

ORDINANCE NO. 700

AN ORDINANCE TO REGULATE THE PLATTING AND RECORDING OF SUBDIVISIONS OF LAND IN THE CITY OF GRAND JUNCTION, COLORADO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

That from and after the effective date of this ordinance, no person shall subdivide any tract of land which is located wholly or in part within The City of Grand Junction, Colorado, nor shall any person sell, exchange or offer for sale, or purchase or offer to purchase, any parcel of land which is any part of or a subdivision of a larger tract of land, nor shall any person offer for recording any deed conveying such a parcel of land, or any interest therein, unless he shall first have made, or caused to have made, a plat thereof; which plat shall be recorded before, or at the time such sale, exchange or purchase, is effected, and shall be in accordance with all of the following requirements of this ordinance.

Section 1 DEFINITIONS.

(a) The word "subdivision" as used in this ordinance is hereby defined as the division of a tract, lot or parcel of land into two or more lots, plots, sites or other divisions of land or the rearrangement of boundary or division lines of a tract, lot or parcel of land for the purpose, whether immediate or future, of transfer of ownership or of building development; provided that this definition of a subdivision shall not include a bona fide division or partition of agricultural land in parcels of more than ten (10) acres, not involving any new streets or easements of access. Nor shall this ordinance apply to the sale or conveyance of any parcel of land which may be shown as a lot or part of a lot of an approved subdivision of which a plat has heretofore been recorded in the land records of Mesa County, unless due to reverse frontage additional right of way or easements are required.

(b) Whenever the words, City Council, City Manager, Director of Public Works and Planning, or Building Inspector are used they shall refer respectively to the elected or appointed officials of The City of Grand Junction, Colorado.

The official referred to as the Director of Public Works and Planning shall be a qualified engineer registered under the laws of the State of Colorado. He shall be appointed by the City Manager and shall be responsible for the planning, layout, construction, operation and maintenance of public facilities, and for the supervision of subdivision development.

(c) Major Street. A highway of major continuity which is primarily a traffic artery for intercommunication between larger areas. (Through traffic is dominant.)

(d) Secondary Street or Collecting Street. A highway supplementary to the major highway system and primarily a means of intercommunication between this and smaller areas or among smaller areas.

(e) Minor Street or Local Street. A highway primarily for access to abutting properties.

(f) Cul-de-Sac. A minor highway with only one outlet.

(g) Alley. A very minor highway, primarily for service access to the back or side of properties abutting also on other highways.

(h) Easement. A grant by a property owner of the use of a strip of land by the City, a corporation or certain persons, for water, sewer, steam, gas, telephone, or electric lines, or other utilities that are for the health, protection, or convenience of the general public.

(i) Reverse Frontage. The change from normal frontage of a lot or block to a frontage on a side street.

Section 2. APPROVAL OF PLAT. No plat shall be recorded or offered for record, nor shall any land be offered for sale with reference to such plat, until the said plat has been approved and signed by the Director of Public Works and Planning, and by the City Manager, and has been accepted by the City Council of the City of Grand Junction, Colorado.

The City Council shall conduct a hearing on the proposed plat, after giving notice in a newspaper of general circulation not less than ten (10) days and not more than twenty-one (21) days before date set for the hearing.

Section 3. APPEALS. Any aggrieved person whose plat has been rejected or disapproved by the Director of Public Works and Planning may petition the City Council for a hearing. The City Council is hereby empowered to reverse the decision of the Director of Public Works and Planning if the action of the Director of Public Works and Planning will result in undue hardship upon the subdivider.

Section 4. PERMITS. No permits shall be issued by the Building Inspector or other administrative officer of the City of Grand Junction for the construction of any building, or other improvement requiring a permit, upon any land for which a plat is required by this ordinance, unless and until the requirements hereof shall have been complied with.

Section 5. PENALTY. Any person who shall violate any provisions of this ordinance shall, upon conviction thereof, be punished by a fine of not less than twenty dollars (\$20.00) nor more than two hundred dollars (\$200.00).

Section 6. GENERAL REQUIREMENTS. The following shall be considered minimum requirements, and shall apply except when specifically permitted to deviate by the Director of Public Works and Planning.

Property Lines. Blocks shall not be longer than one thousand two hundred (1,200) feet between street intersections, unless, because of some peculiar conditions, a longer block shall be approved by the Director of Public Works and Planning. If blocks are longer than nine hundred (900) feet, cross walks ten (10) feet in width shall be provided near center of block.

Side lines of lots shall be at right angles or radial to the street lines unless a variation from the rule will give a better street and lot plan. Such variation must be approved by the Director of Public Works and Planning.

Lots with double frontage shall be avoided. All lots shall have frontage equal to the normal building width on a major, secondary, minor street or cul-de-sac. The Building Inspector is empowered to reject applications for dwelling permits unless this and existing dwelling structures have a clear projection on a major, secondary, minor street or cul-de-sac.

Building setback lines, if shown, shall show a building setback not less than that required by the zoning ordinance of the City of Grand Junction.

Monuments of concrete six inches by twenty-four inches (6" x 24") or longer with one-fourth (1/4) inch brass point or iron pins four (4) feet long shall be set at tangent points of range lines and street intersections and at such other points as may be necessary to make the retracing of the lines as shown on the final plat reasonably convenient and shall be set one (1) foot below street grade. Location of all points to be approved by Director of Public Works and Planning. Any person who shall remove, displace, or mutilate monuments imbedded in the streets of Grand Junction shall be subject to the penalties of this ordinance.

Streets and Alleys. All subdivision streets shall conform to the master highway plan for the City, both as to location and width.

The minimum width for minor streets shall be fifty (50) feet, the minimum width for secondary streets shall be sixty (60) feet, and the minimum width for major streets shall be one hundred (100) feet, except that in cases where the topography or special conditions make a street of less width more practical, the Director of Public Works and Planning may modify the above requirements. A partial width street may be dedicated when adjoining undeveloped property.

The street layout shall be in conformity with a plan for the most advantageous development of the entire neighboring area. All

proposed streets shall be in alignment with existing planned or platted streets with which they are to connect.

(a) The street layout shall include minor streets of considerable continuity approximately parallel to and on each side of each main thoroughfare, boulevard, or parkway.

(b) Wherever the proposed subdivision contains or is adjacent to a railroad right of way, or superhighway, provision shall be made for a street approximately parallel to and on each side of such right of way at a distance suitable for the appropriate use of the land between such streets and the railroad. Such distance shall be determined with due consideration of the minimum distance required for approach grades to future grade separation.

(c) Proposed streets shall be adjusted to the contour of the land so as to produce usable lots and streets of reasonable gradient.

(d) Certain proposed streets shall be extended to the boundary line of the tract to be subdivided sufficiently to provide for normal circulation of traffic within the vicinity.

(e) Wherever there exists a dedicated or platted half-street or alley adjacent to the tract to be subdivided and approved by the Director of Public Works and Planning, the other half shall be platted.

Cul-de-sacs shall have a turnaround at the end with a minimum radius of forty (40) feet.

No subdivision showing reserve strips controlling access to public ways shall be approved, except when the control and disposition of land comprising such strips are definitely placed within the jurisdiction of the City, under conditions specified by the Director of Public Works and Planning.

Streets shall intersect each other as near as practicable at right angles.

Street names may be suggested by subdivider and shall conform to the uniform plan for street names heretofore or hereafter adopted by the City of Grand Junction. Street names shall be assigned or approved at the time of plat acceptance by the City Council. Names of living persons will not be accepted for streets, alleys or subdivisions.

The minimum width of any alley shall be 18 feet. Alleys will be required in all blocks where the lots are less than fifty (50) feet in width, along the rear line of business property, and in the rear of all lots fronting major thoroughfares.

Where alleys are not provided, easements of not less than seven and one-half (7 1/2) feet in width shall be provided on each

side of all rear lot lines and side lines where necessary. Easements of greater width may be required along lines or across lots where necessary for surface overflow or for the extension of main sewers or similar utilities. Heavy equipment for construction and maintenance of utilities may be used along these easements.

Utilities. It shall be left to the discretion of the Director of Public Works and Planning to determine the need and number of fire hydrants that may be required, and the location and number of street lights.

Land Required for Other Public Purposes. Land required for public purposes other than for streets, alleys, or utilities may be dedicated to the City at the discretion of the subdivider. Land which has been so designated on the master plan but not dedicated shall, at the discretion of the City Manager, be retained in the possession of the subdivider to be used in such manner as the City Council may, from time to time, designate, and a twenty (20) year option on purchase shall be given to the City. If the option has not been taken up at the end of this time, the property will return to the full control of the subdivider to be sold to private interests.

Section 7. ACREAGE SUBDIVISION. When a parcel is subdivided into larger tracts than ten (10) acres, such parcel shall be divided so as to allow for the opening of major streets and the ultimate extension of minor streets.

Section 8. PRELIMINARY PLATS. In seeking to subdivide land into building lots and to dedicate streets, alleys, or other land for public use, the owner or owners shall submit two copies of a preliminary plat (which plat may be in pencil), so marked, to the Director of Public Works and Planning for his approval, before submitting the final plat.

The preliminary plat shall be drawn to a scale not smaller than one (1) inch to one hundred (100) feet, and shall show:

(a) Existing property lines, streets and alleys with their names, buildings, water courses, existing sewers, water mains, culverts, or other underground structures, and section corners. Dimensions to be in feet and decimals.

(b) The title under which the proposed subdivision is to be recorded, where possible, and the names of the proprietor and/or subdivider and engineer or surveyor.

(c) The location of existing sewer and water lines and other utilities.

(d) Date, north point, and scale.

(e) The tract designation and other description according to the real estate records of Mesa County.

(f) The names of all adjoining subdivisions with lines of abutting lots, the owners and departing property lines of adjoining properties not subdivided, and the locations, names and widths of existing streets and alleys and similar facts regarding property which is immediately adjacent. It shall show how streets and alleys in the proposed subdivision may connect with existing and proposed streets and alleys in neighboring subdivisions or undeveloped property to produce the most advantageous development of the entire neighborhood area.

(g) Contour map showing contour intervals five (5) feet or less referred to sea level datum consistent with the slope of the ground.

Preliminary plats will be checked for:

(a) Conformity to the master highway plan of the city, county, and of the state.

(b) Conformity to the probable development of adjacent properties.

(c) Conformity to the existing street system of the city and county.

(d) Lot size and arrangement.

(e) Necessary public utility easements.

(f) Proposed protective covenants.

(g) Conformity to the existing zoning regulations.

(h) Correct naming of streets and alleys.

One (1) copy of the approved preliminary plat will be kept on file for public examination and the other returned to the owner. Such approval of the preliminary plat shall be valid for a period of sixty (60) days only.

Section 9. FINAL PLAT. The final plat shall be submitted to the Director of Public Works and Planning in the form of any original tracing on tracing cloth, together with six (6) blue-print copies.

Before approving the final plat of all or part of a proposed subdivision, the City Council will require certification by the City Manager to the effect that the subdivision has been completed to his satisfaction and in accordance with the approved preliminary plat.

The final plat shall be drawn to the scale of one (1) inch equal to one hundred (100) feet or less. The outer dimensions of

each plat shall be twenty-four inches by thirty-two inches (24" x 32"), or of a size of same proportion, namely one (1) to one and three tenths (1.3), provided that no plat shall be smaller than eight and one-half (8 1/2) inches by eleven (11) inches, and shall show:

(a) The boundary lines with accurate distances and bearings, the exact location and width of all existing or recorded streets intersecting the boundary of the tract. All dimensions to be determined by accurate field survey which must balance and close within limit of one (1) in five thousand (5,000). The Director of Public Works and Planning may make such office and field checks as may be necessary to assure the correctness of plat and may require the owner of the subdivision to pay for such checking.

(b) True bearings and distances to the nearest established street lines or official monuments, which shall be accurately described on the plat; municipal, township, county or section lines accurately tied to the lines of the subdivision by distances and bearings.

(c) An accurate location of the subdivision in reference to the real estate records of Mesa County.

(d) The exact layout including

(1) Street and alley names;

(2) The length of all arcs, radii, internal angles, points of curvature, length and bearing of the tangents;

(3) All easements for rights of way provided for public utilities and any limitations of the easements;

(4) All lot numbers and lines with accurate dimensions in feet and hundredths and with bearings and angles to street and alley lines. All lots and blocks must be numbered consecutively under a definite system established by the Director of Public Works and Planning.

(e) The accurate location and material of all monuments.

(f) The accurate outline of all property which is offered for dedication for public use with the purpose indicated thereon, and of all property that may be reserved by deed covenant for the common use of the property owners in the subdivision.

(g) Set-back building lines if desired by owner.

(h) Private restrictions.

(1) Boundaries of each type of use restriction.

(2) Other private restrictions for each definitely restricted

section of the subdivision.

(i) Proposed name of the subdivision.

(j) Name and address of the subdivider.

(k) North point, scale, and date.

(l) Certification by a registered professional civil engineer or surveyor to the effect that the plan represents a survey made by him and that all the monuments shown thereon actually exist, and that their location, size, and material are correctly shown.

(m) Profiles to a scale of fifty (50) feet horizontal and five (5) feet vertical may be required of streets and alleys where the contour of the surface makes it advisable or grades exceed three (3) per cent.

Section 10. FINAL FILING. Approval of the final plat by the City Council shall be null and void if the plat is not filed and recorded with the County Clerk and Recorder and a copy given to the County Assessor within sixty (60) days after the date of approval, unless application for an extension of time is made in writing during said sixty (60) day period to the City Council, and granted.

Section 11. SEPARABILITY. If any section, sub-section, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional such holding shall not affect the validity of the remaining portion of the act. The City Council hereby declares that it would have passed this ordinance, and each section, sub-section, sentence, clause and phrase thereof separately and irrespective of the fact that any one or more of the sections, sub-sections, sentences, clauses or phrases be unconstitutional.

Section 12. REPEAL. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Passed and adopted this 19th day of June, A.D., 1946.

/s/ Porter Carson
President of the Council

ATTEST:

/s/ Helen C. Tomlinson
City Clerk

I HEREBY CERTIFY that the foregoing ordinance, being Ordinance No. 700 was introduced, read and ordered published by the City Council of the City of Grand Junction, Colorado, at a regular meeting of said body held on the 5th day of June, A. D. 1946, and that the same was published in The Daily Sentinel, a

newspaper published and in general circulation in said city, at least ten days before its final passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said city, this 19th day of June, A. D. 1946.

/s/ Helen C. Tomlinson
City Clerk

1st publication June 1, 1946
Last publication June 22, 1946