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**Town of New Castle**  
450 W. Main Street  
PO Box 90  
New Castle, CO 81647

**Administration Department**  
**Phone:** (970) 984-2311  
**Fax:** (970) 984-2716  
[www.newcastlecolorado.org](http://www.newcastlecolorado.org)

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## Agenda

**New Castle Planning and Zoning Commission Workshop**  
**Wednesday, October 12, 2022, 7:00 PM**

**Due to concerns related to COVID-19, this meeting will be held as a virtual meeting only. The public is invited to attend.**

**[To join by computer, smart phone or tablet Click Here:](#)**

**If you prefer to telephone in:**

**Please call: 1-346-248-7799**

**Meeting ID: 709 658 8400**

**Follow the prompts as directed. Be sure to set your phone to mute until**

The P&Z Packet is available [HERE](#)

1. Discussion Regarding Conservation Options Available to the Region's Landowners.
2. Discussion Regarding Update of Zoning Map
3. Discussion Regarding Public Works Manual Update



Introduction to

# CONSERVING YOUR LAND

with Aspen Valley Land Trust



# Thank you for your interest in conserving your land. Your legacy. Forever.

Inside this guide learn more about:

- Why conserve your land?
- What do land trusts do?
- Steps to completing a conservation project
- Financial costs and benefits to consider
- Answers to frequently asked questions

# WHY CONSERVE?

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## Landowner benefits of conserving your land.

A conservation easement on your land guarantees your vision forever.



### Support Family Transitions

Permanent protection of your land leaves a legacy for your family, your children, your community, and the future. A conservation easement on your land today means that the generations of stewardship and care that have gone into your family's land will not be lost in the future. It may also be the key to assuring continued family ownership of your land, ensuring your family's legacy forever.



### Partnership and Support

We view conservation as a partnership with you, the landowner. When you conserve your land with AVL, we ensure the agreement we reach with you is honored forever. We also offer ongoing benefits such as access to land stewardship programs and resources, and assistance with technical land management issues. Your family's land is woven into the fabric of our heritage and community.



### Financial and Estate Benefits

Conserving your land may generate significant financial benefits for you and your family. You may use these incentives to plan for retirement, reduce tax burden, pay down debt, or reinvest in the land. Estate tax reductions may be realized as well, which can help keep land within your family for generations to come.



### Sustain Your Business

Working ranches and farms provide food for our community, put money into our local economy, and protect cherished viewsheds and wildlife habitat. Conserving your land could result in the financial benefits you need today to push your land-based business into a sustainable future.

## How your community benefits.

When you conserve your land, we all benefit.



### Clean and Abundant Water

Irrigation is essential to agricultural productivity, and helps sustain wetlands and wildlife. Conserving land along rivers and streams helps protect important habitat and safeguards our water quality. Conserving your land helps protect these important natural systems for wildlife and humans alike.



### Wildlife and Plant Habitat

Conservation easements can be a critical tool for preserving winter range for big game such as elk and mule deer, migratory routes for wildlife and birds, and native plant communities. Ranchlands are often the most productive, diverse, and least fragmented private lands and are key to the health and productivity of many wildlife populations.



### Recreation

Colorado is known for its beauty, wide open spaces, and unrivaled outdoor opportunities. While conserving your land does not mean you have to provide public access, you directly help protect the Colorado experience when you protect your land. Development near and around our special recreation destinations would greatly diminish our outdoor experiences, impact wildlife, and forever change our way of life.



### Health and Local Economy

Conservation supports land-based livelihoods and a high quality of life. Agricultural productivity, tourism, and recreation are important contributors to our local economy. By protecting our land, water, and recreational opportunities today, we ensure the prosperity of our community tomorrow. Recent studies have shown that for every \$1 invested in conservation easements in Colorado, we realize up to \$12 in environmental benefits including clean air and water, protected habitat, carbon sequestration, and soil health.

# WHAT DO LAND TRUSTS DO?

Land trusts across the nation are working with landowners to conserve properties with important agricultural or natural values. Conservation easements are a tool land trusts use to protect land while allowing for its continued private ownership and management.

## What is a conservation easement?

A conservation easement is a voluntary legal agreement between a landowner and land trust that protects certain conservation purposes while still allowing for private ownership and use of the land.

## So, how does it work?

Once you've talked with your family and decided you'd like to explore your conservation options to keep your land intact and undeveloped, we will meet with you to discuss your specific goals and the conservation needs of your property. If a conservation easement is a good fit, we will help you through the steps to complete your conservation goals. We recommend you consult with your financial and legal advisors along the way.

## What stays the same?

- Conserved property remains under your ownership, management, and control just as before.
- You can sell or mortgage your land at any time, though the conservation easement runs with the land and stays in place, forever.
- Public access is not required.
- Hunting is permitted within state guidelines.
- Farming, ranching, and home-based businesses are encouraged to continue.
- Buildings may be permitted within designated areas on the property.
- Conservation easements do not grant the government any rights to your land or how it is managed.

## What changes?

- AVLT will hold the conservation easement and monitor the land annually to uphold the terms of the agreement. Even if the land changes hands, we will defend the easement and ensure the land is protected, forever.
- Water rights historically used on the property will be tied to the land to protect its conservation purposes.
- Development of homes and other structures is limited to protect the land's conservation priorities.
- Subdivision may be limited to ensure your land is kept healthy and intact.
- Surface mining, such as gravel pits or strip mines, is not permitted, though some subsurface oil and gas development may be permitted within limits.
- Commercial feed lots and industrial operations that impact the land are not allowed.



# Conserving Our Valleys

AVLT works in the Roaring Fork and Colorado River valleys. Private lands are a critical piece to the region's conservation quilt.



COLORADO

COLORADO  
UTAH



**LEGEND**

- AVLT Protected Land
- BLM Land
- USFS Land
- Rivers / Creeks
- Roads
- AVLT Service Area

# HOW DO YOU CONSERVE YOUR LAND?

## Seven Steps to Conserving Your Land

### 1. Discuss your options with your family and AVLT

We provide tools that landowners use to ensure their open and productive lands remain open and productive in the future through restricting development. We suggest that your family discuss what you'd like your land to look like in 10, 20, 50 years, and together we can create a plan that protects your land's resources while helping meet your family's goals. We respect that this is a personal and important decision for you and your family. Once we understand the vision and goals you have for your property, we can explore the options available to you. The commitment to save land requires partnership, thoughtfulness, and planning. Your commitment to the land is the first step. These conversations are confidential to allow you time to consider whether conservation is right for you, at your own pace, and in your own timeframe.

### 2. Site visit, review, and project initiation

AVLT staff will join you on your property to learn about your land and specific conservation goals. Our Board of Directors will review the project and, if conservation is a good fit, we will send you an engagement letter to get things rolling.

### 3. Paperwork (Let us do the heavy lifting).

AVLT will walk you through the entire process of conserving your land. We cannot represent you, but we can help you assemble a team of professionals to guide you through the details:

- Appraisal
- Baseline report
- Mineral report
- Environmental report
- Legal review
- Title work
- Mortgage subordination (if needed)

### 4. Create a conservation agreement for your land

Each property and each project is different. Together, we will draft a customized agreement to address your specific conservation goals.

### 5. Sign, seal, deliver!

This is the exciting day! We will meet to sign and submit the deed of conservation easement to the county for recording. At this point, the agreement becomes a part of the title to your land forever. You did it!

### 6. Apply for tax benefits, if eligible

Your easement may be able to provide tax benefits including a Colorado tax credit (that can be sold for cash) and a federal tax deduction. AVLT can help you submit your Colorado tax credit application. You will want to consult with your accountant or tax advisor to help you understand and claim any tax benefits that may be available to you.

### 7. Stewarding your land and staying in touch

You are now a trusted and important conservation partner. Your role as a caretaker and steward of the land continues, and we are here to serve as a helpful resource. We will touch base with you and visit your land each year. We look forward to these annual visits but please know that we are available at any time to help answer questions or address concerns pertaining to your land or conservation easement.

# Financial Costs and Benefits

Your Land's Value Today:



Your Land's Value After It Is Conserved:



Your Land's Conservation Easement Value: (CE value)



State Tax Credit

Federal Tax Deduction

Colorado State Tax Credit = CE value x 90% (maximum \$5 million)

Federal Tax Deduction = CE value – state tax credits claimed

This may be sold, transferred, or used over 20 years.

This is non transferrable and can be used over 16 years.

**Federal Tax Deduction** - The federal conservation easement (CE) tax incentive allows taxpayers to claim an income tax deduction for the charitable donation value of qualifying conservation easements. An income tax deduction reduces the amount of income that is taxed. The federal CE tax incentive allows you to deduct the full value of your qualified CE donation, minus the amount of state tax credits claimed. You can deduct up to 50% of your Adjusted Gross Income per year for up to 16 years, including the year of donation, until your full donation value (less the amount of state tax credits claimed) is used. Qualified farmers and ranchers can deduct up to 100% of their income per year over the same period.

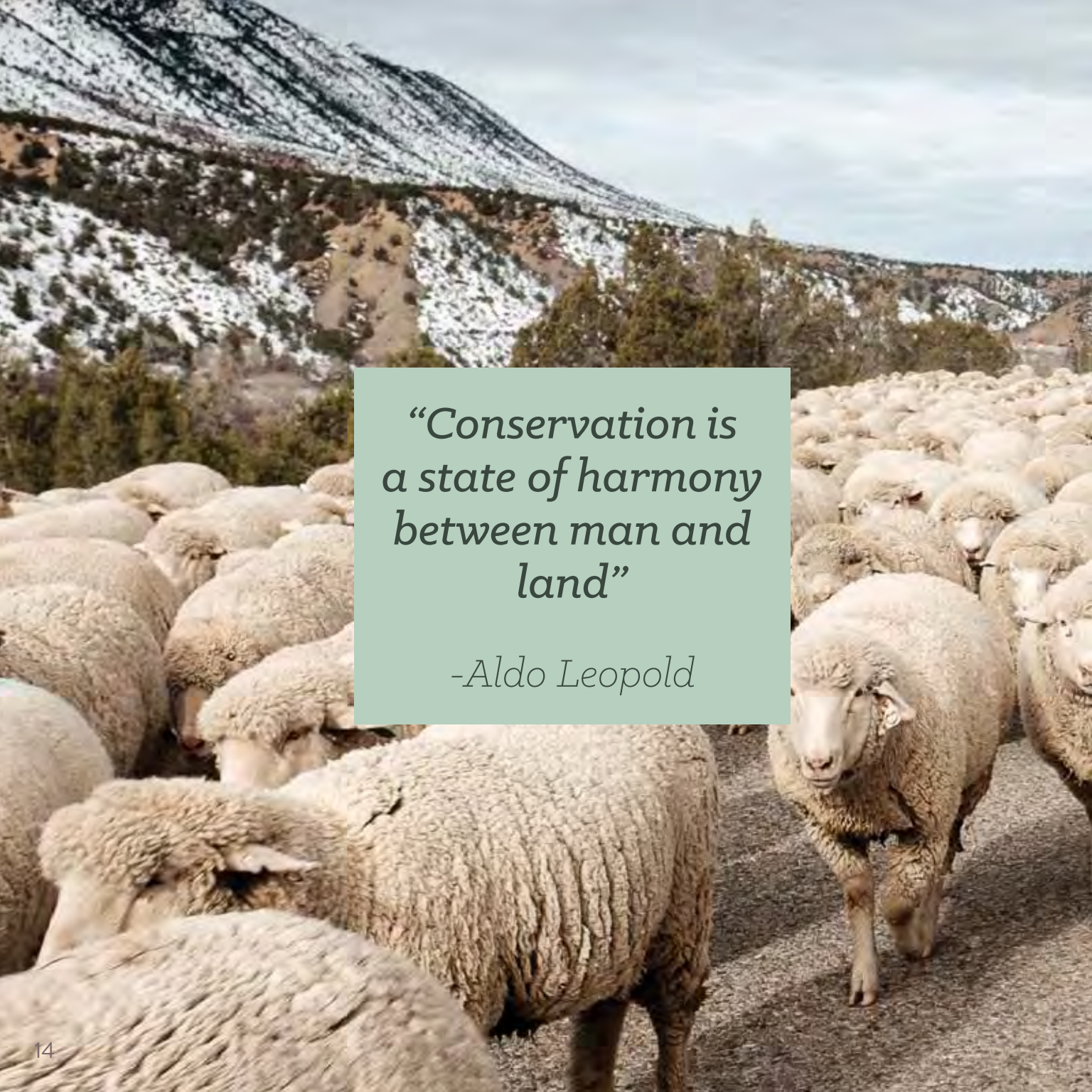
**State Tax Credits** - The State of Colorado leads the nation in providing a transferable income tax credit for donated conservation easements. Qualifying donations may earn a state conservation easement tax credit worth 90% of the donated value up to a maximum tax credit of \$5 million. Tax credits may be used against the donor's state tax liability over 20 years, transferred to another Colorado taxpayer, or sold for cash. Rates vary but landowners can generally expect to sell a credit for 85% of its value. Please note that the sale of Colorado conservation credits creates taxable income and credits are only transferable once.

Please note that this information is provided as a general description of tax incentives available for qualified conservation easement donations. If you are interested in pursuing a conservation easement or purchasing Colorado tax credits, please seek professional tax and legal advice.

**Estate Tax Planning** - A conservation easement may make it more feasible to pass land along to your heirs by lowering its value for estate purposes. In addition, land protected by a qualified conservation easement may be eligible for an estate tax exclusion up to a maximum amount based on current tax law.

**Property Tax Benefits** - Your property taxes may be reduced or fixed at an agricultural tax rate as a result of granting a conservation easement. Please check with your attorney or county assessor for details.

**Costs** - Please note that the process of granting a conservation easement involves substantial costs. You can expect your project to cost \$75,000-\$85,000, including the appraisal, baseline report, mineral report, title policy, stewardship donation to AVLTL, and your state tax credit application fee. We recognize this is A LOT of money and those costs may be offset with tax benefits. Aspen Valley Land Trust is a nonprofit organization; we do not profit from conserving your land. Please inquire with us if you need cost assistance and we can explore loan and grant options available to you.



*“Conservation is  
a state of harmony  
between man and  
land”*

*-Aldo Leopold*

# FREQUENTLY ASKED QUESTIONS

## Who is Aspen Valley Land Trust?

Aspen Valley Land Trust is the only local nonprofit, non-political organization dedicated to conserving land forever in the Roaring Fork and middle Colorado River valleys. As a trusted, community-supported organization, we have had the honor of working with landowners to protect over 67 square miles of important open land since 1967. Land conservation is a partnership between you and us. We are honored to talk with you about your vision for your property and the conservation options that might be available to you.

## What is a “conservation easement”?

A conservation easement is a voluntary legal agreement between a landowner and a land trust or qualified government agency that permanently limits certain high-impact uses and development, while allowing for uses consistent with your conservation goals, such as farming and ranching. Land placed under a conservation easement is still managed and owned by you; you can continue working your land. A conservation easement with AVLTL does not grant public access nor any authority to any government agency. It is recorded in the county records and becomes a permanent part of the title to the land, acknowledged by all future owners of the land. It is an important planning tool for the future.

## Will my land be protected forever?

Yes. You and AVLTL will create a formal agreement, called a conservation easement, which assures that the place you love will be protected. Forever. The promise of forever makes this process especially meaningful – a legacy for future generations.

## Will I still own my land after a conservation easement?

Yep. The land is still yours and you are free to sell it, transfer it, or mortgage it, with the knowledge that the conservation easement will protect it in perpetuity.

## What is the purpose of a conservation easement?

Land conservation is meant to keep treasured places open and natural and to protect our region’s land, water, wildlife, and culture. The use of conserved land may change over time, but will remain undeveloped. Maintaining space for farming, ranching, scenic corridors, wildlife habitat, and places for kids to play... are all benefits of land being left as just that, land. Once it’s gone, it’s gone.

## Are there certain criteria for my land to be considered for conservation?

Every property is unique and, while there are no minimum acreage requirements for considering a project, AVLTL has adopted certain criteria for selecting conservation projects. If you’d like to determine if your property is eligible for a conservation easement with AVLTL, we’d love to hear from you. There is no risk or cost to inquiring.

## How does a land trust ensure my land remains undeveloped?

AVLTL is obligated to visit your conserved land annually, ensuring the terms of the agreement are upheld – even after you no longer own the land. We maintain a stewardship fund to help pay for monitoring and defense of your easement, far into the future.

# FREQUENTLY ASKED QUESTIONS

## What are the financial benefits of a conservation easement?

Conservation easements allow you to conserve your land for future generations, while maintaining private ownership and use of your property. Conserving your land may qualify you for a variety of financial benefits. These benefits are established at the federal, state, and local level in order to encourage landowners to conserve their land, including:

- Federal charitable income tax deduction
- Transferrable Colorado state income tax credits
- Reduced estate tax burden for your family members
- Potential to maintain agriculture tax classification or reduced property taxes

In certain cases, grant funding may be available to reduce the project's costs.

## Why is it called 'donating' a conservation easement?

Your commitment to keep your land undeveloped is seen by federal and state governments as a charitable gift in the interest of the public. What you are 'donating' are the rights to develop, divide, and use your land in certain ways. In some cases conservation easement are bought using grant funding, eliminating the tax benefits.

## Does a conservation easement give the public access to my land?

Nope, unless you specifically want that to happen.

## How long does it take to complete a conservation easement?

There is no set timeline, but the process of conserving your land usually takes about a year. This allows you and your family to be thoughtful and deliberate in your decisions. Appraisals and the required reports all take time to complete, and some landowners need extra time to mull things over, but one year is an average timeframe from start to closing.

## Does any generation have the right to tie the hands of future generations through conservation easements?

Every generation ties the hands of succeeding generations; if we build houses over a hayfield, that is what the next generation gets. The key for every generation is to try to make intelligent and well-planned choices about BOTH conservation and development. If we don't conserve land today, we may not have an option to conserve it in the future. Population growth and housing pressure will make that decision for us.

## I want to buy a piece of property that has a conservation easement on it. What do I need to know?

Each conservation easement is unique to that particular property. If the property you are interested in has a conservation easement on it held by Aspen Valley Land Trust, we'd be happy to discuss the terms of the easement with you so you can make an informed decision.

## Our region faces a housing crisis. What about leaving some space for affordable housing?

AVLT is not anti-development. We fully support comprehensive planning efforts and work hand-in-hand with local municipalities to ensure we save space for growing communities as well as wildlife and ranching. Our goal is to conserve recreational opportunities, family farms and ranches, and critical wildlife habitat between our communities, which helps to protect the character, health, and vitality of our communities.

## I've heard about some people in Colorado being audited for their conservation easement donations in the past. What's up with that and do I need to worry?

The risk of audit by the State of Colorado as a result of donating a conservation easement has been drastically reduced in the last several years by creation of a conservation easement oversight program administered by the Colorado Division of Conservation. Since 2014, land trusts accepting conservation easements for which tax credits are claimed must be certified by the State of Colorado, and all conservation easement transactions claiming a tax credit must be reviewed and certified. Once a tax credit certificate is issued by the State, the Department of Revenue may not audit a transaction based on issues of conservation purpose or valuation. (This certification only relates to Colorado and does not impact the actions of the IRS. Conservation easements may increase your risk of federal audit.)

## Can a conservation easement ever be amended, terminated, or condemned?

Conservation easements are permanent encumbrances that cannot be revoked or terminated, except by a court order. Amendments to conservation agreements may be made in rare cases to further the purposes of the agreement (such as to add additional acreage or increase protections) or to correct or clarify details within the agreement. Condemnation by a government agency or utility company cannot be prevented though we will help you to negotiate for the best possible outcome that minimizes conservation impacts and loss.

## How does the Colorado tax credit work?

As a benefit for protecting the state's future health and natural resources, Colorado taxpayers may be eligible for transferable income tax credits for the donation of a qualified conservation easement. Your tax credit is based on a qualified appraisal. Financially, you're eligible to receive 90% of the appraised conservation easement value up to a maximum credit amount of \$5,000,000. Conservation tax credits may be sold at a discount for cash. AVLT can help with this process. See the "Financial Costs and Benefits" page for details.

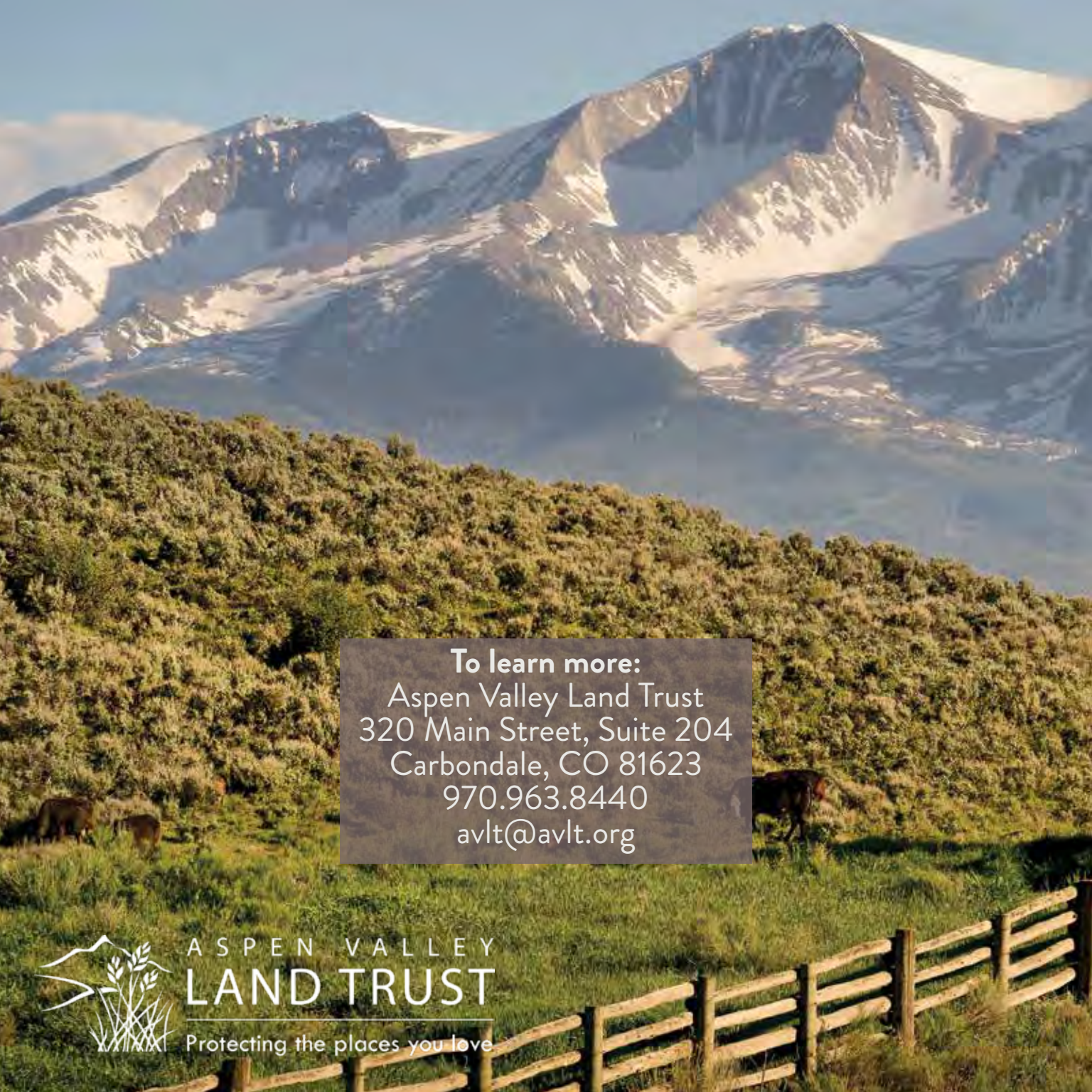
## How can my water rights be protected?

Your conservation agreement can permanently tie all or part of your property's water rights to the land. This eliminates the threat of your water ever being sold for purposes that don't support the agriculture or wildlife of your region.

[Have more Questions?](#)

Contact us at [AVLT@AVLT.org](mailto:AVLT@AVLT.org) or (970) 963-8440





**To learn more:**  
Aspen Valley Land Trust  
320 Main Street, Suite 204  
Carbondale, CO 81623  
970.963.8440  
[avlt@avlt.org](mailto:avlt@avlt.org)



ASPEN VALLEY  
**LAND TRUST**

Protecting the places you love



# ASPEN VALLEY LAND TRUST

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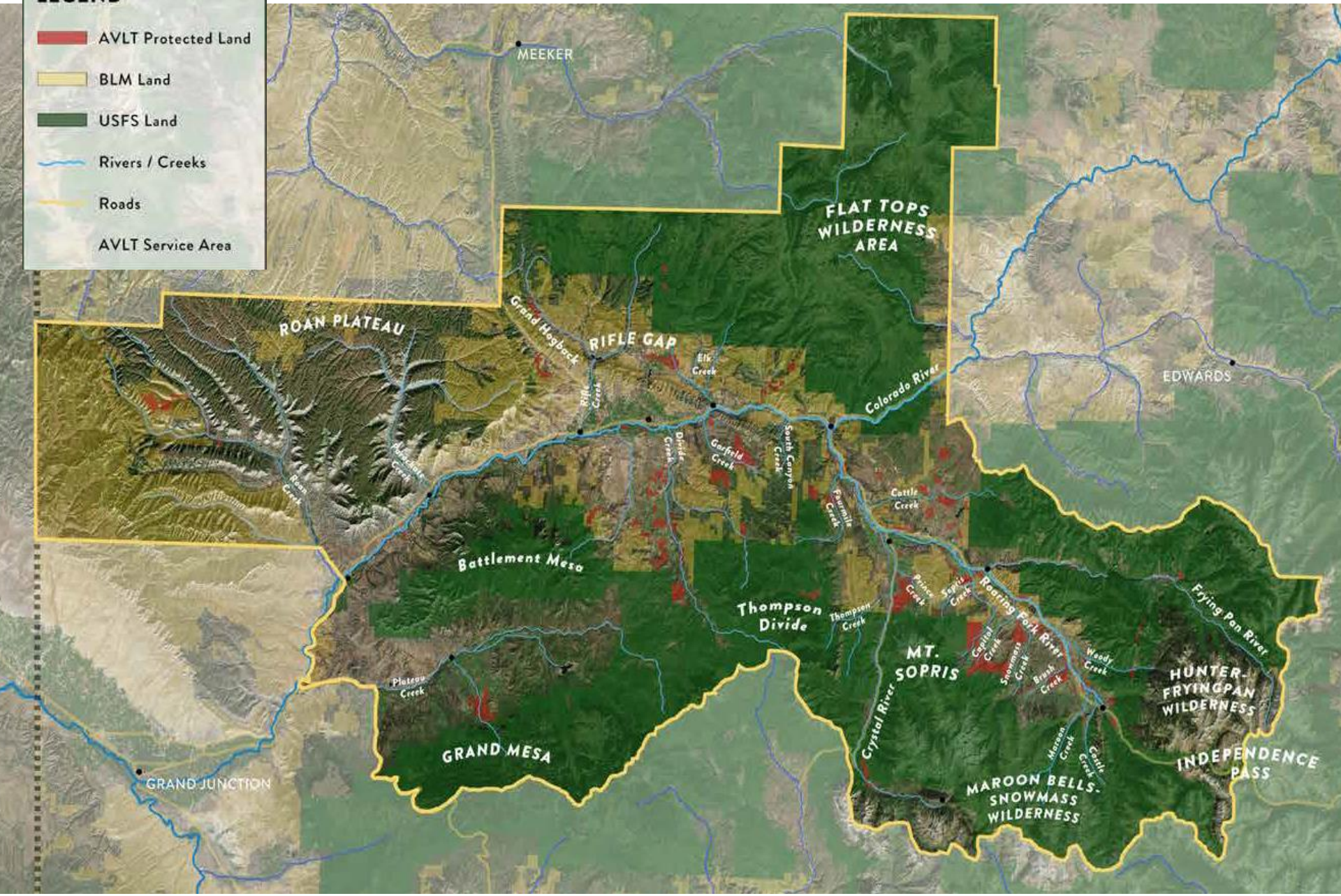
Protecting the places you love



Fazzi Ranch, Divide Creek

# LEGEND

- AVLT Protected Land
- BLM Land
- USFS Land
- Rivers / Creeks
- Roads
- AVLT Service Area



# WHAT DO LAND TRUSTS DO?

Land trusts across the nation are working with landowners to conserve properties with important agricultural or natural values. Conservation easements are a tool land trusts use to protect land while allowing for its continued private ownership and management.

Independence Townsite

# What is a conservation easement?

A conservation easement is a voluntary legal agreement between a landowner and land trust that protects certain conservation purposes while still allowing for private ownership and use of the land.

- Voluntary agreement between the landowner and AVI
- Allows working lands while limiting future development
- Protects the land's conservation values .
- Forever. Runs with the title of the land, not the landowner

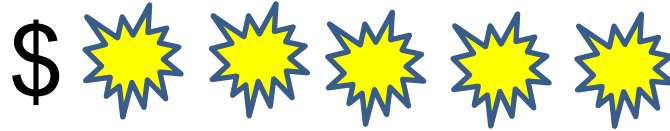
Tall Pines, Roan Plateau

**What changes with a conservation easement?**

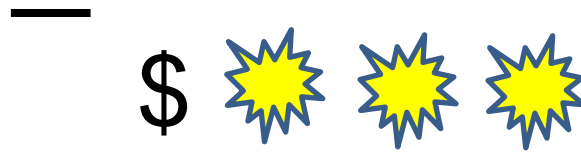


# Financial Costs and Benefits

Your Land's  
Value Today:



Your Land's  
Value After It Is  
Conserved:



Your Land's  
Conservation  
Easement Value:  
(CE value)



**Colorado State Tax Credit**  
= CE value x 90%  
(maximum \$5 million)

This may be sold, transferred, or used over 20 years.

**Federal Tax Deduction**  
= CE value – state tax credits claimed  
This is non transferrable and can be used over 16 years.

# Economic Sustainability

## ROI: COLORADO CONSERVATION

What is the public return on public investments?

**\$1 INVESTED = \$4+ BENEFIT**

A July 2017 study from Colorado State University found that conservation efforts in Colorado target ecologically and agriculturally important areas and provide a significant economic stimulus -- at least \$4 and as much as \$12 for every \$1 invested -- to the state, and tangible benefits to its residents.

These findings suggest past and current land conservation efforts are sound economic investments benefiting current and future Colorado residents.



Because conservation easements are binding now and into the future, these benefits are expected to continue to accrue and increase over time on a per-acre basis -- especially as Colorado's population continues to increase and its supply of open lands decreases.

# Regional and Statewide Conservation Planning



Working lands,  
wildlands, &  
wonderlands

Over 44,000  
acres protected



Grass Valley, New Castle

Get OUTSIDE!

33 miles of trail

Sky Mountain Park, Snowmass

# Rivers & streams

An aerial photograph showing a wide river on the left and a narrower stream on the right, both flowing through a landscape of green and brown vegetation. The river has a sandy or rocky bed visible in some areas. The stream flows through a more densely wooded area. The overall scene is a natural, protected area.

Over 90 miles of  
river and stream  
corridor protected

Silt River Preserve, Silt

# Iconic working landscapes



Flying Dog Ranch, Carbondale

# Wild faces

48% of AVLT conserved lands protect critical deer and elk habitat



Lazy V Quarter Circle Ranch, Glenwood Springs

# Life-giving water

7,000+ irrigated acres  
protected for...



Fazzi Ranch, Divide Creek

# Local food production

A close-up photograph of a person's hands harvesting leafy green vegetables from a wooden raised garden bed. The person is wearing a light blue, long-sleeved, button-down shirt and tan pants. The garden bed is filled with various types of leafy greens, including what appears to be kale and other leafy salad greens. The scene is brightly lit, suggesting a sunny day. The background shows more of the garden bed and some other plants.

Cozy Point Ranch

# Hard-earned heritage



Thompson Divide, Carbondale

# Unique learning experiences



Chapin Wright Marble Basecamp, Marble

# Public spaces

Nine public properties

Coffman Ranch, Carbondale





North Star Nature Preserve, Aspen



Red Hill, Carbondale

**Permanence is important**

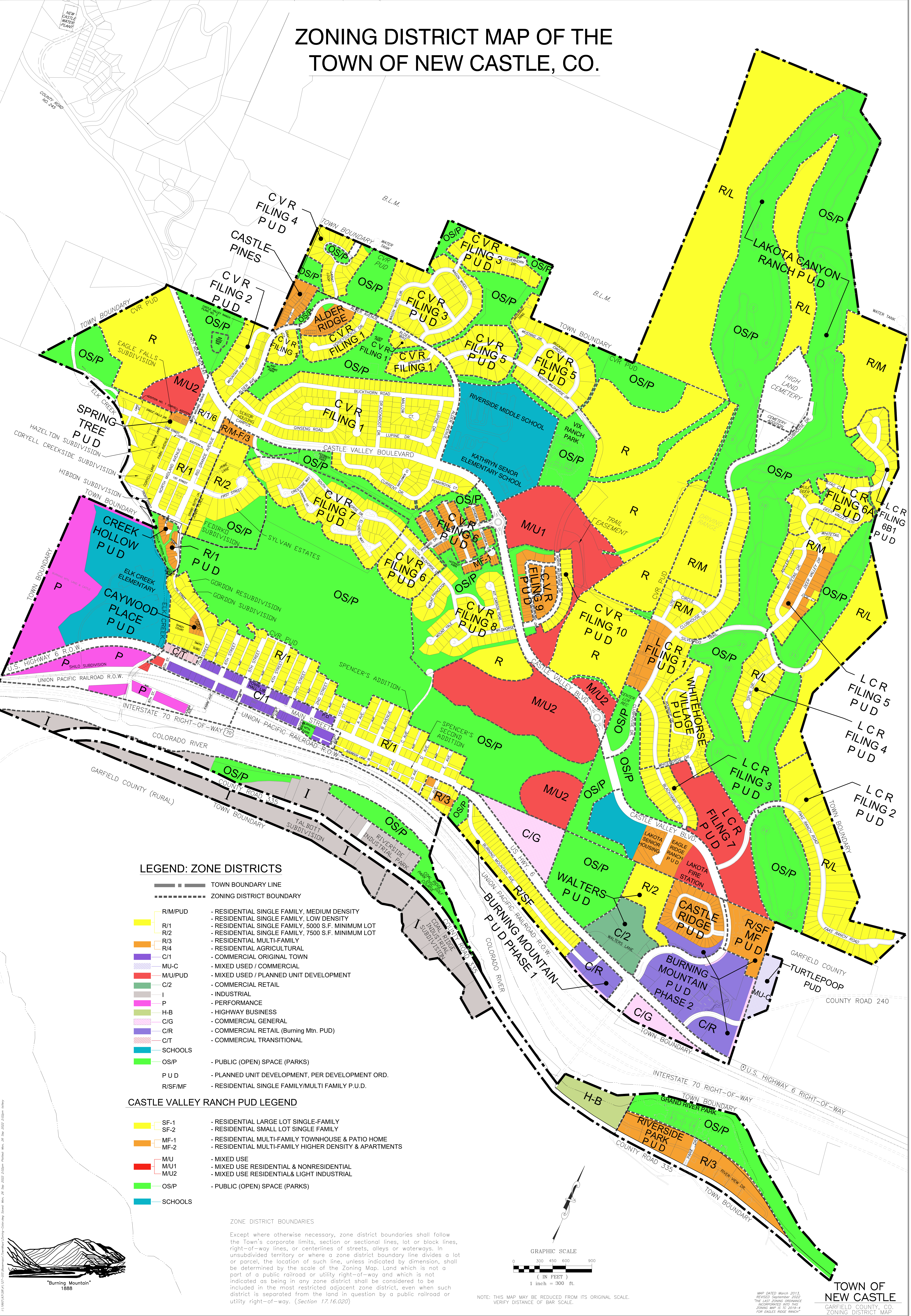


A scenic landscape of rolling green hills under a blue sky. In the foreground, there are yellow wildflowers and green foliage. The text "Ask us anything" is overlaid in the center.

Ask us anything

Taucher Place, Carbondale

# ZONING DISTRICT MAP OF THE TOWN OF NEW CASTLE, CO.



## LEGEND: ZONE DISTRICTS

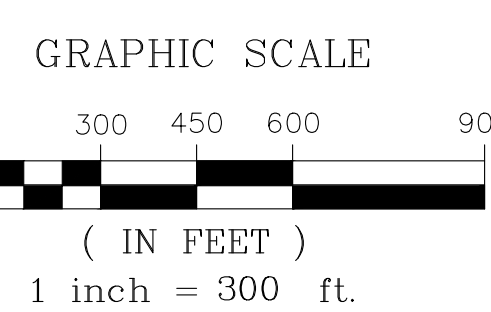
- TOWN BOUNDARY LINE
- ZONING DISTRICT BOUNDARY
- R/M/PUD - RESIDENTIAL SINGLE FAMILY, MEDIUM DENSITY
- R/1 - RESIDENTIAL SINGLE FAMILY, LOW DENSITY
- R/2 - RESIDENTIAL SINGLE FAMILY, 5000 S.F. MINIMUM LOT
- R/3 - RESIDENTIAL SINGLE FAMILY, 7500 S.F. MINIMUM LOT
- R/4 - RESIDENTIAL AGRICULTURAL
- C/1 - COMMERCIAL ORIGINAL TOWN
- MU-C - MIXED USED / COMMERCIAL
- M/U/PUD - MIXED USED / PLANNED UNIT DEVELOPMENT
- C/2 - COMMERCIAL RETAIL
- I - INDUSTRIAL
- P - PERFORMANCE
- H-B - HIGHWAY BUSINESS
- C/G - COMMERCIAL GENERAL
- C/R - COMMERCIAL RETAIL (Burning Mtn. PUD)
- C/T - COMMERCIAL TRANSITIONAL
- SCHOOLS - SCHOOLS
- OS/P - PUBLIC (OPEN) SPACE (PARKS)
- PUD - PLANNED UNIT DEVELOPMENT, PER DEVELOPMENT ORD.
- R/SF/MF - RESIDENTIAL SINGLE FAMILY/MULTI FAMILY P.U.D.

## CASTLE VALLEY RANCH PUD LEGEND

- SF-1 - RESIDENTIAL LARGE LOT SINGLE-FAMILY
- SF-2 - RESIDENTIAL SMALL LOT SINGLE FAMILY
- MF-1 - RESIDENTIAL MULTI-FAMILY TOWNHOUSE & PATIO HOME
- MF-2 - RESIDENTIAL MULTI-FAMILY HIGHER DENSITY & APARTMENTS
- M/U - MIXED USE
- M/U1 - MIXED USE RESIDENTIAL & NONRESIDENTIAL
- M/U2 - MIXED USE RESIDENTIAL & LIGHT INDUSTRIAL
- OS/P - PUBLIC (OPEN) SPACE (PARKS)
- SCHOOLS - SCHOOLS

## ZONE DISTRICT BOUNDARIES

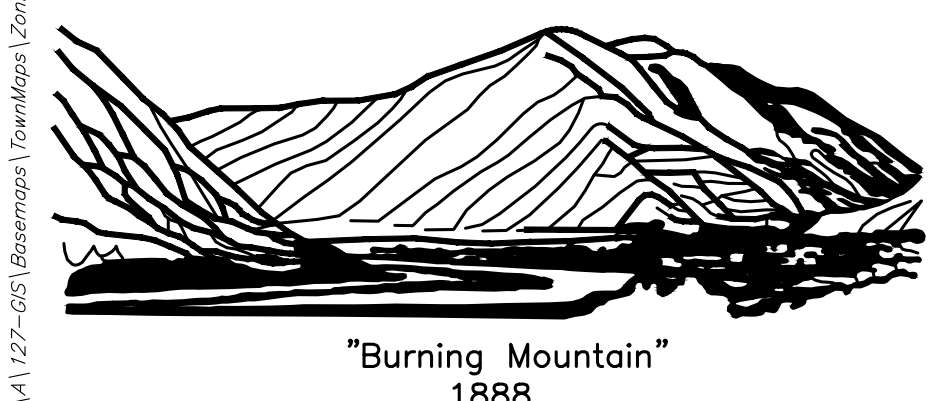
Except where otherwise necessary, zone district boundaries shall follow the Town's corporate limits, section or sectional lines, lot or block lines, right-of-way lines, or centerlines of streets, alleys or waterways. In unsubdivided territory or where a zone district boundary line divides a lot or parcel, the location of such line, unless indicated by dimension, shall be determined by the scale of the Zoning Map. Land which is not a part of a public railroad or utility right-of-way and which is not indicated as being in any zone district shall be considered to be included in the most restricted adjacent zone district, even when such district is separated from the land in question by a public railroad or utility right-of-way. (Section 17.16.020)



NOTE: THIS MAP MAY BE REDUCED FROM ITS ORIGINAL SCALE. VERIFY DISTANCE OF BAR SCALE.

MAP DATED March 2013, REVISED September 2022. THE LAST ZONING ORDINANCE INCORPORATED INTO THIS ZONING MAP IS IC 2019-4 FOR EAGLES RIDGE RANCH.

TOWN OF NEW CASTLE, CO. ZONING DISTRICT MAP



**\*\*\*Note: Sections 16.28.050-16.28.150 should be stricken from the code concurrently with approval of the following standards.**

### **Street Design Standards.**

Pursuant to section 16-04-020 of the municipal code, a “street” means a *right-of-way* reserved or dedicated for public use that provides principal vehicular and pedestrian access to adjacent properties. All newly constructed public streets shall be subject to the following standards and regulations. Exemptions to these standards shall be subject to the provisions of Title 16 of the municipal code.

- A. The street pattern shall conform to the most recently adopted transportation plan or comprehensive plan and shall afford safe and convenient access to all lots within the subdivision.
- B. Streets shall intersect with planned or existing streets as follows:
  - 1. Intersections of streets shall be at right angles unless otherwise approved by the Planning Commission and the Town Engineer.
  - 2. No more than two streets shall intersect at one point.
  - 3. Two local streets meeting a third street from opposite sides shall meet at the same point, or their centerlines shall be offset at least one hundred feet (100').
  - 4. Arterial or collector streets meeting a third street from opposite sides shall meet at the same point, or their centerlines shall be offset at least two hundred feet (200').
  - 5. The Town Engineer may approve exceptions to the provisions of this subsection in extraordinary circumstances where safety is not compromised.
- C. Streets shall have the names of existing streets which are aligned in the Town, or as specified by the Town of New Castle Public Works Manual and approved by Garfield County Communications.
- D. Streets which are extensions of existing or platted streets shall bear the same classification as that assigned to the existing or platted street in the most recently adopted transportation or comprehensive plan and shall conform to any special standards pertaining to such classifications.
- E. Local residential streets shall be laid out to discourage through traffic, and where a proposed subdivision borders on or includes a street designated arterial, intersections of proposed streets with such arterials shall be held to a minimum. Lots bordering arterial roadways may be either reverse-facing on an interior street within the subdivision or served by a frontage road.

- F. Streets shall be designed to bear a logical relationship to the existing topography.
- G. Dead-end streets shall not be permitted. A street may end in a permanent cul-de-sac providing that the street is not longer than six hundred sixty feet (660') and that the radius of the turning areas be at least forty-five feet (45') to the curb, and fifty feet (50') to the edge of the right-of-way.

Where a street is designed to connect with a future street, a temporary turn-around shall be provided with a radius equal to that required for a permanent cul-de-sac or of an alternate design approved by the Town Engineer based on the traffic movement generated by the street in question. Such streets terminating in a temporary turn around may exceed the six hundred sixty foot (660') limit specified above if approval by the Town Engineer. If the temporary turn-around is to exist for a period longer than six (6) months, then the subdivider shall pave it and construct a curb and gutter and sidewalks if so directed by the Town Engineer. When the connection is finally made, the subdivider shall be responsible for constructing the turn-around area to fit the normal street design, and the Town shall reassign the excess right-of-way back to the owners of the adjacent property. Surface drainage on the cul-de-sac shall be towards the intersecting street or else a drainage easement shall be provided from the cul-de-sac.

- H Private streets shall not be permitted without prior approval by Town Council. A "private street" means an undedicated, privately controlled, and privately maintained right-of-way. All newly constructed streets shall meet the Town of New Castle streets design standards.
- I. All newly constructed streets shall comply with the *"Recommended Right-of-Way Cross-Sections"*, (Appendix A) which may be adopted and amended from time to time by resolution of the Town Council. Streets, alleys, rights-of-way, sidewalks and easements shall comply with all federal and state specifications, and, in addition, shall meet the following minimum width standards:
  - 1. "Arterial street" means a street, existing or proposed, which serves or is intended to serve as a major traffic way and is designated as a major street on the comprehensive plan. Arterial streets shall have a minimum right-of-way of one hundred feet (100'). The minimum paved portion of the street measured from flow line to flow line shall be sixty-four feet (64'). Current arterial streets include: Midland Avenue, 7<sup>th</sup> Street, and Castle Valley Boulevard
  - 2. "Collector street" means those with low to medium traffic volume, whose purpose is to provide access to residential areas and to channel traffic from residential areas to arterial streets. Widths of new collector streets will vary depending on selected use. See *"Recommended Right of Way Cross Sections"* for detailed information (Appendix A). Current collector streets in New Castle include: N. Wild Horse Dr., S. Wild Horse Dr., Silverado Trl., Clubhouse Dr., and Faas Ranch Rd.

3. “Local residential street” means streets with low volume, low speed traffic that are intended to provide access to adjacent residential lots. Local residential streets shall have a minimum right-of-way of fifty-eight feet (58), with a minimum paved portion of thirty-six feet (36'), measured flow line to flow line. Pinch points for traffic calming and pedestrian crossing will be considered.
4. Alleys (where permitted), twenty feet (20');
5. Crosswalk easements, ten feet (10');
6. Drainage easements, ten feet (10'), or larger if so required by the Town Engineer;
7. Half-streets shall not be permitted, except when required to complete a half-street already in existence;
8. Minimum street gradient for all streets shall be four-tenths of one percent (0.4%). Maximum street gradient shall be eight percent (8%). Streets shall not exceed a gradient of four percent (4%) within one hundred feet (100') of an intersection. Vertical curves shall be used at changes of grade exceeding one percent (1%) and shall be designed to provide a minimum sight distance of two hundred feet (200') except for arterial streets which shall be subject to state and federal standards. To insure adequate sight distance, when street roadway lines deflect more than five degrees, connection shall be made by horizontal curves. Special exceptions to the requirements of this subparagraph may be granted by the Planning Commission and the Town Council;
9. Where a street classified as arterial intersects with any other arterial street, no on-street parking shall be allowed on the arterial street within one hundred feet of the intersection. If the arterial street consists over its general length of only two traffic lanes, then a third lane shall be provided and stripes painted to the specifications of the Town Engineer to enable vehicles to make left turns at such intersections without impeding other traffic;
10. All utilities shall be installed before streets or alleys are surfaced.
11. Subdivision as-builts shall show dedicated rights-of-way;
12. All sewer and water utilities shall clearly show:
  - a. Invert in, invert out, and rim elevation on all manholes;
  - b. Locate all valves, manholes, fire hydrants and/or other utilities with at least two (2) ties from discernible objects;
  - c. Distance and slope between manholes to be noted as offsets to mains from curbs or property lines;

- d. Dimension existing and/or added water and sewer taps from lot corners or readily discernible objects. Sewer taps shall have additional dimensions from the tap to the downstream manhole;
- e. All dimensions to be from fixed permanent or readily discernible objects. Where water and sewer taps are located from lot lines, front footage will be noted from fixed and permanent point of origin;
- f. Depth of the lateral or service line shall be noted at the property line.

### **Alleys and Easements.**

Paved alleys may be provided and shall be required unless other provisions are made and approved for service access. Easements for utility purposes shall be required along all sides and real lot lines except those bordering dedicated streets and alleys.

### **Drainage.**

Drainage easements and improvements shall be designed by a registered engineer to accommodate expected run-off as determined by the drainage plan. Improvements shall be installed to specification by the Town Council through their designated representative. All drainage improvements described herein shall be the financial responsibility of the subdivider, except as may be provided otherwise in this Public Works Manual or Town Council.

The rate of runoff from any developed area shall not exceed the historic rate of runoff based on a twenty-five (25) year rainfall event.

The following methods of runoff estimation shall be utilized for determining the rate of runoff from a particular site as applicable:

1. Rational Method: Used for Drainage Basins less than 20 acres in size and for minor system design.
2. SCS TR 55 Methods: Used for drainage basins up to 20 square miles in size. Also used for flood flow determination and design in minor and major systems. Also used to compute flood storage volumes.
3. Unit Hydrograph: Used for drainage basins up to 1000 square miles in size. Also used for flood flow determination and design in minor and major systems. Also used to compute flood storage volumes.

### **General Utilities.**

In the event oversized utilities are required, arrangements for reimbursements shall be made and approved by Town Council, whereby the developer shall be allowed to recover the cost of the utilities that have been provided by him beyond the needs of his development and standard Town specification. The method and time of payment under the reimbursements shall be established in accordance with the current policies of the Town relating to the placement of such oversized utilities.

### **Water Distribution.**

The water main distribution system shall be designed to connect with the Town water system and make water available to each lot in the proposed subdivision. Each lot must be provided with an individual service line. Fire hydrants shall be located to insure protection to each lot, but under no circumstances shall a lot be more than three hundred feet from the nearest hydrant based on front line distance. Design of the system shall be the responsibility of the subdivider with all plans subject to approval of the Town Council through their designated representatives. Installations of the system shall be to Town specifications and at the direction of the Town Council through their designated representatives. Financial responsibility for the water distribution system shall be subject to existing Town regulations and agreement relating thereto between the Town Council and the subdivider, except as may be provided otherwise in this Public Works Manual.

### **Sanitary Sewage Collection.**

If the Town is to supply sanitary sewage collection, the sewage collection system shall be designed to connect with the Town system and provide an individual service line to each lot in the proposed subdivision. Design of the system shall be the responsibility of the subdivider with all plans subject to the approval of the Town Council through their designated representative. Financial responsibility for the sanitary sewage collection system shall be subject to existing Town regulations and agreements relating thereto between the Town Council and the subdivider, except as may be provided otherwise in the Public Works Manual or by Town Council.

### **All Other Utilities.**

All utilities, except major power transmission lines, shall be underground, unless specifically exempted by the Town Council, who shall grant such exemption only in cases of extreme difficulty. Facilities necessary and appurtenant to underground facilities or other installation of peripheral overhead electrical transmission and distribution feeder lines, or other installation of either temporary or peripheral overhead communications, distance, trunk, or feeder lines may be above ground.

## **Sidewalks.**



Sidewalks are required on both sides of all streets and shall be at least five feet (5') wide for residential streets and five feet (5') to six feet (6') wide for collector streets. Local residential streets shall have mountable curb and gutter with sidewalks separated from the curb by a landscape buffer measuring five feet, four inches (5'-4"). Collector streets shall have vertical curb and gutter with sidewalks separated from the curb by a landscape buffer measuring five feet, four inches (5'-4"). Design of sidewalks in commercial and industrial areas shall be approved by the Planning Commission. Permanent objects within the landscape buffers are prohibited, except as may be provided otherwise in the Public Works Manual or by Town Council

When right-of-way, geographic, or topographic limitations prevent sidewalks on both sides of the street, then a single sidewalk shall be provided and shall be at least six feet (6') wide. In such cases alternate pathways shall be provided to accommodate pedestrians.

All sidewalks shall be ramped at all street intersections or other pedestrian crossing areas. The design and construction of sidewalk ramps must meet the applicable requirements of the "Americans with Disabilities Act" (ADA).

## **Signing and Striping Plans.**

A complete signing and striping plan shall be submitted as part of the construction drawings. This plan shall include all project streets and intersections and all intersections with existing streets. The design of these improvements shall be in accordance with the MUTCD and shall include all necessary traffic control signage. Street name signs shall be installed at all intersections. The developer will be responsible for their installation.

## **Bicycle Paths.**

Developers, when required, shall install a bicycle path at least six feet (6') in width along the right-of-way of any sub-arterial street and any arterial street which is not bordered by a frontage road. The initial site of the path along any street shall be determined by the Planning Commission and the Town Engineer. Each developer who extends the path shall keep the path continuous and with as little change in grade as possible. If topography necessitates that the path change from one side of the street to the other, or if the path intersects with another arterial or sub-arterial street, crossways shall be provided. All bicycle paths shall be ramped at intersections. Paths and crossways shall meet construction and design standards set by the Town Council through their designated representatives. Any bike path constructed as part of the New Castle Trail System shall be constructed in accordance with the design requirements of the New Castle Trail System Planning Program.

## **Street Lighting.**

The developer shall install street lights at points designated by the Town or Public Service Company. The poles for such lights shall be metal and the design of both poles and the lights themselves shall meet specifications established by the Town Council through their designated representatives.

### **Snow Storage**

All newly constructed streets shall be designed to accommodate snow storage. Turf areas, without obstructions, may be utilized for this purpose. A minimum functional area equaling thirty percent (30%) of the paved area shall be provided contiguous to the right-of-way. Individual snow storage areas shall not be separated by more than 300 feet. Obstructions in the snow storage areas include fences, utility boxes, bushes and large landscape boulders.

### **Project Acceptance Procedure.**

#### ***Initial Submittal***

1. Acceptance Request Letter
2. Pre-final "As-built" Drawings
3. Stamped certification letter from design engineer verifying all improvements were built to meet the requirements of the Town of New Castle. Copies of all tests performed shall be included.
4. Support documentation (installation and operation manuals) of those facilities and equipment constructed/installed as part of project.
5. Submittal detailing any and all specific requirements (as listed below) and actions taken to meet these requirements.
  - a) Subdivision Improvement Regulations
  - b) Zone District Regulations
  - c) Commitments or Requirements made during Public Hearing
  - d) Contractual Agreements
  - e) Annexation Agreements
  - f) Any/All Other

#### ***Town Review of Submittals***

Response to Initial Submittal shall be given by the Town within thirty (30) days after receiving all required material. This response shall be as listed below:

1. Staff recommendation to the Town Board accepting improvements as is.
2. Staff recommendation to the Town Board accepting improvements under specific conditions. A document of specific conditions shall be included.
3. Letter to the developer listing specific inadequacies in the Submittals or improvements. The developer must resubmit request for project acceptance once these inadequacies have been addressed.

#### ***Final Acceptance.***

When all requirements of the Project Acceptance Procedure have been met, the developer/owner shall have submitted "final as-builts" as defined herein. The warranty period shall start on the date of official Town Board acceptance. No building permits will be issued until Final Acceptance has been made.

### **"As-Built" Plans.**

Finished plans of all public improvements shall be required before the Town will accept the improvements. As-built drawings shall include, but are not limited to, the following requirements:

- A. Detailed and accurate information on all improvements completed as part of a project. Locations, dimensions, elevations, types of material, and all other information needed to provide a comprehensive and complete representation of the final project shall be included. Rights of way and easement lines shall also be shown.
- B. Pre-final as-builts shall be submitted on completion of all work within a phase of the development, and the final as-built plans shall be received before final acceptance.
- C. Pre-final as-builts will be submitted for review and/or correction. Pre-finals will be four each, blue line.
- D. Final as-builts will be submitted as Autocad or DXF drawings and reproducible mylar and will become property of the Town of New Castle and a part of permanent Town records.
- E. Final "As-Built" drawings shall be submitted before final acceptance of improvements. They shall be stamped "As-Builts" and be signed as such by a Registered Professional Engineer.

**No building permits will be issued until the above steps are completed!**

**Acceptance at Warranty Expiration.**

#### ***Acceptance of Utility Improvements***

The warranty period for new utility improvements, including water distribution, sanitary sewer collection, street lighting, signage and striping shall expire after the duration specified in section 16.32.020 (B) of the New Castle Municipal Code unless otherwise required by Town Council. Within thirty (30) days of the warranty's expiration, the subdivider/developer shall request a reinspection of the utility improvements. When the Town finds that the utility improvements meet Town standards, they shall acknowledge acceptance of the utility improvements to the subdivider/developer by way of written letter.

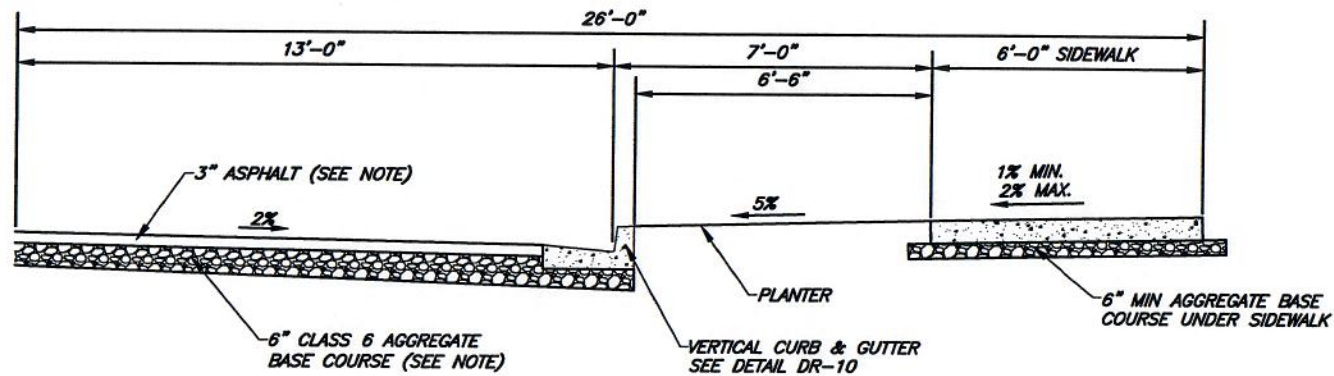
#### ***Acceptance of Street Improvements***

The warranty period for newly constructed streets, including travel lanes, bike lanes, parking lanes, and sidewalks, shall expire after the duration specified in section 16.32.020 (B) of the New Castle Municipal Code unless otherwise provided by Town Council. The subdivider/developer shall be responsible for requesting an inspection of the street improvements at the end of the warranty period. When the Town finds that the street improvements meet Town standards, performance indicators, and threshold values, they shall acknowledge acceptance of the street improvements to the subdivider/developer by way of a written letter. Warranty work will be required when the threshold limits for a condition parameter has been exceeded and the maximum allowable number of defects was exceeded for one or more condition parameters. The warranty criteria and recommended corrective actions are shown in tables 1 and 2 below.

<b>Table 1. Warranty Thresholds and Requirements</b>		
<b>Condition Parameter</b>	<b>Threshold Limits Per Segment (Segment Length = 528 Feet)</b>	<b>Maximum Segment Per Driving Lane Mile</b>
Longitudinal Crack	30% of segment length	1
Longitudinal Joint Crack	10% of segment length	1
De-bonding	5% of segment length	1
Raveling	8% of segment Length	1
Flushing	4% of segment length	1
Rutting	Average rut depth = 1/4 inch	1
<b>Condition Parameter</b>	<b>Threshold Limits Per Segment (Segment Length = 7 Feet)</b>	<b>Maximum Segment Per Driving Lane Mile</b>
Deflection caused by settlement	Maximum deflection depth = 3/8 inch	1
<b>Condition Parameter</b>	<b>Threshold Limits Per Segment (Segment Length = 1 mile)</b>	<b>Maximum Segment Per Driving Lane Mile</b>
Transvers crack	15 Cracks	1

<b>Table 2. Recommended Corrective Actions</b>	
<b>Condition Parameter</b>	<b>Recommended Action</b>
Longitudinal Crack	Cut and seal
Longitudinal Joint Crack	Cut and seal
De-bonding	2 inch mill and resurface
Raveling	2 inch mill and resurface
Flushing	2 inch mill and resurface
Rutting	2 inch mill and resurface
Deflection caused by settlement	Sub soil mitigation, full depth mill and resurface
Transvers crack	2 inch mill and resurface

## **Appendix A**



**MINOR COLLECTOR STREET WITH NO PARKING  
AND NO BIKE LANE 52'-0" ROW**

NOT TO SCALE

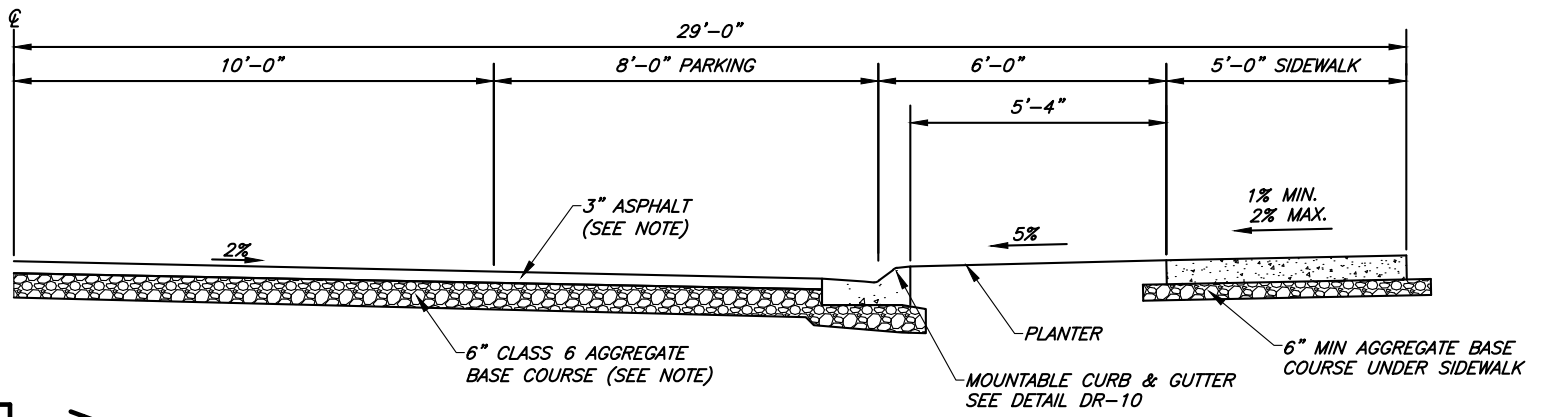
- NO RESIDENTIAL ACCESS

NOT TO SCALE

DWG: ST-40

MINOR COLLECTOR  
STREET NO PARKING  
AND BIKE LANE SECTION  
TOWN OF NEW CASTLE

NOTE:  
ASPHALT AND BASE DEPTHS IDENTIFIED ARE  
MINIMUMS. PROVIDE DEPTHS AS DETERMINED BY  
SOILS REPORT AND ENGINEERS DESIGN BASED UPON  
PROJECTED TRAFFIC CONDITIONS, LOADING AND SOIL  
STRENGTHS.



NOTE:  
 ASPHALT AND BASE DEPTHS IDENTIFIED ARE  
 MINIMUMS. PROVIDE DEPTHS AS DETERMINED BY  
 SOILS REPORT AND ENGINEERS DESIGN BASED UPON  
 PROJECTED TRAFFIC CONDITIONS, LOADING AND SOIL  
 STRENGTHS.

**RESIDENTIAL STREET 58'-0" ROW**

NOT TO SCALE

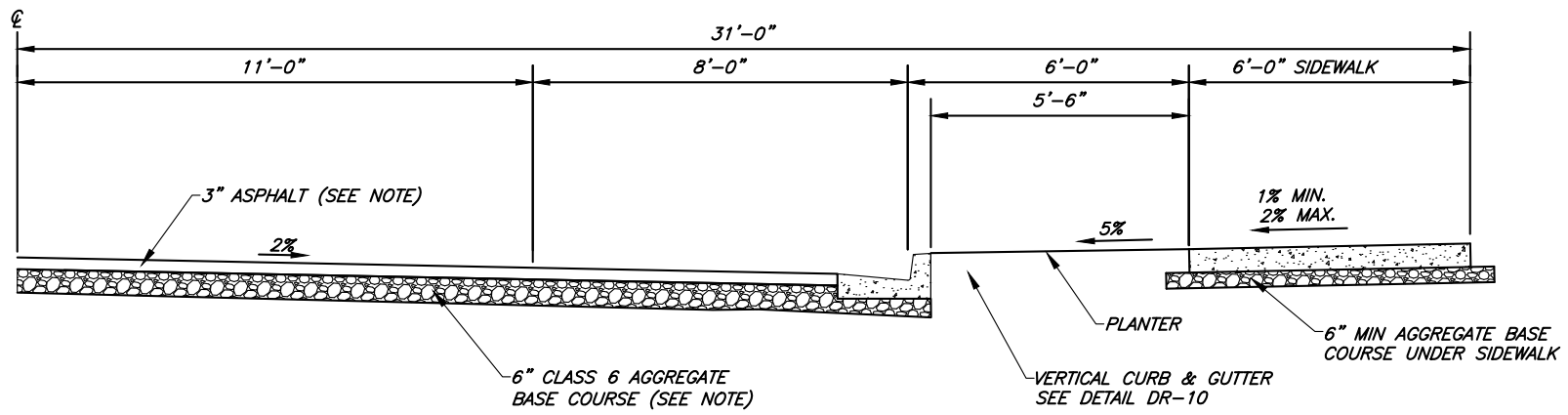
RECOMMENDED RIGHT OF WAY  
 CROSS SECTION

RESIDENTIAL STREET  
 58'-0" ROW SECTION

TOWN OF NEW CASTLE

NOT TO SCALE

DWG: ST-10



**COLLECTOR STREET WITH PARKING  
AND NO BIKE LANE 62'-0" ROW**

NOT TO SCALE

- RESIDENTIAL ACCESS

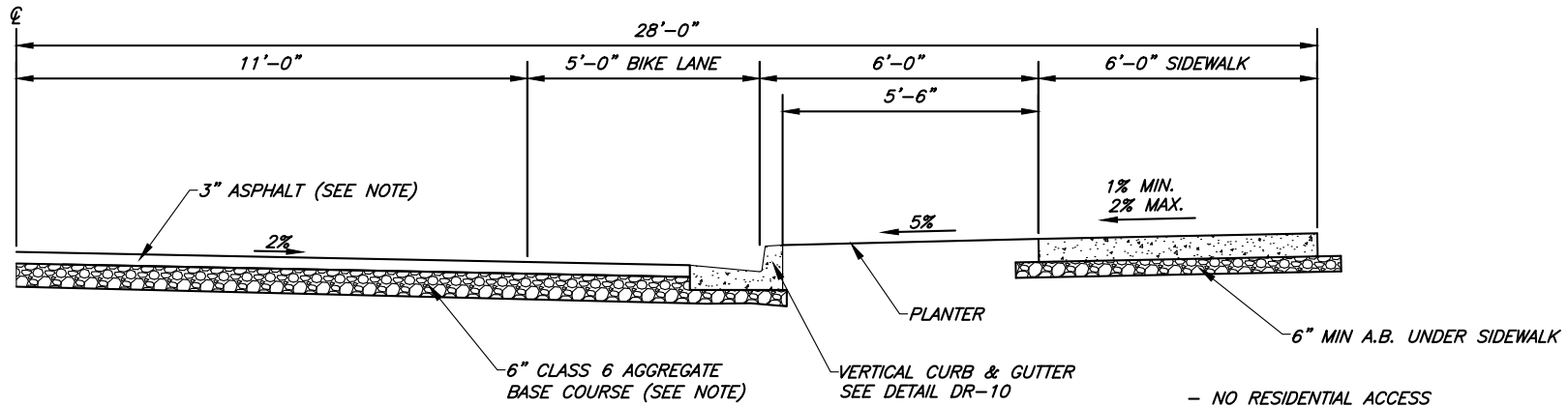
NOTE:  
ASPHALT AND BASE DEPTHS IDENTIFIED ARE  
MINIMUMS. PROVIDE DEPTHS AS DETERMINED BY  
SOILS REPORT AND ENGINEERS DESIGN BASED UPON  
PROJECTED TRAFFIC CONDITIONS, LOADING AND SOIL  
STRENGTHS.

COLLECTOR STREET NO  
BIKE LANE SECTION

TOWN OF NEW CASTLE

NOT TO SCALE

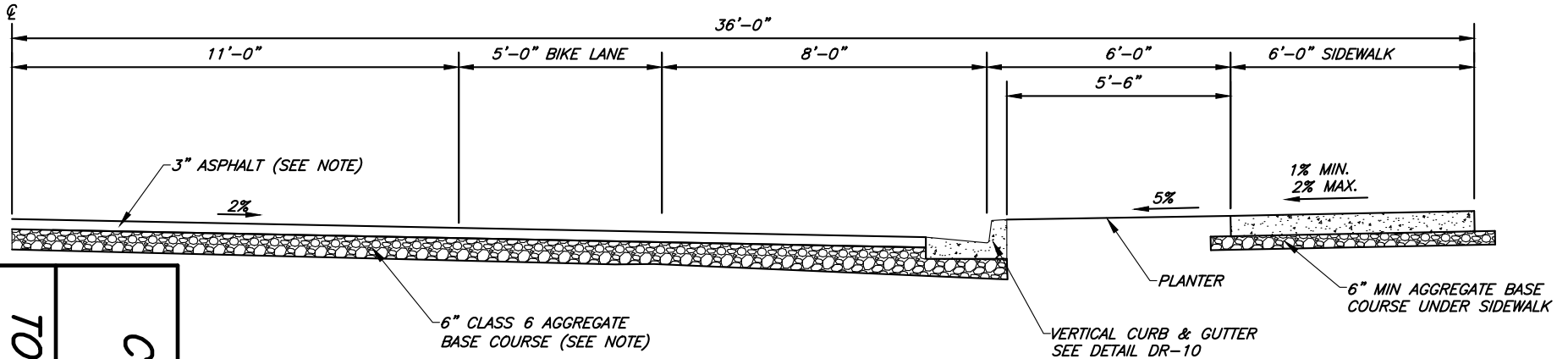
DWG: ST-30



**COLLECTOR STREET NO PARKING  
WITH BIKE LANE 56'-0" ROW**

NOT TO SCALE

- NO RESIDENTIAL ACCESS
- REAR FACING LOTS ONLY
- WHERE BIKE LANE CONNECTIVITY IS IMPORTANT



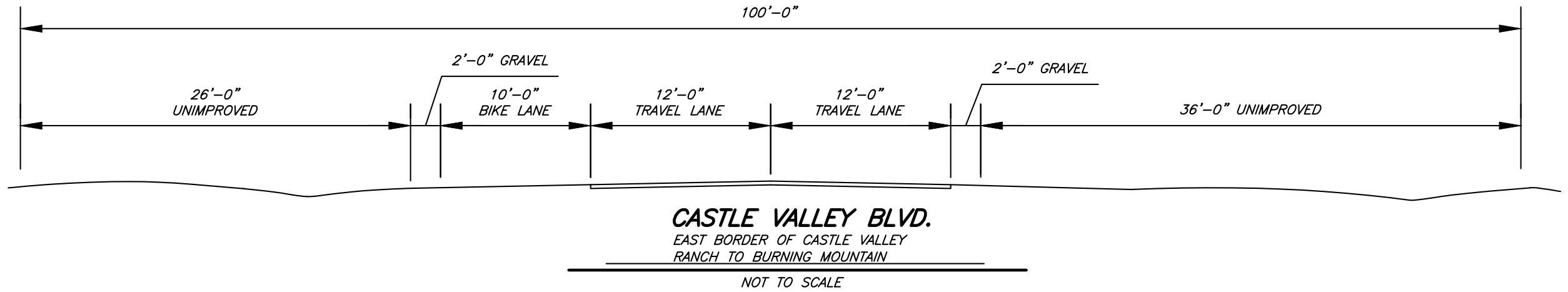
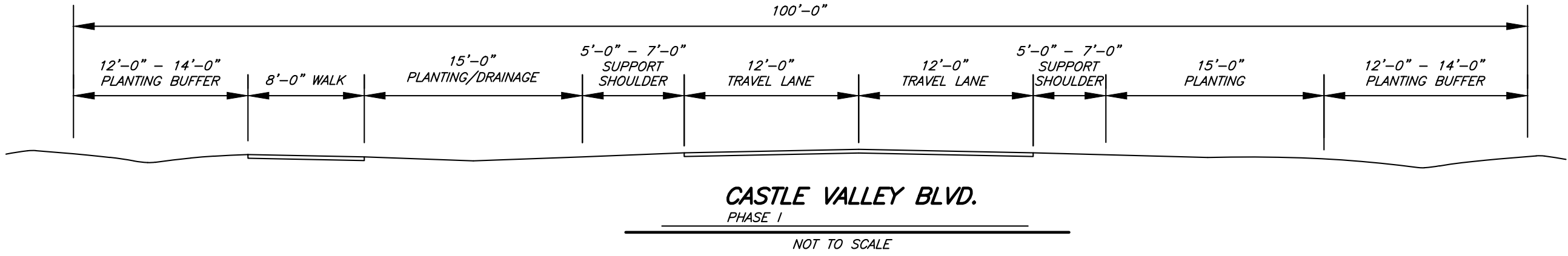
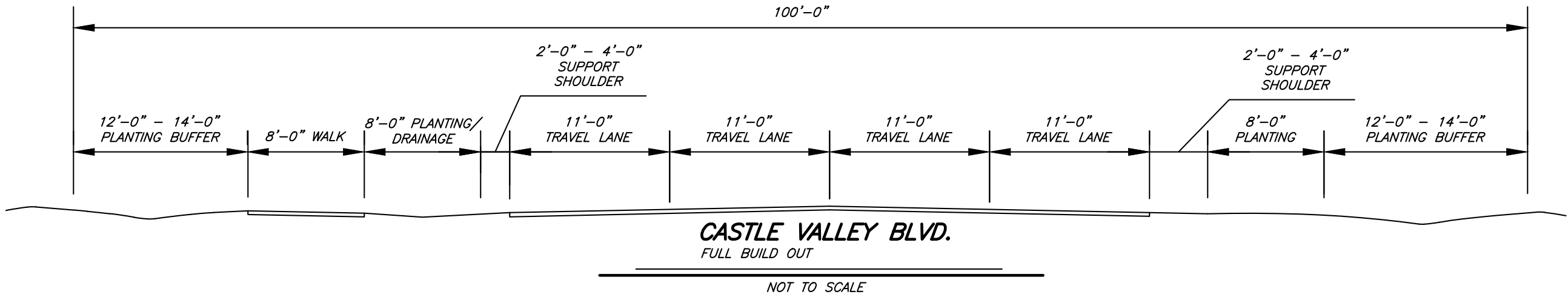
**COLLECTOR STREET WITH PARKING  
AND BIKE LANE 72'-0" ROW**

NOT TO SCALE

- RESIDENTIAL ACCESS
- WHERE BIKE LANE CONNECTIVITY IS IMPORTANT

NOTE:  
ASPHALT AND BASE DEPTHS IDENTIFIED ARE MINIMUMS. PROVIDE DEPTHS AS DETERMINED BY SOILS REPORT AND ENGINEERS DESIGN BASED UPON PROJECTED TRAFFIC CONDITIONS, LOADING AND SOIL STRENGTHS.

COLLECTOR STREET SECTION  
 TOWN OF NEW CASTLE  
 NOT TO SCALE  
 DWG: ST-20

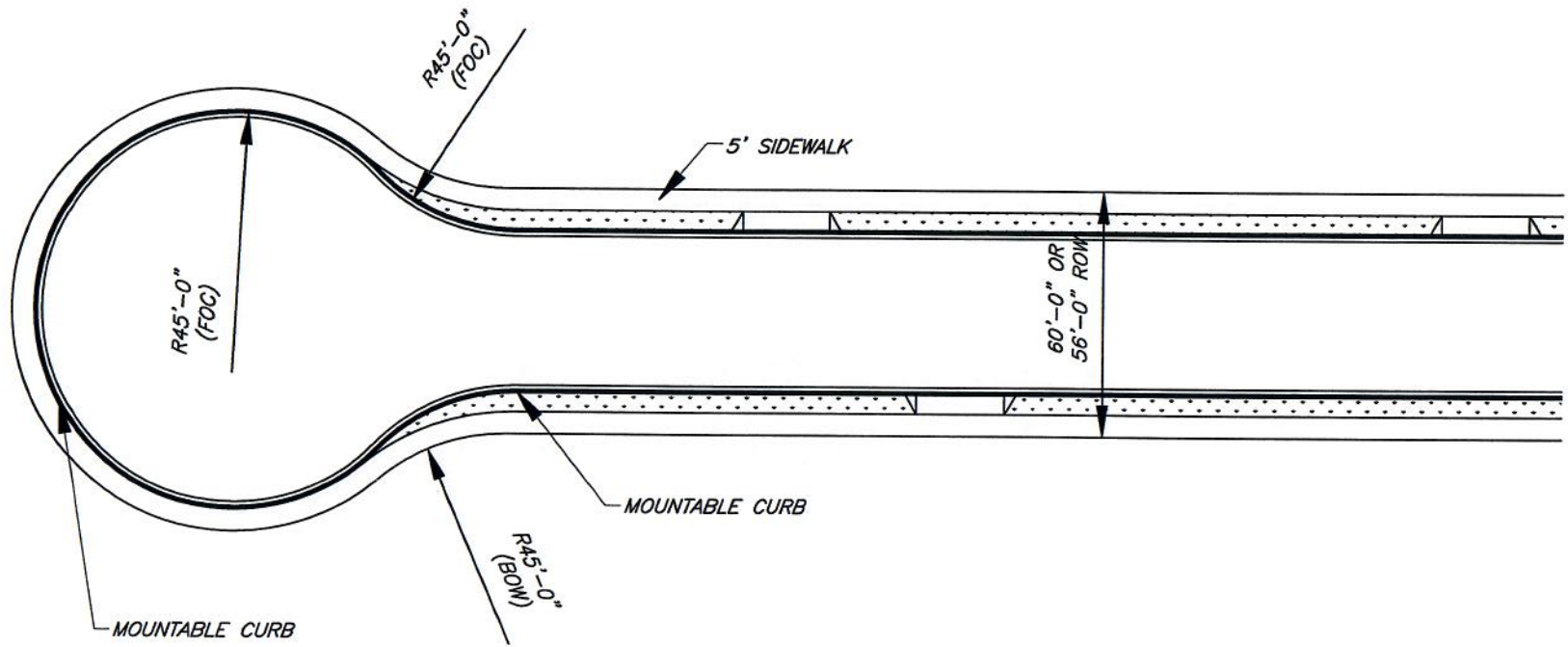


**CASTLE VALLEY BLVD.**

**TOWN OF NEW CASTLE**

NOT TO SCALE

DWG: ST-60



### TYPICAL CUL-DE-SAC

NOT TO SCALE

**NOTES:**

1. CUL-DE-SACS ONLY ARE ALLOWED ON RESIDENTIAL STREETS.
2. CUL-DE-SAC CENTER POINT MAY BE OFFSET FROM STREET CENTERLINE.
3. EASEMENTS REQUIRED FOR STREET LIGHTS.

TYPICAL CUL-DE-SAC

TOWN OF NEW CASTLE

NOT TO SCALE

DWG: ST-50