

(1) Major Subdivisions, Subsequent Minor Subdivisions

After the planner has notified the subdivider or subdivider's representative that an application contains sufficient information as provided above, the subdivider shall submit the remaining subdivision application sets within five (5) working days, and the planner shall schedule the application review by the planning board and City Council. The City Council shall approve, conditionally approve, or deny the proposed subdivision within sixty (60) working days for subdivisions of less than 50 lots and eighty (80) working days for subdivisions of 50 lots or more, based on its determination of whether the application conforms to the provisions of state law and these regulations, unless:

- (a) The subdivider agrees to an extension or suspension of the review period, not to exceed one (1) year; or
- (b) A subsequent public hearing is scheduled and held as provided in 76-3-615, MCA.

The review period of 60 or 80 working days begins on the day after the planner notifies the subdivider or the subdivider's agent in writing that the subdivision application is sufficient for review.

(2) First Minor Subdivisions

Pursuant to 76-3-609(2), MCA, in the case of a first minor subdivision application, the planner's determination and notification of element review and sufficiency review must be made in the same manner as outlined in subsections b. and c. above. After the planner has notified the subdivider or subdivider's representative that an application contains sufficient information as provided above, the subdivider shall submit the remaining subdivision application sets within five (5) working days, and the planner shall schedule the application review by the planning board and City Council. The City Council shall approve, conditionally approve, or deny the proposed subdivision within thirty-five (35) working days, based on its determination of whether the application conforms to the provisions of state law and these regulations, unless the subdivider agrees to an extension or suspension of the review period, not to exceed one (1) year.

The review period of 35 working days begins on the day after the planner notifies the subdivider or the subdivider's agent in writing that the subdivision application is sufficient for review.

(3) Agency Review

Pursuant to 76-3-504(1)(i), MCA, affected public utilities or agencies of local, state, and federal government having a substantial interest in a proposed

subdivision may not delay the City Council's action on the plat beyond the statutory time limits, and the failure of any agency to complete a review of a plat shall not be a basis for rejection of the plat by the City Council. However, City of Thompson Falls requires that contacts with agencies be made in a timely manner, in accordance with Subsection II-D.1.d of these regulations (Early Agency and Public Notification).

Any review comments received by the planner shall be made available upon receipt to the subdivider and the general public.

(4) Financial Penalty

Pursuant to 76-3-604(5) MCA, if the City Council does not comply with the 60 or 80-working day deadlines, it is subject to financial penalty.

e. Planner analysis

- (1) Prior to the planning board meeting or public hearing to review the preliminary plat, the planner will provide the planning board with a completed checklist which documents the element review and sufficiency review (provided by the planner).
- (2) The planner will evaluate the subdivision application and any comments received from agency personnel and the public. The planner's evaluation shall include completion of the Growth Policy Compliance Evaluation Checklist (provided by the planner). A staff report with recommendations shall be submitted to the planning board in advance of the planning board meeting or public hearing. A copy of the staff report shall be provided to the subdivider, prior to the planning board meeting or public hearing to review the proposal.

f. Public notification and public hearing

- (1) The planner shall issue a legal notice of the public hearing by publication in a newspaper of general circulation in the county. Said notice should first appear not less than 15 days prior to the public hearing. The notice should run two consecutive weeks.
- (2) The planner shall notify the subdivider and each adjoining property owner (including each purchaser under contract for deed of adjoining property) of the hearing by registered or certified mail not less than 15 days prior to the date of the planning board hearing. The planner shall also notify lien holders, easement holders, potentially affected water users (if any, and if known), plus any existing property owners' association potentially affected by the project as determined by the planner, of the hearing not less than 15 days prior to the hearing.

- (3) The planner shall distribute a project notification letter, plus pertinent application materials to all pertinent review agencies, as deemed necessary by the planner. If the planner contacts a public utility, agency, or other entity that was not included on the list originally made available to the subdivider, the planner shall notify the subdivider of the contact and the timeframe for response.
- (4) The subdivider shall post a notice of the proposed subdivision and public hearing at one or more conspicuous places on the boundaries of the proposed subdivision. The subdivider shall be responsible for taking down the notice once the local City Council has made a decision on the application. The planner may supply a pre-printed poster for the subdivider's use.
- (5) Where members of the public wish to visit a tract of land proposed for subdivision in order to participate more knowledgeably in the subdivision review process, the subdivider must provide the public a scheduled opportunity to view the site.
- (6) Pursuant to 76-3-609(2), MCA, the first minor subdivision created from a tract of record is exempted from the public hearing requirements.

g. Planning board review and recommendation

- (1) The planning board shall consider all relevant evidence relating to the public health, safety, and welfare, to determine whether the preliminary plat should be recommended for approval, conditional approval, or disapproval by the City Council. In reviewing the proposed subdivision and arriving at its proposed findings of fact and recommendation, the planning board shall consider:
 - (a) the information submitted by the subdivider, including the environmental assessment if required;
 - (b) the information submitted by review agencies and utilities;
 - (c) the information submitted by the public;
 - (d) the City of Thompson Falls Growth Policy and any other pertinent, officially adopted planning document for the City of Thompson Falls;
 - (e) as applicable, the seven (7) public interest criteria pursuant to 76-3-608(3), MCA, namely, the effect of the proposed subdivision on: agriculture, agricultural water user facilities, local services, the natural environment, wildlife, wildlife habitat, and public health and safety;

- (f) compliance with the survey requirements detailed in 76-3-401 et seq., MCA;
 - (g) compliance with these regulations and the Montana Subdivision and Platting Act;
 - (h) the provision of easements for the location and installation of any planned utilities; and
 - (i) the provision of legal and physical access to each parcel within the subdivision and the required notation of that access on the applicable plat and any instrument of transfer concerning the parcel.
- (2) When a public hearing is held by the planning board, the planning board shall act in an advisory capacity and recommend to the City Council the approval, conditional approval, or disapproval of the preliminary plat. This recommendation must be submitted to the City Council in writing not later than ten (10) working days after the public hearing. This recommendation shall be accompanied by all public comment received, including that pertaining to water and sanitation information. The requirements of this subsection shall also pertain to the planning board meeting where a first minor subdivision created from a tract of record is reviewed.
- (3) The planning board may continue its public hearing or meeting to a subsequent date, if it determines that additional time to review the preliminary plat is needed. In such event, the planner shall repeat the public notification steps described in Subsections II-E.f.(2)-(4) above.
- (4) In its recommendation, the planning board shall advise the City Council as to whether the preliminary plat conforms to the provisions of:
- (a) the Montana Subdivision and Platting Act;
 - (b) these regulations;
 - (c) the City of Thompson Falls Growth Policy and other adopted planning documents for the City; and
 - (d) other City regulations affecting the proposed subdivision.
- (5) The planning board shall submit in writing the following to the City Council:
- (a) its proposed findings of fact based upon Subsection II-E.f.(1) above;
 - (b) a recommendation for approval, conditional approval, or disapproval of the plat;

(c) a list of proposed conditions, where conditional approval is recommended;

(d) a finding as to whether any public comments or documents presented for consideration at the planning board's public hearing constitute information or analysis of information that the public has not had a reasonable opportunity to examine and comment on.

(6) In order for the planning board to recommend a proposed subdivision for approval or conditional approval, its proposed findings of fact must conclude that the proposed subdivision is in compliance with all applicable rules and regulations, and that potential significant adverse impacts are reasonably mitigated or minimized for each of the seven public interest criteria. Mitigating measures may be required in order to reach these findings.

Pursuant to 76-1-605(2)(b), the planning board may not recommend conditional approval or denial of a subdivision application based solely on compliance with a growth policy or based solely on the impacts to education.

(7) The planner shall mail a copy of the planning board's recommendation to the subdivider, along with written notification of the time and place that the City Council will consider the preliminary plat.

h. City Council review and action

(1) No later than two (2) working days before the meeting at which the City Council is to consider the subdivision application and preliminary plat, the subdivider is encouraged to submit in writing to the planner the subdivider's comments on and responses to the planning board's recommendations.

(2) Within the statutory time limit for action on the proposed subdivision, the City Council shall meet to review the preliminary plat and all pertinent information, including the planning board's recommendation.

(3) Pursuant to 76-3-615, MCA, the City Council shall determine whether public comments or documents presented for consideration at the planning board's public hearing constitute new information or an analysis of information regarding the subdivision application that the public has not had a reasonable opportunity to examine and comment upon. If so, the City Council shall determine whether the public comments or documents are relevant and credible with regard to the City Council's decision, pursuant to subsections Subsection II-E.h(3)(d) and (e) below.

(a) If the City Council determines the new information or analysis of information is either not relevant or not credible, then the City Council shall approve, conditionally approve, or deny the proposed subdivision

without basing its decision on the new information or analysis of information;

- (b) If the City Council determines the new information or analysis of information is relevant and credible, then the City Council shall direct the planning board to schedule a subsequent public hearing.
- (c) The planning board shall consider only the new information or analysis of information that may have an impact on the findings and conclusions that the City Council will rely upon in making its decision on the proposed subdivision.
- (d) New information or analysis of information is considered to be relevant if it may have an impact on the findings and conclusions that the City Council will rely upon in making its decision on the proposed subdivision.
- (e) The City Council's consideration of whether or not the new information or analysis of information is credible will include, but not be limited to, the following:
 - (i) physical facts or evidence;
 - (ii) corroborated personal observations;
 - (iii) evidence provided by a person with professional competency in the subject matter; or
 - (iv) scientific data.
- (4) If a subsequent public hearing is held pursuant to subsection (b) above, it must be held within forty-five (45) days of the City Council's decision to request the subsequent public hearing. Only the new information or analysis of information shall be considered at the subsequent public hearing.
 - (a) Notice of the time, date and location of the subsequent hearing shall be given by publication in a newspaper of general circulation in the county, not less than fifteen (15) days prior to the date of the subsequent hearing.
 - (b) At least fifteen (15) days prior to the date of the subsequent hearing, notice of the subsequent hearing shall be given by certified mail to the subdivider and each adjoining landowner to the land included in the preliminary plat.
 - (c) The City Council shall require the notice to be posted at a conspicuous place on the site of the proposed subdivision.

- (5) If a subsequent public hearing is held, the 60- or 80-working day review period is suspended as of the date of the City Council's decision to schedule a subsequent hearing. The 60- or 80-working day review period resumes on the date of the City Council's next scheduled public meeting for which proper notice for the public meeting on the subdivision application can be provided.
- (6) Pursuant to 76-3-609(2), MCA, the first minor subdivision created from a tract of record is exempted from the public hearing requirements. Once the planning board makes its preliminary plat recommendation, the City Council may consider no new substantive information, except that pertaining to the subdivider's preference regarding mitigation of impacts, as provided in 76-3-608(5), MCA.
- (7) In arriving at its decision, the City Council shall issue written findings of fact that weigh the criteria in Subsection II-E.2. Review Criteria below, as applicable.
 - (a) Findings of fact approved by the City Council concerning whether the development of the proposed subdivision meets the requirements of the Montana Subdivision and Platting Act must be based on the record of the subdivision application as a whole. The City Council's findings of fact must be sustained unless they are found to be arbitrary, capricious, or unlawful.
- (8) The City Council shall approve, conditionally approve, or disapprove the preliminary plat. Approval or conditional approval of a preliminary plat includes all representations made publicly by the subdivider during the course of the subdivision application and review process. This includes the land use(s) proposed to occur in the subdivision.

In order for the City Council to approve or conditionally approve a proposed subdivision, its findings of fact must conclude that the proposed subdivision is in compliance with all applicable rules and regulations, and that potential significant adverse impact are reasonably mitigated or minimized for each of the seven public interest criteria.

Pursuant to 76-1-605(2)(b), the City Council may not conditionally approve or deny a subdivision application based solely on compliance with the City Growth Policy or based solely on the impacts to education.

- (9) Within thirty (30) working days of approving or conditionally approving a preliminary plat, the City Council shall provide the subdivider with a dated and signed letter of approval that must be made available to the public. The City Council's approval or conditional approval of a preliminary plat shall be in force for three calendar years from the date of approval.

- (a) Pursuant to 76-3-604, 610 and 620, MCA, in the case of conditional approval of a preliminary plat, the City Council's written notification shall include information regarding the appeal process outlined in Chapter V of these regulations. The letter must also identify the regulations and statutes that are used in reaching the decision, and it must explain how they apply to the decision. Further, the letter must provide the facts and conclusions that the City Council relied upon in making its decision, and it must reference documents, testimony, or other materials that form the basis of the decision. Finally, the letter must provide the conditions that apply to the preliminary plat approval and that must be satisfied before the final plat may be approved. The City Council may, in its conditional approval, require that certain conditions (e.g., fire protection provisions) be met before other development activity occurs.
- (b) After a preliminary plat is approved, the City Council and its subdivisions may not impose any additional conditions as a prerequisite to final plat approval, providing said approval is obtained within the original or extended approval period, pursuant to 76-3-610(2), MCA.
- (c) The City Council may withdraw its approval of a preliminary plat if it determines that information provided by the subdivider, and upon which such decision was based, is inaccurate.
- (10) Pursuant to 76-3-604, 610 and 620, MCA, in the case of denial of a preliminary plat, within thirty (30) working days the City Council shall provide the subdivider with a dated and signed statement of disapproval that must be made available to the public. The letter must contain the items listed in subsection Subsection II-E.h(9)(a) above.

2. Phased Developments

- a. A subdivider applying for the review of a phased development shall submit with the subdivision application an overall phased development preliminary plat on which all of the independent development phases must be presented. The application must also contain the information required pursuant to these regulations and parts 5 and 6 of the Montana Subdivision and Platting Act for all phases of a development and must include a schedule for when the subdivider plans to submit for review each phase of the development. The subdivider may change the schedule for review of each phase of the development upon approval of the City Council after a public hearing as provided for in subsection (2)(d) below. The change in the schedule shall only be approved if the change does not negate the original conditions of approval or otherwise adversely affect public health, safety, and welfare.
- b. Except as otherwise provided by this section, the application for the phased development must be reviewed in conformity these regulations and parts 5

and 6 of the Montana Subdivision and Platting Act. In addition, each phase of the phased development must be reviewed as provided in subsection (2)(d) below.

- c. The City Council may approve phased developments that extend beyond the time limits set forth in 76-3-610 but all phases of the phased development must be submitted for review and approved, conditionally approved, or denied within 20 years of the date that the overall phased development preliminary plat is approved by the City Council.
- d. Prior to the commencement of each phase, the subdivider shall provide written notice to the City Council. The City Council shall hold a public hearing pursuant to 76-3-605(3) within 30 working days after receipt of the written notice from the subdivider. After the hearing, the City Council shall determine whether any changed primary criteria impacts or new information exist that create new potentially significant adverse impacts for the phase or phases. Notwithstanding the provisions of 76-3-610(2), the City Council shall issue supplemental written findings of fact within 20 working days of the hearing and may impose necessary, additional conditions to minimize potentially significant adverse impacts identified in the review of each phase of the development for changed primary criteria impacts or new information. Any additional conditions must be met before final plat approval can occur for each particular phase. The approval for each phase must be in accordance with 76-3-611 and shall not be in force for more than 3 calendar years or less than 1 calendar year within the maximum time frame of 20-years provided in subsection 2(c) above.

3. Review criteria

- a. Pursuant to 76-3-608(1), MCA, the basis for the City Council's decision to approve, conditionally approve, or disapprove a subdivision is whether the preliminary plat, applicable environmental assessment, public hearing, planning board recommendations, or additional information demonstrates that development of the subdivision meets the requirements of the Montana Subdivision and Platting Act and these regulations. The City Council may not deny approval of a subdivision based solely on the subdivision's compliance with the growth policy or solely on the impacts on educational services.
- b. Pursuant to 76-3-608(3), MCA, a subdivision proposal must undergo review for the following primary criteria:
 - (1) the effect on agriculture, agricultural water user facilities, local services, the natural environment, wildlife, wildlife habitat, and public health and safety;
 - (2) compliance with:

- (a) the survey requirements provided in 76-3-401 through 76-3-406, MCA;
 - (b) these regulations;
 - (c) the subdivision review procedure provided for in 76-3-601 et seq., MCA;
 - (d) the provision of easements for the location and installation of any planned utilities, to and within the subdivision; and
 - (e) the provision of legal and physical access to each parcel within the subdivision and the required notation of that access on the applicable plat and any instrument of transfer concerning the parcel.
- a. Consistent with the authority given the City Council in 76-3-501 and 504, MCA, a subdivision proposal must undergo review for substantial compliance with the City of Thompson Falls Growth Policy
 - b. Pursuant to 76-3-608(4), MCA, the City Council may require the subdivider to design the subdivision to reasonably minimize potentially significant adverse impacts identified through the review required under subsection b. above. The City Council shall issue written findings to justify the reasonable mitigation required under this subsection.
 - c. Pursuant to 76-3-608(5)(a), in reviewing a subdivision under subsection b. above and when requiring mitigation under subsection d. above, the City Council may not unreasonably restrict a landowner's ability to develop land, but it is recognized that in some instances the unmitigated impacts of a proposed development may be unacceptable and will preclude approval of the plat.
 - d. Pursuant to 76-3-608(5)(b), MCA, when requiring mitigation measures under subsection d. above, the City Council shall consult with the subdivider and shall give due weight and consideration to the subdivider's expressed preferences.
 - e. Pursuant to 76-3-510, MCA, the City Council may require the subdivider to pay or guarantee payment for part or all of the costs of extending capital facilities related to public health and safety, including but not limited to streets, sewer lines and lift stations, water supply lines and fire hydrants and storm drains to serve the subdivision. The costs must reasonably reflect the expected impacts directly attributable to the subdivision. The City Council may not require a subdivider to pay or guarantee payment for part or all of the costs of constructing or extending capital facilities related to education (However, contributions towards any educational facility or equipment improvements required as the result of the subdivision's expected impacts are encouraged).

f. Municipal facilities exemption pursuant to 76-4-125(2)(d), MCA:

1. For a subdivider to qualify for the exemption from sanitation review set out in 76-4-125(2)(d), the City Council, prior to granting final plat approval under these regulations and the Montana Subdivision and Platting Act, must send notice of certification to the Montana Department of Environmental Quality that the subdivision has been submitted for approval and that adequate storm water drainage and adequate municipal facilities (water and sewer) will be provided for the subdivision by the City of Thompson Falls.

Also, in order to be eligible for the exemption, the subdivider must install all the facilities or bond for them through a subdivision improvements agreement prior to the filing of the final plat.

II-F. PRELIMINARY PLAT EXTENSIONS

1. Request requirements

- a. A subdivider may request an extension of the preliminary plat approval period. No later than thirty (30) days prior to the expiration date, such request shall be submitted in writing to the planner, for review and action by the City Council.
- b. The request must address the following points:
 - (1) Progress made in complying with the conditions of preliminary plat approval;
 - (2) Circumstances which have affected the timing of the subdivision development;
 - (3) The extent to which any significant changes in the area have occurred or are expected to occur during the time of the extension period; and
 - (4) Whether or not the provision of public facilities and services in the area will be disrupted by the requested extension.

2. Review process and criteria

- a. The extension request shall be reviewed by the planner, who shall make a recommendation to the City Council. The planner may inspect the subdivision site in developing such recommendation. The subdivider shall receive notice of the planner's recommendation and the time and place of the City Council's review of the extension request.
- b. At a regularly scheduled meeting, the City Council shall review the extension request. For any reason relating to changed circumstances since the time of

preliminary plat approval, the City Council may refer the extension request to the planning board for its review and recommendation, prior to making a decision.

- c. An extension request shall be reviewed to determine whether or not the City's evaluation of the original proposal, and the findings of fact associated with the preliminary plat approval, remain valid.
- d. Pursuant to 76-3-610, MCA, the City Council may extend its preliminary plat approval for no more than one (1) calendar year, except that the City Council may extend its approval for a mutually agreed-upon period of more than one (1) year if that approval period is in writing and dated and signed by the members of the City Council and the subdivider or the subdivider's agent. Any extension may include as a specific condition a written public improvements agreement between the City Council and the subdivider for completion of all or a percentage of improvements related to public health and safety, according to 76-3-507(4), MCA. Phased developments must be completed and with the final plats filed with the County Clerk and Recorder within 20 years of the original preliminary plat approval per Section II.E.2 of these regulations.

II-G. FINAL PLAT SUBMITTAL REQUIREMENTS

1. Items and information required

The subdivider shall submit a final plat application package for the proposed subdivision to the planner, in accordance with the requirements of this section. The planner shall provide the subdivider a checklist of the final plat submittal requirements.

a. Final Plat Application Form

The subdivider shall complete a Final Plat Application Form (provided by the planner).

b. Final Plat

- (1) A final plat shall be legibly drawn with permanent ink or printed or reproduced by a process guaranteeing a permanent record and shall be 24" x 36" overall, to include a 1.5-inch margin on the binding side.
- (2) Whenever more than one sheet must be used to accurately portray the land subdivided, each sheet must show the number of that sheet and the total number of sheets included. All certifications shall be shown or referenced on one sheet.
- (3) Space on the final plat shall be used efficiently in order to minimize the number of sheets, while maintaining clarity.

- (4) The final plat may constitute only that phase of the approved preliminary plat for all phased development the subdivider wishes to file, provided that such phase conforms to all requirements of these regulations and is approved by the City Council in writing.

As outlined in Appendix 16 the final plat submitted for approval shall show or contain particular items on the face of the plat or on separate recorded sheets referenced on the face of the plat.

c. Final Plat Supplements

As outlined in Appendix 16 the subdivider shall provide additional information and materials to accompany the final plat, in accordance with these regulations and the conditions of preliminary plat approval.

d. Covenants

Many proposed subdivisions contain a set of proposed property owner's association covenants which will restrict land uses within the proposed subdivision, run with the land, and be filed or recorded along with the final plat. Any declaration of covenants prepared in conjunction with the filing of a final plat shall reflect this distinction.

- (1) The City Council has no authority or responsibility to enforce such covenants.

2. Divisions of Land Which May Be Exempt from Review and/or Surveying

- a. Generally, condominiums, Cityhomes, or Cityhouses are subject to review as subdivisions. Under certain circumstances they may be exempt from review, provided they are constructed on land subdivided in compliance with these regulations or on lots within incorporated cities and Citys, and

- (1) The approval of the original subdivision of land expressly contemplated the construction of the condominiums, Cityhomes, or Cityhouses and 76-3-203, MCA is complied with; or
- (2) The condominium, Cityhome, or Cityhouse proposal is in conformance with a governing zoning ordinance.
- (3) If condominiums, Cityhomes, or Cityhouses are proposed for development under the exemptions found in 76-3-203, MCA then the project(s) are not eligible to use the Municipal Facilities Exemption found under 76-4-125, MCA. Therefore, all proposed sanitation facilities for such projects must undergo review by the Montana Department of Environmental Quality.

II-H. FINAL PLAT REVIEW PROCESS

1. Submittal

The final plat application package (application form, final plat, final plat supplements, checklist, and application fee) must be submitted to the planner at least thirty (30) days prior to expiration of the preliminary plat approval period.

2. Planner Review of Final Plat

Within 20 working days of receipt of a final plat, the planner shall review the final plat application package to determine whether it contains the information required under Section II-G (Final Plat Submittal Requirements) and shall notify the subdivider or, with the subdivider's written permission, the subdivider's agent of that determination in writing. The planner may inspect the proposed subdivision site in order to complete the review of the final application.

If the planner determines that the final plat does not contain the information required under Section II-G (Final Plat Submittal Requirements), the planner shall identify the final plat's defects in a written notification to the subdivider or the subdividers agent. The planner may review subsequent submissions of the final plat only for the information found to be deficient during the original review of the final plat application.

If the planner determines that an examining land surveyor must review a final plat, this requirement shall be identified in the original notification to the subdivider or the subdivider's agent. The examining land surveyor will review the final plat for errors and omissions in calculation or drafting. The subdivider is responsible for the cost of the examining land surveyor's review.

The 20 working days for the planner's review of the final plat application applies to each submission of the final plat until the planner provides the subdivider or subdivider's agent with a written determination that the final plat application contains all the information required under Section II-G (Final Plat Submittal Requirements).

Once the planner makes the determination that the final plat application contains all the necessary information, the planner shall prepare a written recommendation to the City Commission. The subdivider shall receive a copy of the planner's recommendation, as well as notification of the time and place of the City Commission's meeting to review the final plat submittal.

3. Public improvements guarantee

Pursuant to 76-3-507, MCA, the City Council shall require the subdivider to complete required public improvements within the subdivision prior to the approval of the final plat, except:

- a. In lieu of the completion of the construction of non-essential public improvements prior to the approval of a final plat, the City Council shall at the subdivider's option allow the subdivider to provide or cause to be provided a bond or other reasonable security, in an amount and with surety and conditions satisfactory to the City Council, providing for and securing the construction and installation of the improvements within a period specified by the City Council and expressed in the bonds or other security. The City Council shall reduce bond requirements commensurate with the completion of improvements.
- b. Where public improvements are not required by the City Council to be completed prior to the filing of the final plat, normal procedures in City of Thompson Falls shall be to enter into a subdivision improvements agreement with the subdivider, including an approved letter of credit or performance bond or other reasonable security equaling 125% of the anticipated costs of the improvements (See Appendix 18 for sample Subdivision Improvements Agreement, Guarantees, and Letter of Credit).

(1) Subdivision Improvements Agreement.

Pursuant to 76-3-507(4), MCA, only those improvements not essential to health and safety can be completed under a Subdivision Improvements Agreement (SIA).

- (a) Essential health and safety improvements include, but are not limited to, street access to the subdivision, street access to each lot, sewage disposal and water supply facilities, fire protection facilities, intersection improvement, street name signs, and traffic safety signage.
- (b) Non-essential improvements include, but are not limited to landscaping, and park and recreation facilities.
- (c) As a condition of final plat approval, the subdivider must have installed all required improvements or have entered into a SIA guaranteeing the construction, installation, and maintenance of all required improvements in conformance with all policies, standards and resolutions adopted by the City (76-3-507, MCA)
- (d) Structures may not be constructed or placed on the parcels until essential improvements related to public health and safety have been installed and engineering plans have been filed.

(2) Security Guarantee

If the subdivider chooses to enter into a SIA guaranteeing the Non-Essential improvements, the subdivider must have an acceptable monetary security guarantee in the form of a bond, escrow account, surety performance bond,

irrevocable letter of credit, or other acceptable guarantee accepted by the City Council. Three bids for the cost of installation of the public improvements shall be obtained by the subdivider. The amount of the guarantee shall be calculated by multiplying 125% by the highest bid. The City of Thompson Falls Council shall be the final decision authority regarding all bids related to a SIA.

(3) Reduction of Guarantees

In those cases, where monetary security guarantees have been made, the amount of the guarantee may be reduced upon installation and acceptance by the City Council of the required improvements. The amount of the reduction shall not exceed the percentage that the accepted improvements made of all originally required improvements.

(4) Completion of Improvements; Certification

As the public improvements are installed, the subdivider shall provide a letter to the City indicating such, including a copy of the plans developed by a professional engineer registered in the State of Montana.

- (a) The City's designated agent shall review and certify that all public improvements have been installed in conformance with the plans and specifications.
- (b) If the City determines that a consulting engineer is needed to review and certify the public improvements, the subdivider shall pay for the cost of the engineering services.
- (c) Prior to the release of the guarantee, a copy of the plans, stamped and certified by the subdivider's professional engineer in accordance with their licensing provisions, shall be filed in with the Clerk and Recorder's Office and the City Clerk with reference to the final subdivision plat.

(5) Improvement Guarantee

The subdivider shall provide a guarantee that the improvements will be satisfactorily completed and are guaranteed for 12 months.

(6) Release of Guarantee

Upon completion of required improvements by the subdivider and acceptance of them by the City Council, the subdivider may request that the City Council authorize the release of any remaining portion of the improvement guarantee up to 90% of the original amount. The remaining 10% will be released after any deficiencies are corrected after the one-year warranty inspection. The request and release shall both be in writing.

(7) Special Improvement Districts

The City Council may enter into an agreement with the subdivider, and the owners of the property proposed to be subdivided if other than the subdivider, that the installation of required improvements will be financed through a special improvement district created pursuant to Title 7, Part 41, MCA. This agreement must provide that no parcels within the subdivision will be sold, rented or leased, and no contract for the sale of parcels can be executed before the improvement district has been created.

The subdivider, or other owners of the property other than the subdivider shall waive the right to protest, or petition against the creation of the district under Section 7-12-4110, MCA. This waiver must be filed with the County Clerk and Recorder and will be deemed to run with the land.

4. City Council Review and Decision Process

- a. Within 20-working days of the planner's written determination that the final plat application contains all of the necessary information, the City Council shall review and approve or deny the final plat. The Council's review must be done pursuant to the requirements of 76-3-611, MCA, and the City Council shall examine each final subdivision plat and shall approve the plat only if:

- (1) It conforms to the conditions of approval set forth on the preliminary plat and application and to the terms of the Montana Subdivision and Platting Act and these regulations; and
- (2) The County Treasurer has certified that all real property taxes and special assessments assessed and levied on the land to be subdivided have been paid.

- b. Final plat conformance

The final plat submitted shall conform in all major respects to the preliminary plat as previously reviewed and approved by the City Council and shall incorporate all modifications required in its review. The City Council, however, may approve a final plat which has been modified to reflect improvements in design (such as a reduction in lots) or changes which have occurred in its natural surroundings and environment since the time of the preliminary plat review and approval.

For any reason relating to compliance with the conditions of preliminary plat approval or proposed modifications of the plat, the City Council may refer the final plat submittal to the planning board for review and recommendation, prior to making a decision.

If the final plat was reviewed by an examining land surveyor, the surveyor shall certify compliance in a printed or stamped certificate on the face of the final plat.

The certificate must be signed by the examining land surveyor prior to the plat being filed with the County Clerk and Recorder.

The City Council may provide for the review of the abstract or certificate of title of the land in question by the City Attorney.

Once the planner determines that the final plat is complete, the City Council shall review and act on the final plat within 20 working days of the planner's determination as follows:

- (1) Final plat approval shall be certified by the City Council on the face of the final plat. Acceptance of any land dedication(s) shall be made by specific resolution of the City Council and noted on the plat.
- (2) If the final plat is disapproved, the City Council must provide a written statement to the subdivider explaining the reasons for the plat denial. The subdivider may make the necessary corrections and resubmit the final plat for approval.
- (3) The City Council may withdraw approval of a final plat if it determines that such information provided by the subdivider, and upon which such decision was made, is inaccurate.

5. Final Plat Filing

After it is approved, the final plat may not be altered except as provided in Section V-H Amendment of Recorded Plat. The County Clerk and Recorder may not accept any plat for filing that does not bear the City Council's approval in proper form or that has been altered. The County Clerk and Recorder may file an approved plat only if it accompanied by the documents specified in the Montana Uniform Standards for Monumentation, and Final Subdivision Plats.

II-I. ROLE OF THE PUBLIC IN SUBDIVISION REVIEW

Residents of the City of Thompson Falls play an important role in the review of a proposed subdivision. Their input often expands the information base pertinent to the proposed subdivision site and its environs.

Members of the public can offer their verbal input at any public hearing or public meeting of the planning board or City Council. Residents can also make their comments in writing, to either group.

Residents of the City are encouraged to participate in the subdivision review process.

II-J. ROLE OF PUBLIC AGENCIES IN SUBDIVISION REVIEW

City and County departments and State, and Federal agencies also play an important role in the review of a proposed subdivision. The planner can provide a list that identifies which agencies must be contacted prior to the submission of an overall development plan or subdivision application. Whether local service provider, public resource manager, or public land manager, agency representatives should always be asked to consider cumulative impacts when they assess the potential effects of a proposed subdivision.

Chapter III SUMMARY TABLES

This Chapter provides summary tables of the subdivision application and review procedures outlined in Chapter II of these regulations. These summary tables are a guide, but the more complete procedures in Chapter II are controlling.

Summary tables provided are:

1. "First Minor" Subdivision
2. "Major" Subdivision or "Subsequent Minor" Subdivision

"FIRST MINOR" SUBDIVISION

Typical Subdivision Application and Review Process for

- Five or Fewer Lots
 - Five or Fewer Spaces or Units -- Mobile Home Parks, Recreational Vehicle Parks, Condominiums, or Cityhouses
-

STEP ONE. Pre-Application Meeting with Planner and Packet Preparation.

- Fees paid.
- Planner approves pre-application packet, and pre-application appears on Planning Board agenda.
- Subdivider should also meet at this stage with the City Public Works Director regarding streets, water, sewer and stormwater and the use of the Municipal Facilities Exemption.

STEP TWO. Early Notification.

- Subdivider sends out early notifications after Planner approves the packet.

STEP THREE. Preliminary Plat Application Submittal and Review.

- Submit one copy of the subdivision application packet, plus application review fee, to Planner for element review and sufficiency review.

STEP FOUR. Additional sets submitted.

- Once subdivision application packet has passed the element and sufficiency reviews, 20 additional sets must be submitted within five (5) working days (19 to Planning Office, 1 to local public library).
- Thirty-five (35) working day "clock" begins day after written notice of sufficiency.

STEP FIVE. Second Notification.

- Subdivider sends out second notifications
- Subdivider posts property.

STEP SIX. Planning Board Review.

- Planning Board reviews subdivision application and makes recommendation at public meeting.

STEP SEVEN. City Council Decision.

- City Council reviews subdivision application and makes decision at public meeting.

STEP EIGHT. Final Plat Submittal.

- Assuming approval or conditional approval of preliminary plat, submit final plat application package (including final plat review fee) to Planner for review and acceptance.
- Materials must be submitted prior to the expiration of the preliminary plat approval period.

STEP NINE. Final Plat Approval.

- After City Council reviews final plat and makes decision at public meeting.
- Assuming final plat approval, final plat is recorded.

"MAJOR" SUBDIVISION OR "SUBSEQUENT MINOR" SUBDIVISION
Typical Subdivision Application and Review Process for

- Six or More Lots or Six or More Spaces or Units -- Mobile Home Parks, Recreational Vehicle Parks, Condominiums, or Cityhouses
 - Five or Fewer Lots, Subsequent Minor Subdivision from a Tract of Record
 - Five or Fewer Spaces or Units, Subsequent Minor -- Mobile Home Parks, Recreational Vehicle Parks, Condominiums, or Cityhouses
-

STEP ONE. Pre-Application Meeting with Planner.

- Pre-application materials submitted to planner
- Fees paid.
- Meeting held with planner.
- Subdivider should also meet at this stage with the City Public Works Director regarding streets, water, sewer and stormwater and the use of the Municipal Facilities Exemption.

STEP TWO. Early Notification.

- Subdivider sends out early notifications after the Planner approves the packet.

STEP THREE. Preliminary Plat Application Submittal and Review.

- Submit one copy of the subdivision application packet, plus application review fee, to Planner for element review and sufficiency review.

STEP FOUR. Additional Sets Submitted.

- Once subdivision application packet has passed the element and sufficiency reviews, 20 additional sets must be submitted within five (5) working days (19 to Planning Office, 1 to local public library).
- Sixty (60) or eighty (80) working day "clock" begins day after written notice of adequate sufficiency review.

STEP FIVE. Second Notification.

- Planner issues legal notices
- Subdivider posts property.

STEP SIX. Planning Board Review.

- Planning Board reviews subdivision application and holds public hearing.
- Planning Board makes recommendation.

STEP SEVEN. City Council Decision.

- City Council reviews subdivision application and makes decision at public meeting.

STEP EIGHT. Final Plat Submittal.

- Assuming approval or conditional approval of preliminary plat, submit final plat application package (including final plat review fee) to Planner for review and acceptance.
- Materials must be submitted prior to the expiration of the preliminary plat approval period.

STEP NINE. Final Plat Approval.

- City Council reviews final plat and makes decision at public meeting.
- Assuming final plat approval, final plat is recorded.

SUBDIVISION APPLICATION REVIEW TIMETABLE - EXAMPLE

Step	Statutory and/or County Deadline	Estimated Date		
Pre-Application				
Planner receives written request for Pre-Application meeting.		June 1, 2018		
Pre-Application meeting with planner is held.	Within 30 days of receipt of written request.	By June 30, 2018		
Subdivider sends out Early Notifications to Neighbors and Agencies.	After Pre-Application meeting and planner approval of packet	July 1, 2018		
Preliminary Plat				
Subdivider submits Subdivision Application + Fee to Planner.	No earlier than 31 days after Early Notifications are sent.	August 3, 2018		
Element Review Completed by Planner	5 working days of application submittal.	By August 10, 2018		
Sufficiency Review Completed by Planner	15 working days of Element Review OK.	By August 31, 2018		
Application Review "Clock" Begins.*	Upon Sufficiency Review OK.	August 31, 2018		
		Subdivision Type		
		"Major" (1-49 lots) "Subsequent Minor" (1-5 lots)	"Major" (50+ lots)	"First Minor" (1-5 lots)
Planning Board Meeting and Recommendation		(public hearing) September 28, 2018		September 28, 2018
City Council Review and Action		October 4, 2018		October 4, 2018
DECISION DEADLINE*	60, 80 or 35 working days	November 27, 2018	December 28, 2018	October 21, 2018

*Until the subdivision application is quite far along in the process, there is no assurance of a decision deadline date.

Chapter IV

DESIGN AND DEVELOPMENT STANDARDS

All subdivision applications will be reviewed based upon the provisions of this chapter. Subdivisions approved by the City Council shall comply with all applicable provisions, except where modifications are allowed in the review of planned unit developments (PUDs) and except where a proposed subdivision is granted a variance pursuant to Chapter V of these regulations. These standards will apply unless more stringent standards are subsequently adopted by City of Thompson Falls.

IV-A. GENERAL STANDARDS

1. Conformance to existing policies and regulations
 - a. All subdivision plats should be in substantial compliance with the City of Thompson Falls Growth Policy. Substantial compliance, in these regulations, means that a proposed subdivision is reasonably consistent with the guiding principles, goals and objectives, and development policies outlined in the Growth Policy. A proposed subdivision may deviate from one or more of the plan compliance elements and still be found in substantial compliance. Such deviations should be few in number and limited in scope and severity.
 - b. However, in accordance with 76-1-606, MCA, the City Council may not withhold, deny, or impose conditions on a proposed subdivision based solely on compliance with the City of Thompson Falls Growth Policy.
 - c. All subdivision plats shall comply with applicable laws, ordinances, and regulations. This includes but is not limited to:
 - (1) All applicable provisions of the Montana Code Annotated (MCA), as amended;
 - (2) The requirements of the Montana Department of Transportation, if the subdivision or any lot contained therein will access directly onto a State highway or connecting street;
 - (3) The regulations of the Montana Department of Environmental Quality;
 - (4) The City of Thompson Falls Ordinances which have been adopted for jurisdictional area of the City;
 - (5) The applicable standards for the design and installation of municipal drinking water and sewer service;

- (6) Any other applicable regulations of the City of Thompson Falls;
- (7) Applicable street design and construction standards for the City of Thompson Falls; and
- (8) Any other regulations applicable to the land proposed for subdivision, such as irrigation or fire department regulations.

In addition, subdivisions shall comply with the following fire codes:

- (1) For commercial, industrial and mixed use subdivisions, the design and development standards of the Uniform Fire Code adopted by the State of Montana; and
- d. All subdivision plats shall be reviewed against the seven (7) public interest criteria listed in 76-3-608(3), MCA.

2. Design by licensed professionals

As deemed necessary to protect the public health, safety, and welfare, the City Council may require engineering plans, specifications, and reports in connection the public improvements for a proposed subdivision to be prepared by a registered professional engineer in accordance with the Montana Subdivision and Platting Act and these regulations. The City Council may require the subdivider to engage the services of licensed professionals in order to design other subdivision elements.

3. Lands considered unsuitable for development

- a. Areas of natural or human-caused hazards
- Lands which are considered unsuitable for subdivision development include, but are not limited to, areas where one or more of the following hazards exists or potentially exists:
- (1) Flooding;
 - (2) Swelling soils;
 - (3) Steep slopes in excess of 25% grade;
 - (4) Subsidence or slumping;
 - (5) High water table;
 - (6) High voltage lines or high pressure gas lines;
 - (7) Air pollution or vehicular traffic hazards or congestion;

Pursuant to 76-3-504(1)(e), MCA, subdivision of any such lands is prohibited unless the hazard(s) can be eliminated or overcome by approved construction techniques.

b. Floodplain

- (1) Land located in the floodway of a flood of 100-year frequency as defined by Title 76, Chapter 5, MCA as delineated by the Montana Department of Natural Resources and Conservation, or land deemed subject to flooding as determined by the City Floodplain Administrator shall not be subdivided for building or residential purposes, or other uses that may increase or aggravate flood hazards to life, health, or property.
- (2) All subdivision proposals shall be submitted to the City Floodplain Administrator for review and all subdivision proposals shall comply with the City of Thompson Falls Flood Damage Prevention Regulations.
- (3) Land shall not be subdivided for building or residential purposes, or be subject to other uses that may increase or aggravate flood hazards to life, health, welfare, or property, if any of the following are in effect:
 - i. The land is located in the floodway of a 100-year frequency flood event or in the designated 100-year floodplain, as defined by Title 76, Chapter 5, MCA, and indicated on City-adopted 100-year floodplain/floodway maps.
 - ii. The land is deemed subject to flooding, as determined by the City Floodplain Administrator.
 - iii. The proposal is otherwise prohibited by state or local floodplain or floodway regulations.
- (4) No new structures shall be located in the 100-year floodplain.

c. Riparian areas

d. Areas which would unreasonably burden the general public due to:

- (1) An excessive expenditure of public funds;
- (2) Environmental degradation;
- (3) Adverse impact on resource production, management, or improvement; or

- (4) Some other threat to the health, safety, and welfare of existing or future residents.

4. Land use

Appropriateness of the proposed land use in relation to the City's Growth Policy and will be considered in the review of the subdivision application package. Different types of land use have different types of impacts.

5. Standards for lots (Refer to Section I-K, Definitions)

- a. No single lot shall be divided by the City boundary.
- b. No single lot shall be divided by a street, alley, or utility right-of-way or easement.
- c. No lot shall be surrounded by another single lot.
- d. Each lot shall have legal access. Alleys may not be used to provide the primary means of access to a lot.
- e. Each lot shall have physical access, according to the street design and development standards outlined in this Chapter.
- f. Lots shall have a width sufficient to allow normal construction without said construction encroaching on property lines.
- g. Corner lots. Corner lots should have driveway access to the same road as interior lots. Corner lots must be of sufficient area to provide acceptable visibility for traffic safety.
- h. Through lots. Through lots are prohibited except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography or orientation.
- i. Flag lots. Flag lots shall not be used to avoid road construction.

6. Standards for blocks

Blocks shall be designed to assure traffic safety and ease of traffic control and circulation, to accommodate the special needs of the use(s) contemplated, and to consider the opportunities and/or constraints presented by the topography and other natural features. Block length shall not exceed 800 feet.

7. Sidewalks and Bikeways

- a. Sidewalks. Sidewalks may be required in order to provide circulation or safe access to schools, playgrounds, shopping, transportation, and other community facilities.
- b. Where sidewalks are required, the subdivider shall make the appropriate arrangements with the United States Postal Service for the placement of mailbox sleeves. Mailboxes and/or sleeves shall not be placed in the sidewalk. The boxes shall be either consolidated at one location, or the sidewalk shall be placed a sufficient distance from the curb to create a boulevard for mailbox placement. Where sidewalks meet roadways, adequate sight distance shall be maintained to ensure safe pedestrian travel.
- c. Bikeways may be considered in the planning of a subdivision. Bikeways should be built to the minimum standards given in the American Association of State Highway & Transportation Officials (AASHTO) Guide for the Provision of Bicycle Facilities.

8. Streets, general standards

All roadway improvements shall meet the standards outlined below unless more stringent standards are subsequently adopted by the City of Thompson Falls.

a. Subdivision design.

The roadway system of a proposed subdivision shall be designed after giving due consideration to existing and other planned streets, topographical and other natural conditions, public convenience and safety, and the proposed land use(s) to be served.

b. Roadway improvements

- (1) Subdivision roadway improvements shall be required wherever the City Council determines that current access to lots within a proposed subdivision is inadequate. "Roadway improvements" refer to: subgrade preparation; placement of base course and surface material; construction of bridge and drainage systems; and, where required, construction of sidewalks, curbs and gutters.
- (2) As outlined in Chapter II, Section H.3. of these regulations, all required roadway improvements shall be completed prior to the filing of the final plat, or shall be guaranteed by the subdivider through an approved letter of credit or performance bond or other reasonable security equaling 125% of the anticipated costs of the improvements.
- (3) All roadway improvements for the subdivision are required to be designed by and constructed under the supervision of a registered professional engineer,

as-constructed drawings stamped by the engineer will be submitted to the City Council.

Upon completion of such roadway improvements, the registered professional engineer shall certify that said roadway improvements meet the standards herein. Such certification shall occur in accordance with the conditions of subdivision approval. In some instances, the engineer's certification will be required as a prerequisite to the filing of the final plat. Where the improvements are not required to be constructed and certified prior to the filing of the final plat, the engineer's certification will be a condition of the City Council's issuance of a Satisfaction of Improvements Guarantee. The City Council may choose to not issue a Satisfaction of Improvements Guarantee until a specific period of time has passed, so that the performance of the guaranteed improvement can be properly evaluated.

c. Street Right of Ways

Streets providing access to and through a proposed subdivision must be accessible to the public. Subdivision streets shall be designated as public rights of way and maintained by the City of Thompson Falls. Private "gated communities" are not permitted within the City.

d. Relation to adjacent areas

- (1) When a proposed subdivision will adjoin unsubdivided land and reasonable access thereto must pass through the new subdivision, streets and right-of-way may be required so as to allow suitable access to the unsubdivided land. In such cases, proposed streets shall be extended to the boundary lines of the tract to be subdivided. Said access should be negotiated between the affected landowners.

Where a prescriptive easement exists, it may be required to be shown on the final plat.

- (2) When a new subdivision will adjoin subdivided land, the arrangement of streets in the new subdivision may be required to provide for the continuation of streets from the adjacent subdivided properties, when such continuation is practical and necessary for the convenient movement of traffic, effective provision of emergency services, and efficient provision of utilities.

e. Separation of through and local traffic

Where a proposed subdivision abuts or contains an existing or proposed highway or major arterial/collector, the City Council may require frontage roads or other access controls, deep lots, screen plantings, or other such

measures to protect public safety, enhance the character of the subdivision, and ensure separation of through and local traffic. Local streets shall be laid out so their use by through traffic is discouraged.

f. Parallel rights-of-way

Where a subdivision borders on or contains a limited access State highway, canal, ditch, or stream right-of-way, the City Council may require construction of a street parallel to and on each side of such right-of-way, at a distance suitable to allow for the appropriate use of the intervening right-of-way. Such distance shall also be determined with due regard for the requirements of approach grades and future grade separation.

g. Dead-ends streets

Dead-end streets are not permitted unless they terminate in a cul-de-sac or, if the street serves less than five homes, a hammerhead or tee turnaround.

h. Half-streets

Half-streets are prohibited except where essential to the development of the subdivision and where the City Council is assured that it will be possible to require the dedication of the other half of the street when the adjoining property is subdivided. Wherever an existing half-street is adjacent to a tract to be subdivided, the other half of the street shall be platted within the tract.

i. Emergency (or secondary) access

To facilitate traffic, the provision of emergency services, and the placement of utility easements, an emergency access may be required of any subdivision if it is determined that a single street may be impaired by vehicle congestion, condition of terrain, climatic conditions, or other factors that could limit access or emergency egress.

j. Intersections. Intersection design shall conform to accepted traffic safety and engineering standards.

Intersections of local streets with major arterials or highways shall be kept to a minimum. Frontage roads may be required.

k. Streets names and addressing

(1) A new street aligning with an existing street shall have the same name as the existing road; and

- (2) A street addressing plan developed in accordance with the City of Thompson Falls applicable street numbering system and approved by the City of Thompson Falls is required prior to final plat approval. The plan must include: a route map showing the range of addresses for each street.

9. Roadway design, material, and drainage standards

- a. General. The design and improvement standards contained in this section shall apply to all construction and reconstruction of streets within subdivisions.
- b. Improvement Design. All street improvements shall be designed by and constructed under the supervision of a professional civil engineer. All improvements shall meet or exceed the right-of-way and construction standards for the type of street to be constructed found within these Regulations and adopted policies of the City Public Works Department as appropriate.
- c. Plans and Specifications. A complete set of professionally certified plans and specifications shall be provided to the Public Works Department prior to initiation of any street improvement construction. The subdivider shall provide professional engineering services for construction inspections and post-construction certifications. Record drawings shall be submitted to the Public Works Department upon completion of construction.
- d. Post Construction Certifications shall include, but not be limited to, the following:
 1. Compaction test results;
 2. Certification that all required improvements are complete;
 3. Certification that the subdivider knows of no defects from any cause in those improvements;
 4. Certification that these improvements are free and clear of any encumbrance or lien;
- e. Subdivision streets shall be designed and constructed meeting the standards identified in the current version of the Association of State Highway and Transportation Officials (AASHTO) published Policy on Geometric Design of Highways and Streets and in current version of the Montana Public Works Standard Specifications.

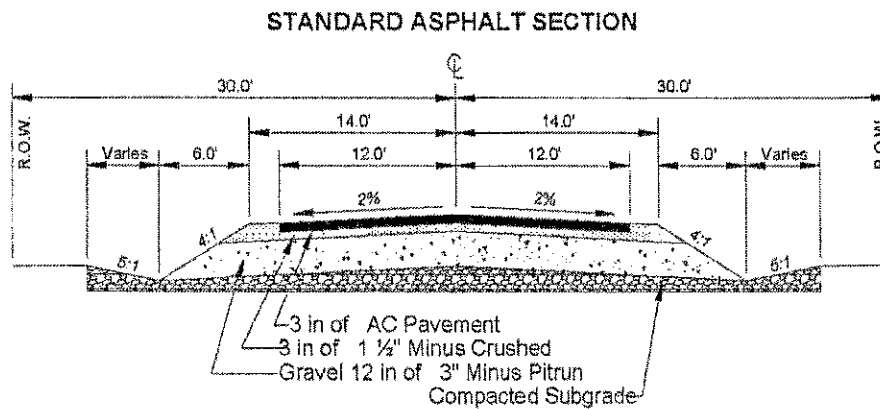
- (1) Street right of way and surface widths shall comply with the standards in in Table IV-1 below depending upon street classification:

Table IV-1: Street Type	Right-of-Way	Road Width	Lane Width	Parking Width	Turn lane width
Major Collector	80'	49'	24.5'	8'	---
Minor Collector	80'	34'	17'	8'	---
Local Access	80'	34'	17'	8'	---

f. Roadway material

All streets within or adjacent to the subdivision shall be surfaced with flexible pavement (asphalt). (See Figure 1 a below):

Figure 1: Standard Asphalt Section



g. Roadway drainage (See also Subsection IV-A.12. Grading and drainage)

(1) Roadway surface

The street surfaces shall be sloped with a crown of 2%.

(2) Curb and gutter

Curbs and gutters may be required by the City Council for stormwater drainage according to the character of the area, density of proposed development, and nature of adjoining properties.

(3) Drainage ditches and swales

If required, drainage ditches or swales along the sides of streets may be required in order to convey runoff produced by the roadway. Where required, drainage ditches shall have a minimum grade of 0.4%, and may have grades up to 8.0% where lined with established grasses or rip rap, or where velocity control devices are provided.

(4) Culverts

Culverts are required where streets cross any ditch or watercourse. They are also needed at intersections with other streets and at designed intervals underneath elevated portions of roadways to prevent ponding. It is preferable