subdivision plat shall not exceed eight (8) words in length.
- 5) Each plat shall contain a vicinity map which clearly shows the subject parcel as well as the surrounding roads and their names. An unlabeled quad map which does not show the subject property boundary as well as the road names shall not be accepted.
- 6) Topography of the subject property shall be shown with contours in the following intervals:
 - a) Ten foot contour intervals for ground where the slope is over 15%.
 - b) Five foot contour intervals for ground where the slope is between 5% and 15%.

- c) Two foot contour intervals for ground where the slope is less than 5%.
- 7) The bearings, distances and curve data of all perimeter boundary lines shall be indicated outside the boundary line, not inside with lot dimensions. When the plat is bounded by an irregular shore line or a body of water, the bearings and distances of a closing meander traverse should be given and a notation made that the plat includes all land to the water's edge or otherwise.
- 8) On curved boundaries and all curves on the Final Plat, sufficient data shall be given to enable the re-establishment of the curves on the ground. This curve data shall include the following for circular curves:
 - a. radius of curve
 - b. central angle
 - c. long chord bearing and distance
 - d. arc length
- 9) All roads, streets, walkways and alleys shall be designated as such and roads and streets shall be named in accordance with the County's road naming convention. Bearings and dimensions must be given, and the acreage of any roads to be dedicated shall be shown. The course and distance (including curve data) shall be shown for the centerline of all existing and proposed dedicated roads.
- 10) The plat shall show the location and width of all easements to which the lots are subject. The easements must be clearly labeled and identified, and if already of record, a statement of such easement must appear on the title sheet providing reference to book and page or reception numbers. Easements for storm drains, sewers and other purposes shall be designated by dashed lines. The width of the easement and the lengths and bearings of the lines thereof and sufficient ties thereto, to definitely locate the easement with respect to the subdivision must be shown. If the easement is being dedicated by the plat, it shall be properly set out in the owner's certificate of dedication.
- 11) All lands within the boundaries of the plat shall be noted with bearing and distance and shall be accounted for.
- 12) Bearings and lengths shall be given for all lot lines and centerlines.
- 13) Contiguous parcels owned by different parties may be embraced in one Final Plat, provided that all owners join in the dedication and acknowledgement.
- 14) All boundaries and lots/tracts shall close mathematically.
- 15) A traverse of the boundaries of the tract and of all lots shall close within a limit of error of one (1) in five thousand (5000).

- 16) All property owner names shall be legibly printed below the signature line.
- 17) The acreage of each lot or tract shall be shown to the nearest tenth of an acre or the nearest ten (10) square feet within the lot or tract boundary.
- 18) The centerline of all existing driveways shall be shown.
- 19) The location of all structures within the subject property boundary shall be shown. Structures do not need to be shown on the Mylar copy of the plat which will be recorded.
- 20) All known and/or existing mapped floodplains shall be shown on the plat.
- 21) All dams within the subject property shall be shown.
- 22) The approximate size and location of all lakes and ponds within the subject property shall be shown on the plat.
- 23) All fences within the subject property shall be shown on the plat.
- 24) The reception and/or book and page numbers for all previously dedicated right-of-ways adjacent to the subject property shall be shown.

B. The following certifications shall appear on all Minor Subdivision Plats:

- 1) Certificate of Ownership and Dedication
- 2) Professional Land Surveyor's Certificate
- 3) County Treasurer's Certificate
- 4) Recorder's Certificate
- 5) Proof of Title Certificate
- 6) Board of County Commissioner's Approval Certificate

C. Applicable plat notes as identified in Appendix B of these regulations shall be shown on all Minor Subdivision Plats.

ARTICLE VI

SKETCH PLAN

The purpose of the Sketch Plan (as defined by Article II of these regulations) is to determine the basic suitability of land for development. The general location of proposed roads as well as their means of connection to the existing public road system will be determined at this stage of the review process. The minimum size of the lots and their general location will also be determined at this stage. Sketch Plans are subject to the Montrose County Subdivision Regulations as specifically noted in this Article VI as well as the General Provisions and Design Standards of Article III of these regulations unless otherwise indicated.

6.1 Sketch Plan Submittal Requirements

All Sketch Plan application shall be submitted through the Montrose County Citizen Planning and Development Citizen Permit Portal.

- A. A combined Sketch and Preliminary Plan may be submitted by an Applicant. Combined Sketch and Preliminary Plans shall comply with all submittal requirements and regulations of Articles VI and VII of these regulations. If there is a discrepancy between regulations, the more restrictive regulation shall prevail. The application fee for a combined Sketch and Preliminary Plan application shall be determined by adding the applicable fees for both Sketch and Preliminary Plan applications from the Land Use Fee Schedule.

- B. All Sketch Plans shall be required to submit the following items in order to be deemed as having a complete application:
 - 1) A completed Sketch Plan Application form.
 - 2) A Site Characteristics Analysis shall be submitted as outlined in Appendix A.
 - 3) A completed Water Resource Report form for submittal to the Division of Water Resources.
 - 4) A current deed showing ownership of the property. Policy of Title Insurance. Commitments for Title Insurance shall not be accepted.
 - 5) A signed, original power of attorney shall be provided with applications for which the Applicant is not the owner of the property.

- 6) Two (2) copies of a Traffic Impact Study (when required by the Standards and Specifications for Roads and Bridges.)
- 7) The Sketch Plan drawn in accordance with Section 6.4 of these regulations.
- 8) Payment in full of the Sketch Plan application fee as set by the Land Use Fee Schedule.

6.2 Sketch Plan Review Process

- A. Upon verification of a complete application for a Sketch Plan, the Planning and Development Department shall issue a “Complete Application Letter ” to the Applicant. Additional copies of the proposed Sketch Plan shall be provided by the Applicant if necessary and then referred to the applicable reviewing agencies as specified in Section 4.1 of these regulations. The reviewing parties shall have twenty-one (21) days upon receipt of the referral to respond with written comment to the Planning and Development Department. An extension of this twenty-one (21) day review period may be granted by the planner assigned to the subdivision upon receipt of a written request for extension which states the necessity of the extension. The review period shall not be extended by more than this additional twenty-one (21) days. Within sixty (60) days of the end of the review period, the planner assigned to the application shall provide a review letter to the Applicant. When the Planning and Development Director or his/her designee determines that the Applicant has satisfactorily addressed the issues identified in the review letter, the Sketch Plan shall be scheduled for a Planning Commission meeting.
- B. Upon reviewing a Sketch Plan at a regularly scheduled meeting, the Planning Commission may recommend the following to the Board:
 - 1) Approval
 - 2) Approval with conditions
 - 3) Denial
 - 4) A continuance to a time and date certain.
- C. When the Planning and Development Director or his/her designee determines that the Planning Commissions conditions of approval (if any) have been satisfactorily addressed, a Sketch Plan application shall be scheduled for a Board meeting.
- D. Upon reviewing a Sketch Plan at a regularly scheduled meeting, the Board may;
 - 1) Approve

- 2) Approve with conditions
 - 3) Deny
 - 4) Continue to a time and date certain.
 - 5) Table the item until further notice.
- E. After Board approval of a Sketch Plan and completion of any conditions related to a conditional approval, the Applicant may submit a Preliminary Plan pursuant to Section VII of these regulations.
- F. A denial of a Sketch Plan application by the Board shall result in the application being null and void. The subdivider retains the right to submit a new application for subdivision with the County at any time following a denial.

6.3 Sketch Plan Requirements

- A. Prior to Planning Commission consideration of any Sketch Plan application, the following requirements shall be met:
- 1) No less than fifteen (15) days prior to the Planning Commission meeting at which the application will be heard, the Applicant or their designee shall send written notice of the meeting to all adjacent property owners as identified pursuant to Section 6.1.B(3) of these regulations. This notice shall be on a form provided by the Planning and Development Department and shall be sent via certified U.S. mail. The return receipts for all notification notices sent shall be provided to the Planning and Development Department as soon as they are available.
 - 2) No less than thirty (30) days prior to the date scheduled for the initial Planning Commission hearing at which the Sketch Plan will be reviewed, the Applicant shall post the subdivision property with “Public Notice” signs in at least two (2) locations which can be easily seen from the nearest public road(s). The signs shall be printed on stock provided by the Planning and Development Department and shall state the place of the initial public hearing, the nature of the hearing, the location of the property that is subject to the hearing, and a statement describing how and where to submit written comment or obtain further information reacting to the proposal. Certification that the property has been posted shall be provided to the Planning and Development Department by an Affidavit of Posting which shall be provided by the Planning and Development Department prior to consideration of the Sketch Plan by the Planning Commission.
- B. Prior to Board approval of any Sketch Plan application, the following requirements shall be met:

- 1) All proposed lot sizes shall be compliant with the applicable development standards of the Montrose County Zoning Resolution.
- 2) Any outstanding fees owed to the County shall be paid in full.
- 3) Any submitted traffic studies shall be agreed to by the County Engineering Department.

6.4 Sketch Plan Drawing Requirements

A. All Sketch Plans shall be drawn in accordance with the following requirements:

- 1) All Sketch Plan drawings shall be based on an accurate field survey of the subject property and shall include bearing and distance for all lines and curves.
- 2) The plan shall be clearly titled as a "Sketch Plan".
- 3) The location and area of all proposed right-of-way dedications shall be shown on the plan.
- 4) Sketch Plans shall be delineated in ink on sheets 24" by 36".
- 5) There is no minimum drawing scale requirement, however, the drawing scale shall be adequate to insure that the Sketch Plan is clear and legible and shall be an even multiple of standard engineering scales.
- 6) The minimum lettering size used on any Sketch Plan shall be .08 inch.
- 7) The title sheet shall contain the title, consisting of the name of the subdivision/exemption. The subdivision/exemption name shall not be the same as the name of any existing city, town, subdivision or exemption of land into lots or tracts in this county, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion as to identify thereof. Reference to existing subdivisions and exemptions in the description must be worded identically with original records, and reference to book and page or reception number of record must be shown. Every sheet comprising the Sketch Plan shall bear the tract name, scale, north arrow, legend, sheet number and number of sheets comprising the plan. Below the title show the location of tract within section, township, range and meridian. The title of a subdivision shall not exceed eight (8) words in length.
- 8) Each Sketch Plan shall contain a vicinity map which clearly shows the subject parcel as well as the surrounding roads and their names. An unlabeled quad map which does not show the subject property boundary as well as the road names shall not be accepted.
- 9) Topography of the subject property shall be shown with contours in the following intervals:

- d) Ten foot contour intervals for ground where the slope is over 15%.
 - e) Five foot contour intervals for ground where the slope is between 5% and 15%.
 - f) Two foot contour intervals for ground where the slope is less than 5%.
- 10) The bearings, distances and curve data of all perimeter boundary lines shall be indicated outside the boundary line, not inside with lot dimensions. When the property is bounded by an irregular shore line or a body of water, the bearings and distances of a closing meander traverse should be given and a notation made that the plat includes all land to the water's edge or otherwise.
- 11) On curved boundaries and all curves on the Sketch Plan, sufficient data shall be given to enable the re-establishment of the curves on the ground. This curve data shall include the following for circular curves:
- a. radius of curve
 - b. central angle
 - c. long chord bearing and distance
 - d. arc length
- 12) All existing and proposed roads shall be shown and shall be named in accordance with the County's road naming convention. Bearings and dimensions must be given, and the acreage of any roads to be dedicated shall be shown. The course and distance (including curve data) shall be shown for the centerline of all existing and proposed dedicated roads.
- 13) All lands within the boundaries of the Sketch Plan shall be noted with bearing and distance and shall be accounted for.
- 14) Bearings and lengths shall be given for all lot lines and centerlines.
- 15) The acreage of each lot or tract shall be shown to the nearest tenth of an acre or the nearest ten (10) square feet within the lot or tract boundary.
- 16) The approximate size and location of all lakes and ponds within the subject property shall be shown on the plat.
- 17) The reception and/or book and page numbers for all previously dedicated right-of-ways adjacent to the subject property shall be shown.

ARTICLE VII

PRELIMINARY PLAN

The purpose of the Preliminary Plan (as defined by Article II of these regulations) is to determine that the application is in general conformance to the approved Sketch Plan and to determine the compliance of the subdivision design with applicable regulations based on a review of detailed engineering drawings and studies. Preliminary Plans are subject to the Montrose County Subdivision Regulations as specifically noted in this Article VII as well as the General Provisions and Design Standards of Article III of these regulations unless otherwise indicated.

7.1 Preliminary Plan Submittal Requirements

The Preliminary Plan application shall be submitted through the Montrose County Citizen Planning and Development Citizen Permit Portal.

- A. All Preliminary Plans shall be required to submit the following items in order to be deemed as having a complete application:
- 1) A completed Preliminary Plan Application form.
 - 2) A phasing plan (if the subdivision will be platted in phases).
 - 3) Construction Drawings for all proposed and required improvements pursuant to the requirements of the Standards and Specifications for Roads and Bridges. .
 - 4) Drainage Report prepared by a professional engineer pursuant Section 3.16 of these regulations.
 - 5) If the subdivision is to be served by a well or wells, approved well permits from the State Division of water Resources shall be provided along with the Preliminary Plan submittal.
 - 6) A current deed showing ownership of the property.
 - 7) A signed, original power of attorney shall be provided with applications for which the Applicant is not the owner of the property.
 - 8) The Preliminary Plan plat drawn in accordance with Section 7.6 of these regulations.
 - 9) Payment in full of the Preliminary Plan application fee as set by the Land Use Fee Schedule.

7.2 Preliminary Plan Review Process

- A. Upon verification of a complete application for a Preliminary Plan, the Planning and Development Department shall issue a “Complete Application Letter ” to the Applicant. Additional copies of the proposed Preliminary Plan shall be provided by the Applicant if necessary and then referred to the applicable reviewing agencies as specified in Section 4.2 of these regulations. The reviewing parties shall have twenty-one (21) days upon receipt of the referral to respond with written comment to the Planning and Development Department. An extension of this twenty-one (21) day review period may be granted by the planner assigned to the subdivision upon receipt of a written request for extension which states the necessity of the extension. The review period shall not be extended by more than this additional twenty-one (21) days. Within sixty (60) days of the end of the review period, the planner assigned to the application shall provide a review letter to the Applicant. When the Planning and Development Director or his/her designee determines that the Applicant has satisfactorily addressed the issues identified in the review letter, the Preliminary Plan shall be scheduled for a Planning Commission meeting.
- B. Upon reviewing a Preliminary Plan at a regularly scheduled meeting, the Planning Commission may recommend the following to the Board:
- 1) Approval
 - 2) Approval with conditions
 - 3) Denial
 - 4) A continuance to a time and date certain.
- C. When the Planning and Development Director or his/her designee determines that the Planning Commissions conditions of approval (if any) have been satisfactorily addressed, a Preliminary Plan application shall be scheduled for a Board meeting.
- D. Upon reviewing a Preliminary Plan at a regularly scheduled meeting, the Board may;
- 1) Approve
 - 2) Approve with conditions
 - 3) Deny
 - 4) Continue to a time and date certain.
 - 5) Table the item until further notice.

- E. Board approval of a Preliminary Plan shall constitute an approval by the County to begin the construction of necessary improvements and infrastructure. No Preliminary Plan shall be deemed approved unless the Board has approved the application at a duly noticed public hearing. A Board approval of a Preliminary Plan shall not constitute a final approval of a subdivision. After Board approval of a Preliminary Plan and completion of any conditions related to a conditional approval, the Applicant may submit a Final Plat application pursuant to Article VIII of these regulations.

- F. A denial of a Preliminary Plan application by the Board shall result in the application for the Preliminary Plan as well as any previously approved Sketch Plan for the project to be null and void. The subdivider retains the right to make a new application for subdivision with the County at any time following a denial.

7.3 Preliminary Plan Potable Water Requirements

- A. Prior to consideration of a Preliminary Plan application by the Planning Commission, the following requirements shall be complied with:
 - 1) If an existing public or quasi-public water district or water company is to supply water to the subdivision, the subdivider shall provide a written statement from the appropriate water provider which states that there is sufficient capacity, ability and willingness to serve the proposed subdivision.
 - 2) If the subdivider intends to establish a new public or quasi-public water system for the subdivision, the system shall be designed by a professional engineer and shall meet all requirements for public water systems as determined by the State of Colorado.
 - 3) If a well or wells are to be used to serve the subdivision, approved well permits from the State Division of Water Resources shall be provided to the Planning and Development Department for each proposed well.

7.4 Preliminary Plan Sewage Requirements

- A. Prior to Planning Commission consideration of any Preliminary Plan application, the following requirements shall be complied with:
 - 1) If a subdivision is to be served by an existing public or quasi-public sewer system or sewer district, a written statement from the sewer service provider shall be provided to the Planning and Development Department which states that the district has the ability and is willing to serve the entire proposed subdivision.

- 2) If the subdivider intends to establish a new public, quasi-public or private sewer system or district, a written site approval shall be obtained from the State of Colorado Department of Public Health and Environment.
- 3) If Onsite Wastewater Treatment Systems (OWTS) will serve the subdivision, they shall be subject to the requirements of the Montrose County Board of Health Regulations

7.5 Preliminary Plan Timing Requirements

A. Prior to Planning Commission consideration of any Preliminary Plan application, the following requirements shall be met:

- 1) For properties proposed for subdivision where the mineral estate has been separated from the surface estate, not less than thirty (30) days before the date scheduled for the initial public hearing, the subdivider shall send notice (on a form provided by the Planning and Development Department) by first class mail to the mineral estate owner(s). Such notice shall contain the time and place of the initial public hearing, the nature of the hearing, the location of the property that is the subject of the hearing, and the name of the subdivider. Similarly, the subdivider shall provide notice to the Planning and Development Department that shall contain the name and address of the mineral estate owner(s). The subdivider shall identify the mineral estate owner(s) by examining the records in the office of the Montrose County Clerk and Recorder. Notice shall be sent to the last-known address of record of the mineral estate owner(s) pursuant to C.R.S. 24-65.5-103 (2) (a) (I), (II), (III), and (b). Certification that notice has been provided to the mineral estate owner(s) shall be provided to the Planning and Development Department prior to consideration of the Preliminary Plan by the Planning Commission.
- 2) The proposed hydrant locations and/or fire protection plans shall be approved by the applicable fire protection district.

B. Prior to Board approval of any Preliminary Plan application, the following requirements shall be met:

- 1) The design and plans for any new wastewater treatment plants or systems shall be approved by the State Health Department.
- 2) Any outstanding fees owed to the County shall be paid in full.

7.6 Preliminary Plan Drawing Requirements

- A. Preliminary Plans shall be drawn in accordance with the requirements of Section 8.4.A(1) through (19) of these regulations and shall also include the following additional requirements:
- 1) Topography of the subject property shall be shown with contours in the following intervals:
 - a) Ten foot contour intervals for ground where the slope is over 15%.
 - b) Five foot contour intervals for ground where the slope is between 5% and 15%.
 - c) Two foot contour intervals for ground where the slope is less than 5%.
 - 2) A phasing plan shall be included for all subdivisions which will be platted in multiple filings. The phasing plan shall clearly delineate each phase by number and shall show which lots will be included in each filing as well as what portions of the internal subdivision roads will be included in each filing.
 - 3) The location of all proposed fire hydrants shall be shown on the Preliminary Plan.

7.7 Engineering and Construction Drawings

Prior to Board approval of any Preliminary Plan, all engineering and construction drawings submitted shall comply with the standards specified in the Montrose County Standards and Specifications for Roads and Bridges as amended from time to time.

7.8 Drainage Reports and Hydrologic Analyses

Prior to Planning Commission consideration of any Preliminary Plan, all drainage reports and hydrologic analyses shall comply with the standards specified in the Montrose County Stormwater and Drainage Regulations.

7.9 Fire Protection

Prior to Board approval of any Preliminary Plan, the requirements of the applicable fire protection district shall be agreed to and/or complied with.

7.10 Floodplain, Wildfire and Geologic Hazards

Prior to Board approval of any Preliminary Plan, any hazards identified pursuant to Section 3.14 of these regulations shall be mitigated or addressed to the satisfaction of the Board.

ARTICLE VIII

FINAL PLAT

Final Plats (as defined by Article II of these regulations) are subject to the Montrose County Subdivision Regulations as specifically noted in this Article VIII as well as the General Provisions and Design Standards of Article III of these regulations unless otherwise indicated. Final Plats shall substantially conform to the approved Preliminary Plan for the project. Final Plats shall be reviewed by County Staff and subject to Board approval. Board approval and recording of a Final Plat shall be deemed authorization for the subdivider to convey an interest in the platted lots to the public.

8.1 Final Plat Submittal Requirements

The Final Plat application shall be submitted through the Montrose County Citizen Planning and Development Citizen Permit Portal.

- A. All Final Plats shall be required to submit the following items in order to be deemed as having a complete application:
- 1) A completed Final Plat Application form.
 - 2) Receipts for the purchase of all required water taps or other written proof that taps have been obtained for all lots shown on the Final Plat. If wells are to be used to serve the subdivision, approved Well Permits from the State Division of Water Resources shall be provided.
 - 3) Receipts for the purchase of all required sewer taps or other written proof that taps have been obtained for all lots shown on the Final Plat (if applicable).
 - 4) Receipts from the RE-1J School District which show that the Fee In-Lieu has been paid in full for all lots shown on the Final Plat.
 - 5) A copy of the subdivision covenants (if applicable).
 - 6) A current deed showing ownership of the property.
 - 7) A signed, original power of attorney shall be provided with applications for which the Applicant is not the owner of the property.
 - 8) A Final Plat drawn in accordance with Section 8.4 of these regulations. .
 - 9) Payment in full of the Final Plat application fee as set by the Land Use Fee Schedule.

8.2 Final Plat Review Process

- A. Upon verification of a complete application for a Final Plat, the Planning and Development Department shall issue a “Complete Application Letter ” to the Applicant. Additional copies of the proposed Final Plat shall be provided by the Applicant if necessary and then referred to the applicable reviewing agencies as specified in Section 4.3 of these regulations. The reviewing parties shall have twenty-one (21) days upon receipt of the referral to respond with written comment to the Planning and Development Department. An extension of this twenty-one (21) day review period may be granted by the planner assigned to the subdivision upon receipt of a written request for extension which states the necessity of the extension. The review period shall not be extended by more than this additional twenty-one (21) days. Within sixty (60) days of the end of the review period, the planner assigned to the application shall provide a review letter to the Applicant. When the Planning and Development Director or his/her designee determines that the Applicant has satisfactorily addressed the issues identified in the review letter, the Final Plat shall be scheduled for a Board meeting.
- B. Upon reviewing a Final Plat at a regularly scheduled meeting, the Board may;
- 1) Approve
 - 2) Approve with conditions
 - 3) Deny
 - 4) Continue to a time and date certain.
 - 5) Table the item until further notice.
- C. After Board approval of a Final Plat, the Applicant shall provide the Planning and Development Department with a signed Mylar copy of the plat with all applicable signatures affixed. The Planning and Development Department shall promptly file this plat with the Clerk and Recorder and provide a written copy of the recording information to the Applicant. The Applicant shall provide the Planning and Development Department with the signed, Mylar copy of the plat for recording within six (6) months of date of Board approval of the Final Plat. If the signed, mylar copy of the Final Plat is not provided to the Planning and Development Department within the six (6) month time limit, the Board approval and the Final Plat application shall be deemed expired. When the Board grants a conditional approval of a Final Plat, the six (6) month time limit shall not begin until the date that all conditions have been satisfied.

- D. A denial of a Final Plat application by the Board shall result in the application being null and void. The subdivider retains the right to submit a new application for a final plat with the County at any time following a denial.

8.3 Final Plat Requirements

- A. Prior to Board approval of any Final Plat application, the following requirements shall be met:
 - 1) All required Access Permits from the subdivision onto County roads shall be approved by the County Engineer or his/her designee.
 - 2) Any outstanding fees owed to the County shall be paid in full.
 - 3) The applicable fire protection district shall have inspected and approved all installed hydrants and fire protection plans.
 - 4) Completed “As-Built” drawings of all newly constructed improvements shall be submitted.
 - 5) All required improvements shall be constructed or a Subdivision Improvements Agreement shall be executed which covers the required improvements.

- B. A Final Plat may be submitted in separate filings which include portions of the subdivision. Each filing shall contain a minimum of four (4) lots. Accordingly, no subdivision which contains a total of less than ten (10) lots may be platted in separate filings.

8.4 Final Plat Drawing Requirements

- A. All Final Plats shall be drawn in accordance with C.R.S. 38-50-101(3) and C.R.S. 38-51-101 through 38-51-107, however, only the copy of the plat which will be recorded shall be printed on Mylar pursuant to 38-50-101(3). The following additional requirements shall apply to all Final Plats submitted to Montrose County:
 - 1) The plat shall be delineated in drawing ink on sheets 24” by 36”.

- 2) There is no minimum drawing scale requirement, however, the drawing scale shall be adequate to insure that the plat is clear and legible and shall be an even multiple of standard engineering scales.
- 3) The minimum lettering size used on any plat shall be .08 inch.
- 4) The title sheet shall contain the title, consisting of the name of the subdivision/exemption. The subdivision/exemption name shall not be the same as the name of any existing city, town, subdivision or exemption of land into lots or tracts in this county, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion as to identify thereof. Reference to existing subdivisions and exemptions in the description must be worded identically with original records, and reference to book and page or reception number of record must be shown. Every sheet comprising the plat shall bear the tract name, scale, north arrow, legend, sheet number and number of sheets comprising the plats. Below the title show the location of tract within section, township, range and meridian. Characters (e.g. #, &, ^, < >, +, ", [], ?, *, ~, ®, @, %, °, etc.) shall not be used in any title occurring anywhere on a plat. The title of a subdivision plat shall not exceed eight (8) words in length.
- 5) Each plat shall contain a vicinity map which clearly shows the subject parcel as well as the surrounding roads and their names. An unlabeled quad map which does not show the subject property boundary as well as the road names shall not be accepted.
- 6) The bearings, distances and curve data of all perimeter boundary lines shall be indicated outside the boundary line, not inside with lot dimensions. When the plat is bounded by an irregular shore line or a body of water, the bearings and distances of a closing meander traverse should be given and a notation made that the plat includes all land to the water's edge or otherwise.
- 7) On curved boundaries and all curves on the Final Plat, sufficient data shall be given to enable the re-establishment of the curves on the ground. This curve data shall include the following for circular curves:
 - a. radius of curve
 - b. central angle
 - c. long chord bearing and distance
 - d. arc length
- 8) All roads, streets, walkways and alleys shall be designated as such and roads and streets shall be named in accordance with the County's road naming convention. Bearings and dimensions must be given, and the acreage of any roads to be dedicated shall be shown. The course and

distance (including curve data) shall be shown for the centerline of all existing and proposed dedicated roads.

- 9) The plat shall show the location and width of all easements to which the lots are subject. The easements must be clearly labeled and identified, and if already of record, a statement of such easement must appear on the title sheet providing reference to book and page or reception numbers. Easements for storm drains, sewers and other purposes shall be designated by dashed lines. The width of the easement and the lengths and bearings of the lines thereof and sufficient ties thereto, to definitely locate the easement with respect to the subdivision must be shown. If the easement is being dedicated by the plat, it shall be properly set out in the owner's certificate of dedication.
- 10) All lands within the boundaries of the plat shall be noted with bearing and distance and shall be accounted for.
- 11) Bearings and lengths shall be given for all lot lines and centerlines.
- 12) Contiguous parcels owned by different parties may be embraced in one Final Plat, provided that all owners join in the dedication and acknowledgement.
- 13) All boundaries and lots/tracts shall close mathematically.
- 14) A traverse of the boundaries of the tract and of all lots shall close within a limit of error of one (1) in five thousand (5000).
- 15) All property owner names shall be legibly printed below the signature line.
- 16) The acreage of each lot or tract shall be shown to the nearest tenth of an acre or the nearest ten (10) square feet within the lot or tract boundary.
- 17) The centerline of all existing driveways shall be shown.
- 18) All known and/or existing mapped floodplains shall be shown on the plat.
- 19) The reception and/or book and page numbers for all previously dedicated right-of-ways adjacent to the subject property shall be shown.

B. The following certifications shall appear on all Final Plats:

- 1) Certificate of Ownership and Dedication
- 2) Professional Land Surveyor's Certificate
- 3) County Treasurer's Certificate

- 4) Recorder's Certificate
- 5) Proof of Title Certificate
- 6) Board of County Commissioner's Approval Certificate

C. Applicable plat notes as identified in Appendix B of these regulations shall be shown on all Final Plats.

ARTICLE IX

SUBDIVISION IMPROVEMENTS

No Minor Subdivision, Exemption Plat or Final Plat shall be approved by the Board until the required improvements are completed and/or secured by a Subdivision Improvements Agreement (SIA) pursuant to this Article IX of the subdivision regulations.

9.1 Subdivision Improvements Constructed

- A. When required improvements for a subdivision or phase of a subdivision are constructed prior to consideration of a plat by the Board, an inspection shall be conducted by the County Engineering Department to determine that the improvements have been constructed in accordance with the approved plans and applicable specifications.

- B. The County Engineering Department shall notify the Planning and Development Department when all required improvements have been inspected and deemed to be acceptable.

9.2 Subdivision Improvements Agreements Executed

- A. If an Applicant wishes to gain Board approval of a plat for a Minor Subdivision, Exemption Plat or Final Plat prior to completing required improvements, the Applicant may request to enter into a Subdivision Improvements Agreement (SIA) with the County.

- B. When an Applicant wishes to enter into a Subdivision Improvements Agreement (SIA) with the County, the Applicant shall submit a written request to the County Planning and Development Department. This request shall include the following:
 - 1) The name of the individual or corporation (including state of incorporation) that will be named in the Subdivision Improvements Agreement contract.
 - 2) A detailed list which describes the improvements which will be covered by the SIA.
 - 3) A certified estimate of the total costs of construction for the improvements that will be covered by the SIA which has been signed and sealed by the Project Engineer. This estimate shall be subject to the approval of the County Engineer

or his/her designee and shall be provided in a line-item format. A fifty percent (50%) contingency shall be added to the certified cost estimate.

- 4) A statement specifying what type of collateral will be provided (Letter of Credit, cash, assignment of a bank account, etc.)
- 5) The estimated date of completion for construction of the required improvements.

C. Following the concurrence of the County Engineer with the Project Engineer's cost estimate, the County Attorney shall draft a Subdivision Improvements Agreement. Upon completion of the Subdivision Improvements Agreement and receipt of sufficient collateral from the Applicant, the Planning and Development Department may schedule the SIA for consideration by the Board.

D. As improvements are completed, the Applicant may apply to the Board for a release of all or a portion of the collateral deposited with the County. Prior to the Board considering a request for release of collateral, the Project Engineer shall submit certified as-built drawings for the completed improvements and the County Engineer or his/her designee shall verify that the improvements have been installed in accordance with approved plans. If the Board determines that any improvements were not constructed in compliance with adopted specifications or approved plans, the Board shall be entitled to withhold collateral sufficient to ensure completion of the specified improvements. If the Board determines that the subdivider and/or Applicant will not construct any or all of the required improvements within the specified time period or in accordance with the specifications approved with the Preliminary Plan, the Board may withdraw and employ from the deposit of collateral such funds as may be necessary to construct the improvements in accordance with specifications.

ARTICLE X

EXEMPTIONS, AMENDED PLATS AND BOUNDARY LINE ADJUSTMENTS

The plats and processes identified in this article shall be subject only to a Board approval following a review by County Staff.

10.1 Vacation of a Subdivision

A recorded subdivision plat may be vacated by Board resolution when requested by all property owners and beneficiaries of easements within the subdivision. Vacation of public right-of-ways shall be pursuant to the C.R.S. 43-2-303.

10.2 Amended Plats

- A. The Board may consider a Replat to combine existing lots in a subdivision or to adjust existing property lines provided that no additional lots will be created by the adjustment and that no violation of the County Zoning Resolution will result from the altering of the existing lot lines.

- B. The Board may consider an Amended Plat to Vacate an Easement when the beneficiaries of the easement have provided a written release of their interest in said easement and the Board determines that the public interest will be served.

- C. The Board may consider an Amended Plat to Lift a Plat Note where the beneficiaries of the plat note have provided a written release of their interest in said plat note and the Board determines that the public interest will be served by lifting the note.

10.3 Boundary Line Adjustments and Replats

- A. The sole purpose of a Boundary Line Adjustment or Replat application shall be to adjust existing property lines.

- a. Property lines dividing two or more 35 plus acre tracts are not permitted as a Boundary line adjustment.. .
 - b. Deeds reflecting the new legal description of all properties that are a part of a Boundary Line Adjustment must be recorded at the same time the Boundary Line Adjustment or Replat is recorded with the County. An exception of this requirement may be granted by the Planning and Development Director if all properties involved in the Boundary Line Adjustment are under the same ownership.
- B. An administrative review shall be required for all replats and boundary line adjustments in which any of the parcels involved are less than 35 acres in area. The following certifications from Appendix A of these regulations shall be required on all plats for Boundary Line Adjustments or Replats prior to recording with the Clerk and Records Office.
- a. Planning and Development Department's Certification.
 - b. Certificate of Ownership and Dedication with lien holder signatures as applicable.
 - c. County Treasurer's Certificate.
- C. An application for a Boundary Line Adjustment or Replat shall contain the following items:
- 1) A completed Replat or Boundary Line Adjustment Application form.
 - 2) When required under Section 10.3(C), A Site Characteristics Analysis as outlined in Appendix D shall be submitted.
 - 3) A current deed showing ownership of all properties.
 - 4) A Replat or Boundary Line Adjustment Plat drawn in accordance with Section 10.5 of these regulations
 - 5) Payment in full of the Replat or Boundary Line Adjustment application fee as set by the Planning and Development Fee Schedule.
- D. Upon verification of a complete application for a Replat or Boundary Line Adjustment, the Planning and Development Department will notify the applicant through the on-line system that the intake is complete and has moved to the Plan Review Process. .. The reviewing parties shall have twenty-one (21) days upon receipt of the referral to respond with written comment to the Planning and Development Department. An extension of this twenty-one (21) day review period may be granted by the planner assigned to the subdivision upon receipt of a written request for extension which states the necessity of the extension. The review period shall not be extended by more than this additional twenty-one (21) days. Within sixty (60) days of the end of the review period, the planner assigned to the application shall provide a review letter to the Applicant.

- E. Upon completion of the review period for a Replat or Boundary Line Adjustment the Planning and Development Director or their designee will review the application for compliance with the following:
- a. The applicable provisions of the Montrose County Subdivision regulations.
 - b. The Montrose County Zoning Resolution.
 - c. The Montrose County Board of Health Regulations.
- F. Upon completion of the review period for a Replat or Boundary Line Adjustment the Planning and Development Director or their designee may:
- 1) Approve the plat and request a mylar copy of the plat for signatures and recording.
 - 2) Refuse signature of the plat for non-compliance with Subdivision, Zoning or Board of Health Regulations.
 - 3) Require amendments to the application to insure compliance with Subdivision, Zoning or Board of Health Regulations.
- G. After the Planning and Development Director or their designee approves a Replat or Boundary Line Adjustment application, the Applicant shall provide the Planning and Development Department with a signed Mylar copy of the plat with the owner(s), Professional Land Surveyor and lien holder signatures affixed. The Planning and Development Department shall promptly file this plat with the Clerk and Recorder and provide a written copy of the recording information to the Applicant. The Applicant shall provide the Planning and Development Department with the signed, Mylar copy of the plat for recording within one (1) year of date of the Planning Director or designee's approval of the Replat or Boundary Line Adjustment. If the signed, mylar copy of the plat is not provided to the Planning and Development Department within the one (1) year time limit, the Replat or Boundary Line Adjustment application shall be deemed expired. When the Planning Director or designee grants a conditional approval of a Replat or Boundary Line Adjustment, the one (1) year time limit shall not begin until the date that all conditions have been satisfied.
- H. A denial of a Replat or Boundary Line Adjustment application by the Planning Director or designee shall be communicated in writing to the Applicant. The letter notifying the Applicant of denial shall identify the reasons for denial. Denials of Replat or Boundary Line Adjustment applications may be appealed to the Board of County Commissioners. Appeal fees as set by the Planning and Development Department Fee Schedule shall apply. All appeals under this section shall be conducted in accordance with the provisions of Article XII of these regulations. The Applicant retains the right to submit a new application to the County at any time following a denial.

- I. The recording without the Planning Director or designee's approval of a plat, deed or other instrument which adjusts property which would have met the criteria specified in part A of this section shall be identified in the assessor's records of the County as being an illegal adjustment. No permits of any type shall be issued for property involved in an illegal adjustment until such time as the illegal adjustment has been remedied.

10.4 Exemption from Subdivision Regulations

An Exemption from Subdivision Regulations (plat & resolution) may be considered for approval by the Board where the Board finds that the proposed division of land does not require the controls imposed by these Regulations. The Board shall also find that the proposed Exemption is not being done for the purpose of evading these Subdivision Regulations and that it is not detrimental to any public health or safety criteria, nor injurious to another property. Where such findings can be made, the Board may consider Exemptions under the following circumstances:

- A. The Board may consider an exemption plat when property is being divided for direct sale or transfer to a government or quasi-governmental agency and where the subject parcel or the remaining acreage will be less than thirty-five (35) acres in size. The following requirements shall apply to plats being considered under this criteria:
 - 1) The division of land shall be cited in the title of the plat and in the resolution as an "Exemption from Subdivision Regulations for Sale or Transfer to a Government or Quasi-Governmental Agency".
 - 2) The following plat note shall be shown on the plat:
 - a)The property platted on this exemption plat is for use by a government or quasi-governmental agency only. No residential, business, industrial or commercial building or septic permits shall be issued for this property unless they are for the use of a government or quasi-governmental agency.
- B. The Board may consider an Exemption Plat to Correct an Illegal Division of Land which occurred after August 25, 1972 and prior to July 1, 1999 [Ref. Board Resolution # 9-99]. [Amended 4/5/99]. The plat shall be cited in the title of the Plat and in the Resolution as an "Exemption from Subdivision Regulations to Correct an Illegal Division of Land".
- C. The Board may consider a Large Tract Exemption if the following criteria and conditions can be satisfied by the Applicant:

- 1) The property shall be zoned General Agricultural (A) and the division of land shall be cited in the title of the plat and in the resolution as a “Large Tract Exemption”.
- 2) The Exemption Plat shall provide for a maximum of three (3) lots on a minimum seventy-five (75) acres under contiguous ownership. Each lot created shall contain a minimum one (1) acre. Deed information and legal descriptions covering the parent acreage and the acreage to be severed shall be noted on the Exemption Plat. Proof of ownership shall be provided.
- 3) Evidence of approved potable water and of sewer availability as well as County road access shall be provided.
- 4) County road access may be provided via an access easement pursuant to Section 3.30 of these Regulations.
- 5) A vicinity map shall be shown on the Large Tract Exemption Plat.
- 6) Where applicable road right-of-way dedication shall be provided pursuant to Section 3.30 of these Regulations.
- 7) Utility easements shall be provided in accordance with Section 3.17 of these regulations.
- 8) Fences and ditches shall be removed from road right-of-ways, pursuant to Section 3.25 of these Regulations, unless allowed to remain by plat note
- 9) The Standard Plat Note for further subdivision shall be provided on the Large Tract Exemption Plat [Ref. Appendix B].
- 10) The Board of County Commissioners approval certificate for exemption plats shall be shown on all Large Tract Exemption Plats [Ref. Appendix B]
- 11) A Large Tract Exemption may be used one time only on any given contiguous ownership.
- 12) Fee-in-lieu school fees shall apply to all newly created lots.

10.5 Exemption Plat Drawing Requirements

A. All exemption plats submitted to the County for consideration shall be drawn in accordance with C.R.S. 38-50-101(3) and C.R.S. 38-51-101 through 38-51-107, however, only the copy of the plat which will be recorded shall be printed on mylar pursuant to 38-50-101(3). The following additional requirements shall apply to all exemption plats submitted to Montrose County:

- 1) The plat shall be delineated in drawing ink on sheets 24” by 36”.

- 2) There is no minimum drawing scale requirement, however, the drawing scale shall be adequate to insure that the plat is clear and legible and shall be an even multiple of standard engineering scales.
- 3) The minimum lettering size used on any plat shall be .08 inch.
- 4) The title sheet shall contain the title, consisting of the name of the subdivision/exemption. The subdivision/exemption name shall not be the same as the name of any existing city, town, subdivision or exemption of land into lots or tracts in this county, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion as to identify thereof. Reference to existing subdivisions and exemptions in the description must be worded identically with original records, and reference to book and page or reception number of record must be shown. Every sheet comprising the plat shall bear the tract name, scale, north arrow, legend, sheet number and number of sheets comprising the plats. Below the title show the location of tract within section, township, range and meridian. Characters (e.g. #, &, ^, <, >, +, ", [], ?, *, ~, ®, @, %, °, etc.) shall not be used in any title occurring anywhere on a plat. The title of a subdivision plat shall not exceed eight (8) words in length.
- 5) Each plat shall contain a vicinity map which clearly shows the subject parcel as well as the surrounding roads and their names. An unlabeled quad map which does not show the subject property boundary as well as the road names shall not be accepted.
- 6) The bearings, distances and curve data of all perimeter boundary lines shall be indicated outside the boundary line, not inside with lot dimensions. When the plat is bounded by an irregular shore line or a body of water, the bearings and distances of a closing meander traverse should be given and a notation made that the plat includes all land to the water's edge or otherwise.
- 7) On curved boundaries and all curves on the Final Plat, sufficient data shall be given to enable the re-establishment of the curves on the ground. This curve data shall include the following for circular curves:
 - a) radius of curve
 - b) central angle
 - c) long chord bearing and distance
 - d) arc length
- 8) All roads, streets, walkways and alleys shall be designated as such and roads and streets shall be named in accordance with the County's road naming convention. Bearings and dimensions must be given, and the acreage of any roads to be dedicated shall be shown. The course and distance (including curve data) shall be shown for the centerline of all existing and proposed dedicated roads.

- 9) The plat shall show the location and width of all easements to which the lots are subject. The easements must be clearly labeled and identified, and if already of record, a statement of such easement must appear on the title sheet providing reference to book and page or reception numbers. Easements for storm drains, sewers and other purposes shall be designated by dashed lines. The width of the easement and the lengths and bearings of the lines thereof and sufficient ties thereto, to definitely locate the easement with respect to the subdivision must be shown. If the easement is being dedicated by the plat, it shall be properly set out in the owner's certificate of dedication.
- 10) All lands within the boundaries of the plat shall be noted with bearing and distance and shall be accounted for.
- 11) Bearings and lengths shall be given for all lot/tract lines and centerlines.
- 12) Contiguous parcels owned by different parties may be embraced in one exemption plat, provided that all owners join in the dedication and acknowledgement.
- 13) All boundaries and lots/tracts shall close mathematically.
- 14) A traverse of the boundaries of the tract and of all lots shall close within a limit of error of one (1) in five thousand (5000).
- 15) All property owner names shall be legibly printed below the signature line.
- 16) The acreage of each lot or tract shall be shown to the nearest tenth of an acre or the nearest ten (10) square feet within the lot or tract boundary.
- 17) The centerline of all existing driveways shall be shown.
- 18) The location of all structures within the subject property boundary shall be shown. Structures do not need to be shown on the Mylar copy of the plat which will be recorded.
- 19) All known and/or existing mapped floodplains shall be shown on the plat.
- 20) All dams within the subject property shall be shown.
- 21) The approximate size and location of all lakes and ponds within the subject property shall be shown on the plat.
- 22) All fences within the subject property shall be shown on the plat.
- 23) The reception and/or book and page numbers for all previously dedicated right-of-ways adjacent to the subject property shall be shown.

B. The following certifications shall appear on all exemption plats:

- 1) Certificate of Ownership and Dedication
- 2) Professional Land Surveyor's Certificate
- 3) County Treasurer's Certificate

- 4) Recorder's Certificate
- 5) Proof of Title Certificate
- 6) Board of County Commissioner's Approval Certificate for Exemption Plats (not required for Replats or Boundary Line Adjustments)

C. Applicable plat notes as identified in Appendix B of these regulations shall be shown on all exemption plats.

ARTICLE XI

MODIFICATIONS AND WAIVERS

Modifications or waivers of these Subdivision Regulations shall not be allowed unless the subdivider addresses the criteria listed in Section 11.3 of these regulations to the satisfaction of the Board. The burden of proof shall be solely the responsibility of the subdivider.

11.1. Submittal Information

The following information shall be submitted to the Planning and Development Department:

- A. Application form completed and signed by the subdivider with the application fee.
- B. Written explanation of the need for the modification or waiver and a plat and/or diagram, as necessary to explain the need.
- C. If needed for referral purposes, additional copies of the application form and plat/diagram may be requested.
- D. Such additional information as may be requested by the Planning and Development Director or the County Engineer.

11.2. Processing Procedure

- A. No application for a waiver or modification shall be accepted if the request is to waive or modify any of the mandatory requirements set forth in C.R.S. 30-28-133 et seq., as amended.
- B. The application for a waiver or modification shall be referred to all relevant agencies for review and recommendation prior to the Planning Commission meeting date.
- C. The Planning Commission shall review waiver requests at a regularly scheduled meeting and consider all relevant evidence concerning the proposed waiver or modification.

After consideration of the evidence and application of the listed criteria, the Planning Commission may recommend approval in whole or in part, with or without revision, or may recommend denial of the request.

- D. The Planning Commission recommendation on the request shall be certified by specific findings of fact that address each of the listed criteria to the satisfaction of the Planning Commission.
- E. Upon receipt of the Planning Commission recommendation, the Board of County Commissioners shall review a waiver request at a regularly scheduled meeting and consider all relevant evidence concerning the proposed waiver or modification. After consideration of the evidence and application of the listed criteria, the Board may adopt a resolution for approval in whole or in part, with or without revision, or may deny the request.
- F. The Board decision on the request shall be certified by specific findings of fact that address each of the listed criteria to the satisfaction of the Board.
- G. All waiver requests related to proposed subdivisions shall be heard as separate applications prior to any Planning Commission or Board review of said subdivision.

11.3. Criteria for a Waiver or Modification

- A. That due to extreme topographic conditions, the literal interpretation of the provisions of these Regulations would deprive the subdivider of rights commonly enjoyed by other developers.
- B. That voluntary action or negligence on the part of the subdivider has not created the need for the waiver or modification.
- C. That granting the waiver or modification will not be detrimental to the public health, safety, or welfare of the citizens of Montrose County.
- D. That the granting of the waiver or modification is not injurious to another property.

E. That the strict compliance with one or more of these regulations would be impossible or impracticable.

F. The literal enforcement of one or more of these regulations will exact an undue hardship.

11.4 Time Factor

If a subdivider seeks a waiver or modification of these Regulations, the processing of any other application related to the proposed Subdivision will be suspended pending the decision of the Board on the waiver or modification.

ARTICLE XII

APPEALS

12.1 Administrative Actions Appealable

Any affected person aggrieved by any determination, interpretation, decision, conclusion, decree, judgment, or similar action taken by the Planning and Development Department under the provisions of these regulations may appeal such action to the Board of County Commissioners.

12.2 Planning Commission Actions Appealable

Actions of the Planning Commission may be appealed to the Board of County Commissioners.

12.3 Filing Requirements

Appeals shall be addressed to the appropriate appellate body, in writing, and shall state the basis of the appeal. Such appeals shall only be for the purpose of determining whether the Staff or the Planning Commission may have misread, misinterpreted, or misapplied a provision of these Regulations; not for the purpose of seeking relief from a standard or regulation itself. Appeals shall be filed in the office of the Planning and Development Department not later than four o'clock p.m. of the fifteenth (15th) calendar day following the date of the action from which an appeal is taken. A filing fee as set in the Planning and Development Department Fee Schedule shall accompany appeals.

12.4 Time Limitation and Vote – Board of County Commissioners

The Board shall determine an appeal not later than its second regular meeting following the date on which the appeal was referred to the Board for consideration.

12.5 Failure of Appellate Body to Act

Failure of the appellate body to act within the time specified shall sustain the action of the determination being appealed.

12.6 Exhaustion of Remedy

All rights of appeal are exhausted when the proceedings set forth herein have been consummated.

ARTICLE XIII

VALIDITY

If any section, subsection, paragraph clause, phrase, or provision of these Regulations shall be adjudged invalid or held unconstitutional by a court of competent jurisdiction, the same shall not affect the validity of these Regulations as a whole or any part or provision hereof, other than the part so adjudged to be invalid or unconstitutional.

ARTICLE XIV

PREVIOUS REGULATIONS REPEALED

All resolutions and policies heretofore adopted by the County relating to subdivision regulation are hereby repealed; provided, however, that such repeal does not affect any right which has accrued, any duty imposed, any penalty incurred, nor any action or proceedings commenced under or by virtue of such previous subdivision regulations.

ARTICLE XV

AMENDMENTS

Pursuant to C.R.S. 30-28-133 et seq., these Regulations may be amended by the Board of County Commissioners after first referring such proposed amendment(s) to the Montrose County Planning Commission for review and comment, and then holding a public hearing thereon with at least fourteen (14) days' notice of the time and place of the Board hearing given by at least one publication in a newspaper of general circulation in the County.

Appendix A

CERTIFICATIONS

All signatures on the Final Plat Mylar shall be written in indelible ink.

Certificate of Ownership and Dedication

Know all men by these presents that we the undersigned being the owners of certain lands in Montrose County, Colorado, described as [written description of subdivision, with acreage (including any road dedication), as it appears on the accompanying plat] to be divided from the following [written description of total ownership, with acreage, as it appears on the title insurance policy] have by these presents caused same, or part of same, to be laid out, platted and subdivided into lots or tracts, as shown on this plat, under the name and style of (subdivision or exemption name) and do hereby dedicate the right-of-ways shown on this plat in fee simple to the County of Montrose, State of Colorado, for the use of the public. We do hereby grant to the County perpetual easements, as shown hereon, for the use of public utility suppliers, for installation and maintenance of utility facilities, including but not limited to, electric lines, gas lines, telephone lines, cable television lines, water and sewer lines, irrigation lines and ditches, together with perpetual right of ingress and egress for installation maintenance and replacement of such lines. Said easements and rights shall be utilized in a reasonable and prudent manner.

Owner(s)

Printed Full Legal Name

Printed Full Legal Name

Signature

Signature

Lien holder(s)

Printed Full Legal Name

Printed Full Legal Name

Signature - Title

Signature - Title

STATE OF COLORADO

COUNTY OF MONTROSE

The foregoing certificate was acknowledged before me this ____ day of

_____ AD, 20 ____ by _____.

My commission expires _____. Witness my

hand and seal _____.

Notary Public

NOTARY'S SEAL

Proof of Title

The land herein platted and shown upon the written plat is covered by a current policy of

title insurance with _____ Company,

Policy Number _____.

Surveyor's Certificate

I, _____, a Registered Land Surveyor in the State of Colorado, do hereby certify that the survey represented by this plat was made under my responsible charge and that this plat accurately reflects said survey.

Signature

Date

SURVEYOR'S SEAL

County Treasurer's Certificate

STATE OF COLORADO

COUNTY OF MONTROSE

I, the undersigned, County Treasurer, in and for said County, do hereby certify that there are no unpaid taxes, or unredeemed tax sales, as appears of record in this office on the above described subdivision.

In witness whereof, I have hereunto set my hand and seal, this _____ day of

_____ AD, 20 ____.

Treasurer of Montrose County, Colorado

TREASURER'S SEAL

By _____, Deputy

Approval of the Board of County Commissioners

Approved by the Montrose County Board of County Commissioners this _____ day of

_____, 20 ____, by _____, Chairman.

Exemption Plat Approval by the Board of County Commissioners

This plat is approved by the Board of County Commissioners of Montrose County, for filing with the Clerk and Recorder of Montrose County and for conveyance to the County of the public dedications shown hereon; subject to the provision that approval in no way obligates Montrose County for maintenance of roads dedicated to the public. This approval does not guarantee that the size, soil conditions, subsurface geology, ground water conditions or flooding conditions of any lot shown hereon are such that a building permit, sewage disposal permit or any other required permit will be issued. This approval is with the understanding that all expenses involving required improvements for all utility services, paving, grading, road signs, flood protection devices, drainage structures, and all other improvements that may be required, shall

be the responsibility of the subdivider and not the County of Montrose. Approved by the Montrose County Board of County Commissioners this

_____ day of _____, 20 ____, by _____, Chairman.

Recorder's Certificate

This plat was filed for record in the office of the Clerk and Recorder of Montrose County at

_____ m. on the ____ day of _____, 20 ____, Reception No. _____.

_____, by _____
County Clerk & Recorder Deputy

Vacation Approval

Lots ____, ____ and ____ of _____ Subdivision as platted, and shown on the aforementioned plat(s), all of which are being superseded by this plat, are hereby vacated. The foregoing plat is approved for filing and conveyance of the roads, lots, public ways and easements therein and is accepted by the County of Montrose.

Board of County Commissioners

This ____ day of _____, 20 ____.

Planning and Development Department's Certification

I hereby certify that the parcels shown on this plat currently comply with the development standards of the Montrose County Zoning Resolution and the Montrose County Subdivision Regulations.

_____	_____	_____
Name	Title	Date

Appendix B

PLAT NOTES

The plat notes in this Appendix B shall be shown on plats as indicated by the italicized language preceding the plat note. The italicized language shall not be shown on a plat.

When applicable, the following plat note is required on all Minor Subdivision Plats, Final Plats and Exemption Plats containing lots which access directly onto a county road.

Standard Plat Note for Further Subdivision on a county road or state highway

Tract/Lots ____, ____, and ____ access directly onto a county road or state highway pursuant to Montrose County Subdivision Regulations. Any further division of Tract/Lots ____, ____, and ____ shall require the dedication and construction of a county road pursuant to Montrose County Standards and Specifications for Roads & Bridges and Montrose County Subdivision Regulations. The newly constructed road shall serve all lots in the original and proposed subdivisions. All existing and proposed accesses shall be consolidated onto the newly constructed road at such time as it is required and constructed pursuant to this plat note.

When applicable, the following plat note is required on all Minor Subdivision Plats, Final Plats and Exemption Plats containing lots with a temporary cul-de-sac dedication

Standard Plat Note for Temporary Cul-De-Sac Dedication

Tracts A, B, and C are for the purpose of providing a TEMPORARY TURN-A-ROUND and are granted, dedicated, and conveyed to the County of Montrose in fee simple for use as a Public Way until the road is extended by proper dedication, at which time Tracts A and C will automatically revert to and become part of the respective lots as platted.

When applicable, the following plat note is required on all Minor Subdivision Plats, Final Plats and Exemption Plats containing lots which will require radon mitigation construction as determined by the County Building Official.

Standard Plat Note for Radon Gas

Construction on lots within this Subdivision shall utilize methods to seal the living spaces from invasion of RADON GASES and/or provide adequate ventilation to prevent the buildup of harmful gas concentrations.

The following plat note is required on all Minor Subdivision Plats, Final Plats and Exemption Plats containing lots which are located partially or entirely within a delineated floodplain.

Standard Plat Note for Floodplain / Flood Hazards

Prior to construction/development on Lots ____, a FLOODPLAIN PERMIT shall be required. Existing structures are excluded until such time as they may be replaced or added onto. Storage or processing of buoyant, flammable or explosive materials within the floodplain area is prohibited. Solid waste disposal sites are prohibited within the floodplain area. Earthwork which would expand the size of the floodplain area is prohibited.

The following plat note is required on all Minor Subdivision Plats, Final Plats and Exemption Plats containing lots which share a common driveway easement.

Standard Plat Note for Common Driveway Easement

Property owners of Lots ____ and ____ share a COMMON DRIVEWAY EASEMENT which driveway has been constructed by the subdivider along the common property line. Such easement has been created to provide a common driveway to serve as sole access to the adjoining properties. Access to each property shall be from the furthest 1/3 of the common driveway easement (as measured from the road right-of-way line). Such common driveway easement is superior and paramount to the rights of either adjoining property owner in the respective servient estates. The common driveway easement is a covenant that shall run with the land. The adjoining property owners shall equally share the costs and expenses of maintaining and repairing the common driveway. Such repair and maintenance responsibilities shall include, but are not limited to: filling of chuckholes, regrading, resurfacing, culvert repair or replacement, snow removal, and weed control.

The following plat note is required on all Minor Subdivision Plats, Final Plats and Exemption Plats containing lots which are located within the airport influence area of the Montrose Regional Airport.

Standard Plat Note for Airport Influence Area

This property is located the Airport Influence Area of the Montrose Regional Airport. The Montrose Regional Airport is a busy airport used by piston and jet aircraft and is open 24 hours a day seven days a week. Properties within the Airport Influence Area are subject to overflights and the effects thereof which may include but is not limited to noise, vibration, fumes, dust, and impingement. Specific height restrictions will apply depending on location. Development requires an AVIGATION EASEMENT. Development also requires the filing of FAA Form-

7460, Notice of Proposed Construction, where applicable. Specific height restrictions will apply depending on location.

The following plat note is required on all Minor Subdivision Plats, Final Plats and Exemption Plats containing lots which are located within conical and/or approach surfaces of the Montrose Regional Airport.

Standard Plat Note for Airport Conical and/or Approach Surfaces

This property falls within the CONICAL SURFACE AND/OR APPROACH SURFACE of the Montrose Regional Airport. The Montrose Regional Airport is a busy airport used by piston and jet aircraft and is open 24 hours a day seven days a week. Properties within the conical surface and/or approach surface will be subject to overflights and the effects thereof which may include but is not limited to noise, vibration, fumes, dust, and impingement. Development requires an AVIGATION EASEMENT and the filing of FAA Form-7460, Notice of Proposed Construction. Specific height restrictions will apply depending on location. No development or structure that may compromise airport navigational aids or flight operations will be allowed.

The following plat note is required on all Minor Subdivision Plats, Final Plats and Exemption Plats for which a geological report was prepared.

Standard Plat Note for Site Characteristics Analysis

A Site Characteristics Analysis was prepared by _____ for this subdivision and is on file with the Montrose County Planning and Development Department and may be reviewed by interested parties during regular working hours. Copies may be obtained from the geologist, subdivider, builder, or realtor.

The following plat note is required on all Minor Subdivision Plats, Final Plats and Exemption Plats containing lots which are located within the inundation area of the Ridgway Dam.

Standard Plat Note for Ridgway Dam

Lots ____ thru ____ are located within the inundation area of Ridgway Dam; as mapped by the Bureau of Reclamation in their Emergency Preparedness Brief dated October, 1986. In the event of sudden dam failure, the flood flows would follow the Uncompahgre River Valley and adjacent low-lying lands, and could affect lots in this Subdivision. The inundation maps reflect conditions of an extreme nature with a very small probability of occurrence and do not reflect in any way upon the structural integrity of Ridgway Dam.

When applicable, the following plat note may be added on Minor Subdivision Plats and Exemption Plats containing road right-of-ways which fences and ditches will remain..

Standard Plat Note for Fences and Ditches

Any fences, ditches, landscape materials or other improvements allowed to remain in the public right-of-way shall be removed from the public right-of-way at any future date at the property owner's cost, upon thirty (30) days written notice from the Montrose Public Works Director or Montrose County Commissioners.

The following plat note is required on all Minor Subdivision Plats, Final Plats and Exemption Plats containing road right-of-ways which are to be dedicated by the plat and/or stormwater control facilities that are shown on the plat.

Standard Plat Note for Road and Stormwater Control Facility Maintenance

The responsibility for repair and maintenance of all roads and stormwater control facilities within the subdivision shall vest with the property owners. At the option of the Subdivider, the protective covenants (CC&R's) Common Interest Community Declaration may provide for the repair, maintenance, snow removal, and weed control responsibilities within the public right-of-way(s) and stormwater control facilities, and may establish an annual assessment to defray such expenses.

The following plat note is required on all Minor Subdivision Plats and Exemption Plats containing lots which are accessed by an access easement across another property.

Standard Plat Note for an Access Easement

Access for emergency vehicles may not be adequate, depending on the construction and maintenance of the private access drive serving Lots/Tracts _____. The maintenance of this private driveway is an entirely private matter and Montrose County makes no assertion as to the condition or adequacy of the driving surface or any other constructed element related to the driveway.

The following plat note is required on all Minor Subdivision Plats, Final Plats and Exemption Plats containing delineated wetlands of at least a half acre in area.

Standard Plat Note for Wetlands

Wetlands have been identified within the boundary of this Subdivision. Any development that is proposed on a portion of the delineated wetlands shall obtain an U.S. Army Corps of Engineers

permit prior to development. Such permit may consist of either (1) a Letter of Permission, (2) a Regional General Permit, (3) an Individual Permit, or (4) a Nationwide Permit, as may be determined necessary by the Corps.

The following plat note is required on all Minor Subdivision Plats, Final Plats and Exemption Plats containing lots which are located within a substantial or high hazard wildfire hazard area as shown on the adopted Montrose County Wildfire Hazard Area Map.

Standard Plat Note for Wildfire Hazard Areas

This subdivision is located within a wildfire hazard zone. Wildfire mitigation measures should be implemented on these lots. Mitigation measures include thinning of vegetation, use of fire resistant building materials, installation of indoor/outdoor sprinkler systems, clear space around all structures (store firewood and flammable materials away from structures) and maintaining unobstructed access to homes from the road.

The following plat note is required on all Minor Subdivision Plats, Final Plats and Exemption Plats containing drainage easements or facilities.

Standard Plat Note for Maintenance of Drainage Easements and Facilities

The maintenance of all drainage facilities and easements shown on this plat shall be the responsibility of the underlying land owner. Facilities and easements shall be maintained in a manner that will allow for them to function as designed.

The following plat note is required on all exemption plats.

Standard Plat Note for Exemption from Subdivision Regulations

Montrose County makes no representations as to whether the tract created herein is developable for residential, business, commercial, or industrial purposes, and further notes that a Geological Report prepared by a Professional Geologist which provides information concerning topography, floodplains, slope, drainage, erosion, rock and soils types, safety factors, construction factors, mineral resources, water and sewage factors, and radiation hazards has not been provided for this division of land.

The following plat note is required on all plats for residential subdivisions which do not meet the minimum fireflow standard of 500 gallons per minute, but do have a minimum fireflow of 250 gallons per minute.

Standard Plat Note for Automatic Sprinkler Systems

Fire suppression systems which have been installed by a Registered Fire Suppression System Contractor who is registered with the Colorado Division of Fire Safety are required for all residences within this subdivision.

Appendix C

Montrose County Wildfire Hazard Map

Montrose County Wildfire Hazard Areas
(from Colorado Wildland Urban Interface Hazard Assessment-2002)

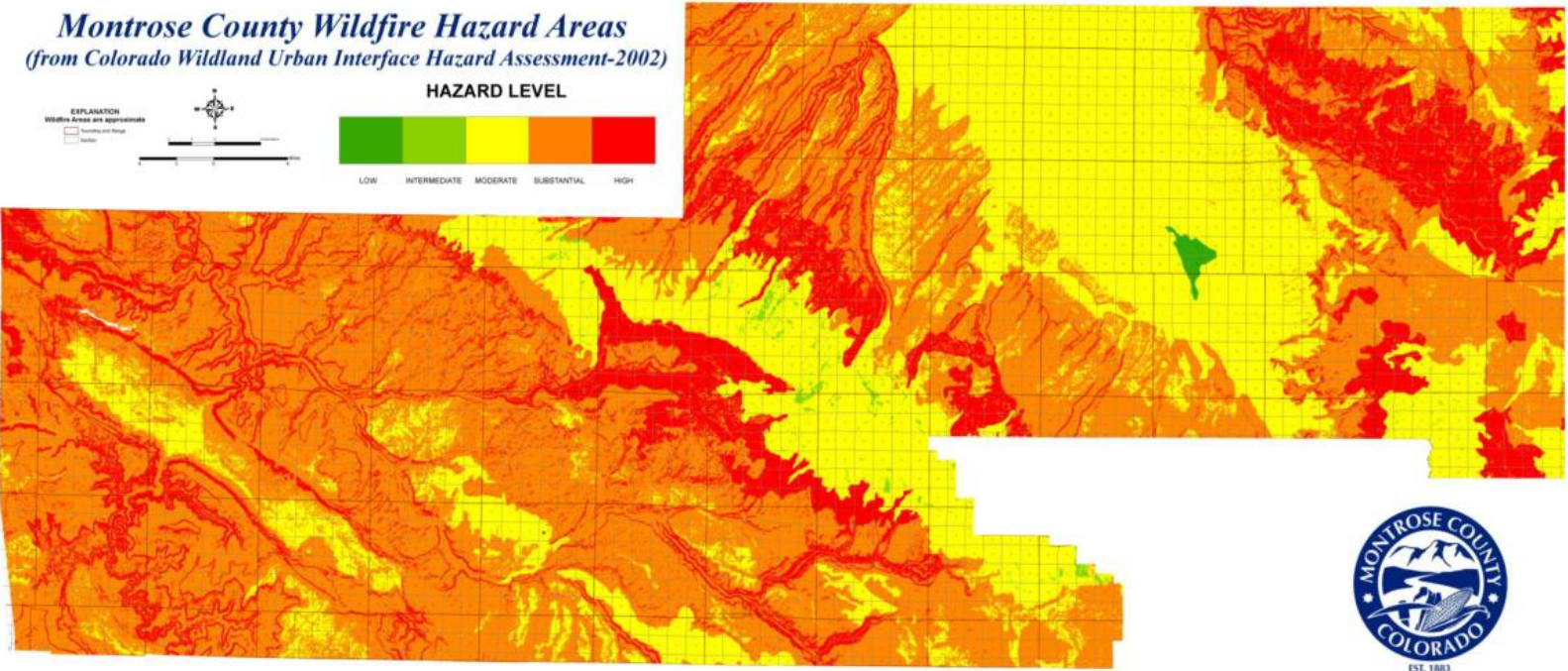
EXPLANATION
Wildfire Areas are approximate



HAZARD LEVEL

LOW	INTERMEDIATE	MODERATE	SUBSTANTIAL	HIGH
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LOW INTERMEDIATE MODERATE SUBSTANTIAL HIGH



Appendix D

Site Characteristics Analysis

The “Site Characteristics Analysis” report shall be prepared by and bear the stamp and signature of a Colorado Registered Professional Engineer.

For Major Subdivisions, the applicant’s Engineer of Record responsible for the design of the subdivision shall incorporate mitigation measures into the layout, design, and construction of the subdivision that addresses issues identified in the Site Characteristics Analysis.

For Minor Subdivisions and all other land divisions that require a Site Characteristics Analysis but do not normally require design and construction of infrastructure, Montrose County may request that the applicant provide additional mitigation measures, including but not limited to additional engineering, designs, surveys, studies, investigations, etc. that it deems necessary to adequately address issues identified in the Site Characteristics Analysis.

At a minimum, this report shall contain information required by Section 30-28-133(3)(b)(I-IV) of the Colorado Revised Statutes and as otherwise summarized below:

1. Describe and identify any streams or lakes or other water courses on or adjacent to the property. Include any drainage courses that could carry concentrated flows during a storm run-off event.
2. Describe the topography and any other important land forms of the subject property. Excessively steep terrain of (20% or more) shall be identified.
3. Describe the vegetation located on the property.
4. Submit a report concerning the geologic characteristics and hazards of the area based on on-site observations and other industry standards that the report author deems necessary. The report shall cross check the proposed development site against the Geologic Hazards Mapping Project of the Uncompahgre River Valley Area,

Montrose County, Colorado, 2011 (or “Geologic Hazards Mapping”) as prepared by the Colorado Geologic Survey. The report shall at a minimum discuss those specific geologic hazards listed in the “Geologic Hazards Mapping” and any other geologic hazards identified by on-site observations and other means. This report may be submitted as a separate, stand alone document and shall be prepared by a Professional Geologist or Professional Engineer having such experience so as to meet the definition of a Professional Geologist per CRS 34-1-201.

5. Any maps, tables, tests, measurements, etc. concerning soil types and the suitability of those soils for the proposed development shall be provided.
6. For each proposed lot, a percolation or soil test based on the requirements of Montrose County Board of Health Resolution shall be provided. Percolation tests shall not be required for proposed lots with an existing Montrose County registered OWTS.
7. A depth to bedrock study shall be provided for each proposed lot to confirm viability of the land for development and OWTS installation. This study shall document and state the depth to bedrock within the upper 8 feet of the existing, undisturbed soil profile.
8. A depth to groundwater study shall be provided for each proposed lot to confirm viability of the land for development and OWTS installation.
9. When timing precludes the applicant's ability to perform the depth to groundwater study, the applicant has the option to submit a subdivision application without a depth to groundwater study. In such case, processing and review of the application for viability of the land for development and OWTS installation shall assume that the seasonally high groundwater level is 2 feet below the existing ground surface unless there are obvious indicators (i.e. free standing water, wetlands, wetlands, wetland type vegetation, etc.) showing groundwater exists at or near the ground surface. The depth to groundwater study shall not be required for proposed lots, which have a completed OWTS permit on file with Montrose County.