



REGULAR PLANNING COMMISSION MEETING AGENDA
Wednesday, March 11, 2026 - 5:00 PM
City Council Chambers, Elks Civic Building - 107 S. Cascade Ave.

The Montrose Planning Commission is pleased to have residents of the community take time to attend Planning Commission Meetings. We encourage your attendance and participation. Individuals wishing to be heard during public hearing proceedings are encouraged to be prepared and will generally be limited to three minutes to allow everyone the opportunity to be heard. *The 11 pm rule will be enforced in accordance with City of Montrose Regulations (Sec. 7-15-2).*

Additional written comments are welcome. If you would like to comment on an agenda item, please [email the city](#). Written comments must be received by noon one week prior to the meeting in order to be included in the Planning Commission packet. After that deadline, comments received by noon the day prior to the meeting will be distributed to the Planning Commission on the meeting day.

Hearing assistance devices are available for public use. Please let us know if you need accommodation. The City also offers interpretation for Spanish speakers. In order to allow time to book this resource, please [email the city](#) at least three days before the meeting.

- 1) Planning Commission meeting called to order
- 2) Roll call by the Planning Commission Chair
- 3) Approval of Minutes of the February 11, 2026 Planning Commission meeting
- 4) Approval of Minutes of the February 25, 2026 Planning Commission meeting
- 5) Additions or Deletions
- 6) **E STAR CT LOT 7 SUBDIVISION SKETCH PLAN** This is a review of a proposed subdivision of Lot 7 of the Miami Business Park Subdivision Filing No. 2, also addressed as 738-748 E Star Ct, into 6 townhome lots. The applicant is Forza Red, LLC.



- 7) **THE BRIDGES AT BLACK CANYON FILING NO. 11 AMENDED PRELIMINARY PLAT** This is a review of a proposed subdivision of Outlot B of The Bridges at Black Canyon Subdivision Filing No. 8 Final Plat, located off of E Oak Grove Rd. The plat proposes 14 residential lots and associated rights of way and easements, and eliminates the previously proposed Bear Dance Dr. The applicant is Bridges Development Partners, LLC.

- 8) Other Business

- 9) Next Meeting will be March 25, 2026

- 10) Motion to Adjourn



City of Montrose Planning Commission

February 11, 2026

The Montrose City Planning Commission held a meeting on February 11, 2026 at 5:00 p.m. in City Hall Council Chambers. The meeting agenda was posted in accordance with the Colorado Open Meetings Act (C.R.S. §24-6-401, et.seq.).

Planning Commissioners Present: David Fishing (Chair), Chad Huffman (Vice-Chair), Delphine Jadot, Richard Rogers, Phoebe Benziger, Steve Ball and Ronald L. Cairns. Absent:

Staff Members Present: William Reis (Senior Planner), Greg Stunder (Staff Attorney), Scott Murphy (City Engineer), Abarrane Rojas (Deputy City Clerk).

There were 24 members of the public in attendance.

Call to Order

Chairperson David Fishing called the meeting to order at 5:01 p.m.

Approval of Minutes

Richard Rogers moved to approve the minutes of the December 10, 2025 meeting as submitted. Ronald Cairns seconded, and the motion carried.

Additions or Deletions

Elections for Chairperson and Vice-Chairperson

Phoebe Benziger nominated David Fishing to remain as Chairperson and Richard Rogers seconded. David Fishing accepted and all voted yes.

Delphine Jadot nominated Chad Huffman to remain as Vice-Chairperson and Ron Cairns seconded. Chad Huffman accepted and all voted yes.

Brown Ranch Amended Preliminary Plat 5

This is a proposed subdivision consisting of 120 residential lots, located on Outlot C of the Brown Ranch Subdivision Filing No. 9, at the end of Otter Road and Mahogany Drive. The applicant is Sunshine of Montrose, Inc.

Staff Presentation

William Reis introduced this item. All public requirements have been fulfilled, and the official files and exhibits have been entered into the record.

Questions for Staff

none

Applicant Presentation

John Moyer stepped forward and presented the updates for subdivision such as the planted trees and plans for any future upgrades and amenities for the neighborhood.

Questions for Applicant

What are the plans for open space in the subdivision and are many trees going to be cut down?

Public Comment

The public wants to save the cottonwood trees and make sure that all wildlife is protected where it can be.

Discussion

John Moyer insisted that he will work with the public but is unsure of how many trees that may be cut down but will do his best to keep as many as possible and make sure all wildlife that is legally protected will not be affected. David Fishing urges public to continue working with the applicant

Motion and Vote

Conditional Approval Motion:

Richard Rogers motion to recommend to City Council approval of the Preliminary Plat application with the following condition(s). The approval of this Preliminary Plat is expressly conditioned upon City staff ensuring that all policies, regulations, ordinances and municipal code provisions are met and that the Applicant adequately addresses all of staff's concerns prior to the execution of the Final Plat. The City staff is not authorized by this approval to execute the Final Plat prior to all conditions being satisfied. The request meets the Code criteria based on the evidence and testimony presented at this hearing and in the staff report." Delphine Jadot seconded the motion and all approved unanimously.

Other Business

None.

Next Meeting

The next Planning Commission meeting is scheduled for February 25, 2026.

Adjournment

David Fishing moved to adjourn the meeting. Richard Rogers seconded and the meeting ended at 6:17 p.m.

Chairperson

Attest



City of Montrose Planning Commission

February 25, 2026

The Montrose City Planning Commission held a meeting on February 25, 2026 at 5:00 p.m. in City Hall Council Chambers. The meeting agenda was posted in accordance with the Colorado Open Meetings Act (C.R.S. §24-6-401, et.seq.).

Planning Commissioners Present: David Fishing (Chair), Chad Huffman (Vice-Chair), Richard Rogers, Phoebe Benziger, Steve Ball and Ronald L. Cairns.

Absent: Delphine Jadot, Phoebe Benzinger, Steve Ball

Staff Members Present: William Reis (Senior Planner), Chris Dowsey (City Attorney), Jace Hochwalt (Building Development), Abarrane Rojas (Deputy City Clerk).

There were 10 members of the public in attendance.

Call to Order

Chairperson David Fishing called the meeting to order at 5:01 p.m.

Approval of Minutes

Chad Huffman moved to Table the minutes of the February 11, 2026 meeting and David Fishing seconded so it will be at next meeting, all approved and the motion carried.

Additions or Deletions

None.

MCCALL REPLAT REZONE

This is a request to rezone approximately 0.07 acres from "R3A" Medium High Density District to "R-2" Low Density District. The site is located at 2221 Miami Road. The applicants are Dean McCall and Julie McCall.

Staff Presentation

William Reis introduced this item. All public requirements have been fulfilled, and the official files and exhibits have been entered into the record.

Questions for Staff

none

Applicant Presentation

No presentation

Questions for Applicant

No questions

Public Comment

No public comment

Discussion

None

Motion and Vote

Approval Motion Recommendation:

Ronald Cairns motions to “recommend approval of the rezone request to “R-2” Low Density District. The request meets the Code criteria based on the evidence and testimony presented at this hearing and in the staff report” and Richard Rogers seconded the motion. All approved unanimously and the motion passed.

VOA REZONE

This is a request to rezone approximately 4.14 acres from "P" Public District to "R-3A" Medium High Density District. The site is located on the Elder Homestead at Montrose Open Space and the East Pavilion Complex Open Space. The applicant is the City of Montrose.

Staff Presentation

Jace Hochwalt recuses self and William Reis introduced this item. All public requirements have been fulfilled, and the official files and exhibits have been entered into the record.

Questions for Staff

Clarification of 2 boundary lines on east of property but they are only property lines.

Applicant Presentation

Doug Snyder with Volunteers of America presents and talks about the new units and how beneficial they will be for the community

Questions for Applicant

None

Public comment

Members of the public had concerns about the water drainage and storm runoff plans as well as damage from construction, traffic and loss of view.

Discussion

The commission let the public know that the drainage and runoff concerns are always welcomed by the City of Montrose to amend and to reach out if there is a problem in the future. For the future planning of this Rezone is still within the rights of the owner as allowed by law.

Motion and Vote

Approval Motion Recommendation:

Richard Rogers motions to “recommend approval of the rezone request to “R-3A” Medium High Density District. The request meets the Code criteria based on the evidence and testimony presented at this hearing and in the staff report.” Ronald Cairns seconded the motion, and all agreed unanimously. Motion passes.

Other Business

None

Next Meeting

The next Planning Commission meeting is scheduled for March 11, 2026.

Public Comment

None.

Adjournment

David Fishing moved to adjourn the meeting. Chad Huffman seconded and all approved the meeting ended at 5:36 p.m.

Chairperson

Attest



CITY OF MONTROSE
Planning Services

MEMO

TO: Planning Commission
FROM: William Reis, Senior Planner
DATE: March 11, 2026
RE: E. Star Ct. Lot 7 Subdivision Sketch Plan

ATTACHMENTS

- Exhibit A: Area Maps
- Exhibit B: Sketch Plan Maps and Narrative
- Exhibit C: Excerpts from City of Montrose Municipal Code

Public notice requirements have been fulfilled in accordance with Section 11-4-3(D) of the City of Montrose Municipal Code. A sign was posted on the property, letters sent to property owners within 300 feet, and an ad appeared in the Montrose Daily Press.

Planning Commission Consideration:

The review and discussion of the Sketch Plan by the Planning Commission is informal and non-binding in nature, and shall serve as a means to provide guidance to the subdivider in accordance with the City of Montrose Municipal Code. No formal action is taken at this time.

Applicant: Forza Red, LLC

Application Background:

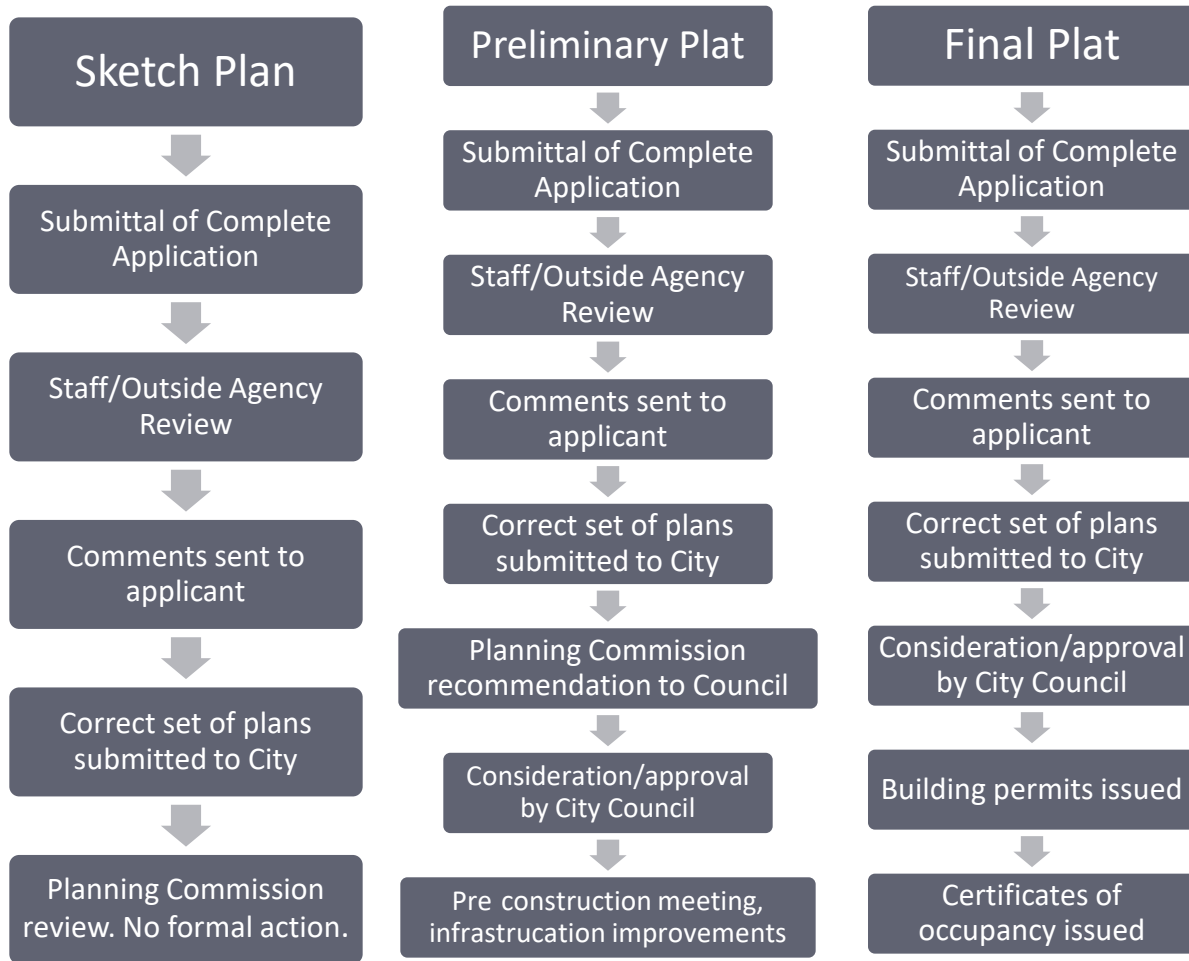
The E. Star Ct. Lot 7 Subdivision Sketch Plan proposal is located on Lot 7 of the Maimi Business Park Subdivision Filing No. 2, currently addressed as 738-748 E Star Ct. The property also has frontage on 6450 Road. This property was annexed into City limits as part of the Miami Addition in 1969. The proposal consists of 6 individually conveyable townhome units. The site development for the building has already been approved, and construction has started. The property is zoned "R-4" High Density District.



The Sketch Plan application is only reviewed by the Planning Commission, not City Council, and no formal action is taken at this stage. The applicant has submitted the attached Sketch Plan application materials (Exhibit B) based on a conceptual design and seeks the Planning Commission’s feedback. The sketch plan has been reviewed by City staff and partner agencies and meets the City’s design standards for standard subdivisions. After receiving feedback from the Planning Commission, the applicant will submit and the City will review a Preliminary Plat for the subdivision (including engineering design for all public infrastructure). After those plans are reviewed for compliance with the City of Montrose Municipal Code, it will be placed on an upcoming Planning Commission agenda, and the Planning Commission will make a recommendation to City Council. City Council will review the application and consider the Planning Commission’s recommendation.

Subdivision Process:

The City of Montrose Municipal Code Section 11-5-2 outlines the process and standards for subdivision applications. The following flowchart shows this overall process.



Staff Analysis:

1. Subdivision Regulations:
 - a. Municipal Code: Section 11-5-4: The sketch plan application has been reviewed by City staff and partner agencies and meets the City's design standards for standard subdivisions.
2. Relevant Comprehensive Plan and Municipal Code References: To assist the Planning Commission, staff has provided the following relevant information from the City of Montrose Envision 2040 Comprehensive Plan and Municipal Code.
 - a. A Comprehensive Plan is not legally binding. It provides guidance for zoning and other land use decisions. It is possible for sections of the Comprehensive Plan to conflict, and it is reasonable that a decision may not satisfy every aspect outlined within the Comprehensive Plan.
 - b. The Future Land Use Map within the Comprehensive Plan illustrates general, somewhat flexible locations and extents for various land uses and densities.
 - c. The Municipal Code and Zoning regulations specify land uses, densities, bulk and height requirements, setbacks, and other development standards that are allowed within each zoning district in order to achieve the intent of the zoning district.
 - d. Development on this parcel may occur in accordance with the approved zoning and should also be in general conformance with the Comprehensive Plan.
3. Comprehensive Plan - Land Use Map Designation:
 - a. The Comprehensive Plan Future Land Use Map identifies this parcel as located in an area proposed as follows: **Residential Mixed Density Medium**.
 - i. *The Residential Mixed Density Medium district provides for a variety of residential types, mixed within a neighborhood, including single-family homes, townhomes, duplexes and triplexes. The majority of the mixed-density medium residential land uses are designated in areas that are not yet developed.*
4. Zoning Regulations:
 - a. Municipal Code, Section 11-7-5 (A)(7): The "R-4" High Density District is intended to provide primarily for high density multi-household dwellings and to allow variety in higher density single household and duplex dwellings and other forms of innovative housing development types.
 - b. The proposed uses are compatible with general conditions in the area. The property is adjacent to properties that are zoned "R-4" High Density District.



Staff Guidance to Planning Commission:

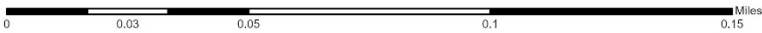
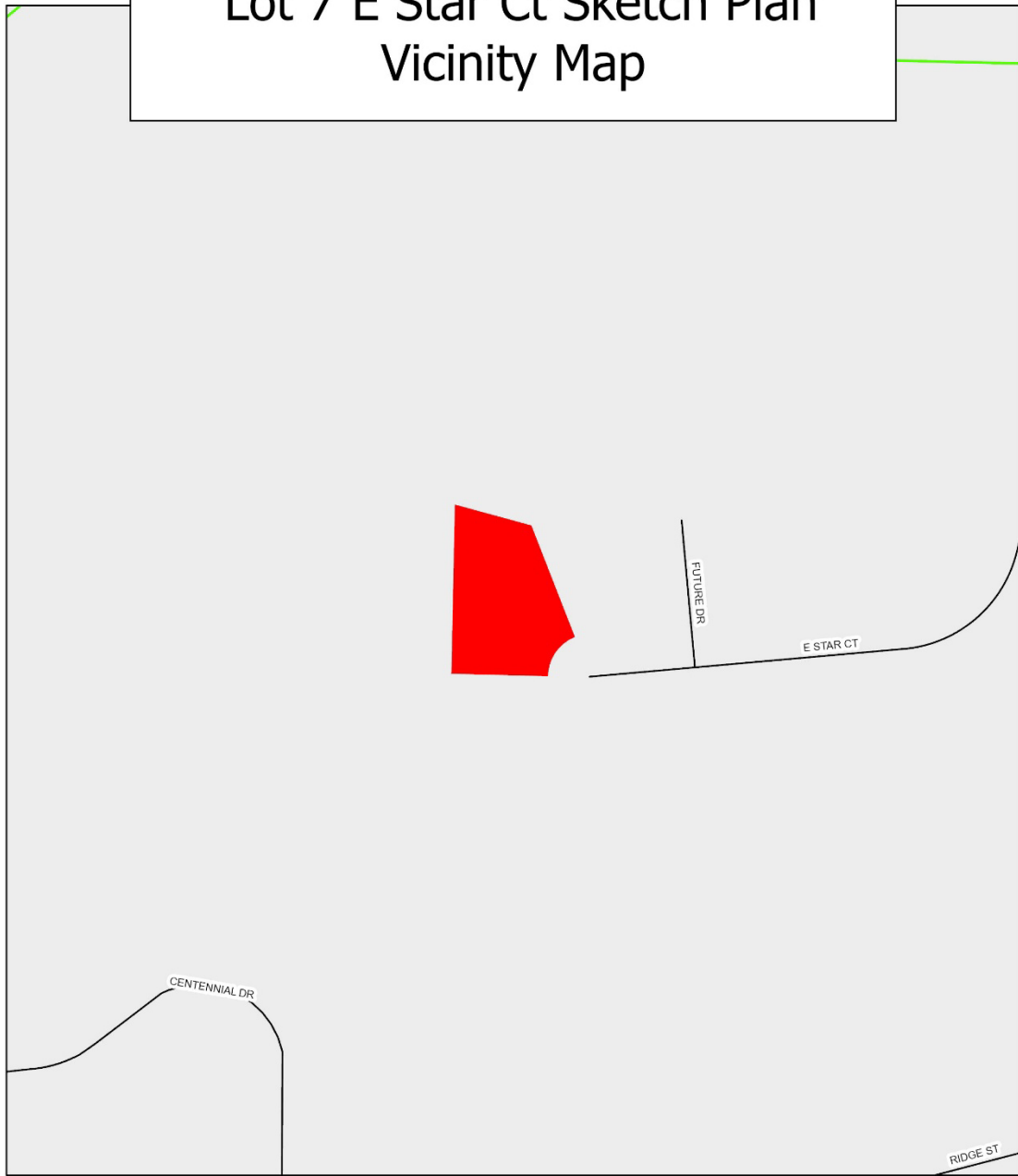
The Sketch Plan application meets all sketch plan requirements as set forth in the City of Montrose Municipal Code, Section 11-5-4. The review and discussion of the sketch plan by the Planning Commission is informal and non-binding in nature, and shall serve as a means to provide guidance to the subdivider in accordance with the City of Montrose Municipal Code. No formal action is taken at this time.

Staff recommends that the Planning Commission share feedback with the applicant, so that the applicant may consider the feedback and incorporate proposed changes into their future Preliminary Plat application.

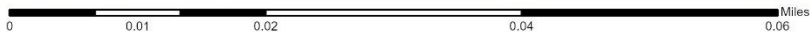


EXHIBIT A: Area Maps

Lot 7 E Star Ct Sketch Plan
Vicinity Map



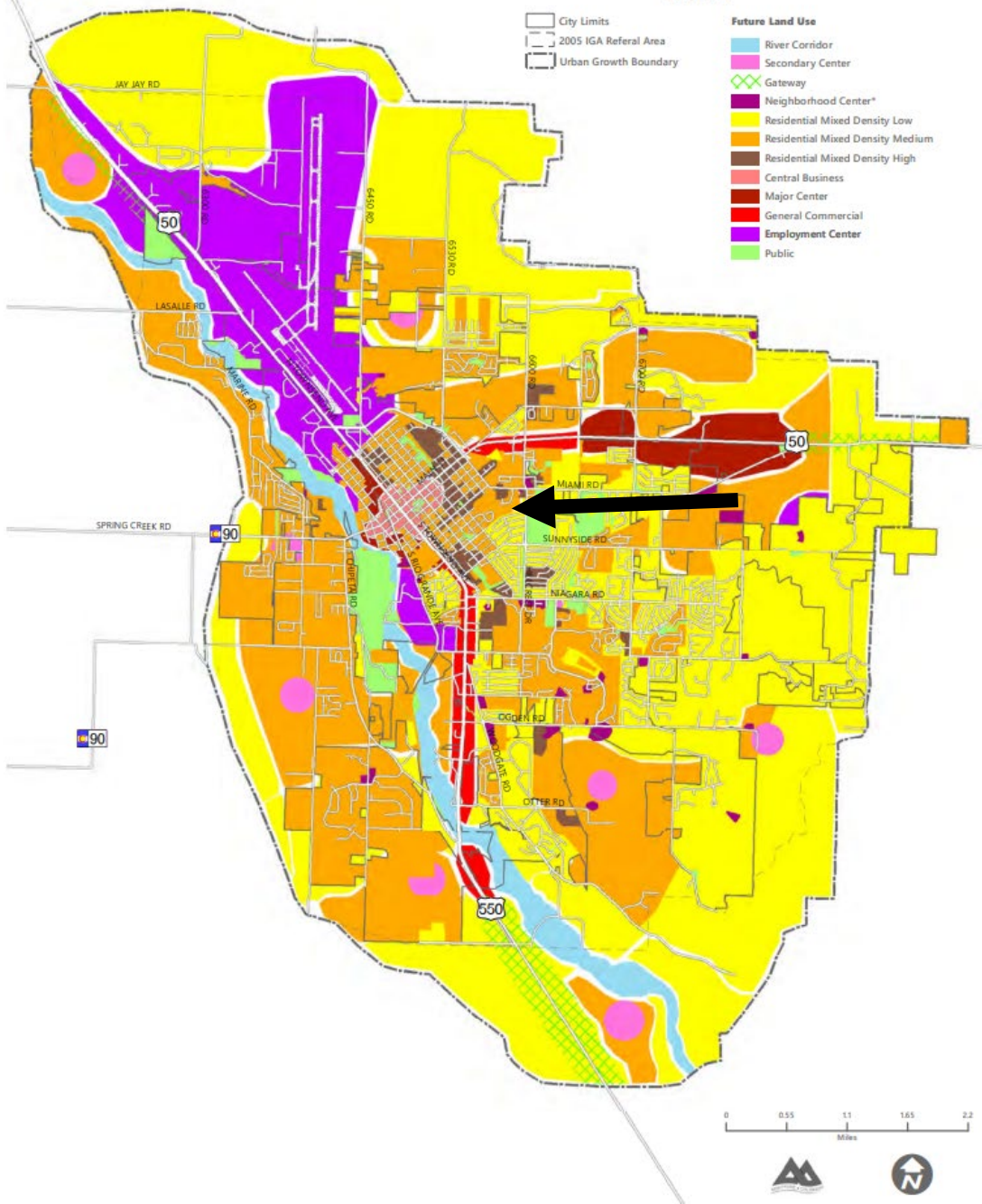
Lot 7 E Star Ct Sketch Plan Zoning Map



Comprehensive Plan Future Land Use Map

FUTURE LAND USE

MAP 5.1



E. STAR CT. LOT 7 SUBDIVISION SKETCH PLAN NARRATIVE

February 3, 2026

Owner:
FORZA RED LLC

Prepared by:
Del-Mont Consultants, Inc.
125 Colorado Ave.
Montrose, CO 81401
(970) 249-2251



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General

In October 2025 a Site Development Application (SDA) was approved by the City of Montrose for a proposed 6-plex on Lot 7 of E. Star Ct. The intent for the E. Star Ct. Lot 7 Subdivision is to provide each unit with its own lot, with the remainder of the lot being a general common element. Lot 7 is 0.51 acres and is located in the eastern area of Montrose, CO. The 6-plex is currently under construction and expected to be completed in early April. The site is bordered on the south and east by other residential lots, west by the neighborhood detention pond, and to the south east by E. Star Ct.

The property was annexed into the City of Montrose in 1969 as part of the Miami Addition and zoned as R-4 (High Density) Please see the existing conditions and zoning exhibit of the Sketch Map drawing package (sheet 1 of 2) for more details on neighboring property zoning.

The design was approved by the City of Montrose in October 2025 as part of the Site Development Application. The 6-plex is currently under construction and the design is not expected to change.

School buses are intended to remain on the public road system. Stop areas would be near main intersections.

Water

The project will be served by the City of Montrose water system. There is an existing 8" PVC water line within E. Star Ct. (See Sheet 2 of 2).

The infrastructure to supply water to these lots are currently being installed with the construction of the 6-plex.

| Anticipated Land Use | Quantity of Water (gallons per day per unit) | Total Units | Total Anticipated Water Demand (gallons/day) |
|-----------------------|--|-------------|--|
| Multi-Family (6-plex) | 350 | 6 | 2,100 |

Engineering plans showing the existing water system and proposed services have been included in the Site Development Application that was approved in October 2025.



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Sanitary Sewer

The project is served by City sewer. An existing City owned 8” gravity system network running along the eastern boundary of this development will be utilized (See sheet 1 & 2 for existing 8” main lines and proposed service lines). The existing system flows north along the eastern property line and then west along the northern property line of this lot.

Anticipated sewage generation is as follows:

| Anticipated Land Use | Quantity of Sewage (gallons per day per unit) | Total Units | Total Anticipated Sewage (gallons/day) |
|-----------------------|---|-------------|--|
| Multi-Family (6-plex) | 350 | 6 | 2,100 |

Engineering plans showing the existing waste water system and proposed services have been included in the Site Development Application that was approved in October 2025.

Availability of other utilities

Electric, natural gas, telephone, cable tv, and fiber are available for the development. Please see the accompanying utility layout for locations (overhead and buried) of the dry utilities. In general, telephone/power/fiber/gas are already available on the Cul-De-Sac frontage. The connection to these utilities are currently being made with the construction of the 6-plex (see Sheets 1 & 2 of 2).

The dry utility design for the 6-plex was included with the approved SDA (Sheet 2 of 3). There is a possibility that specific dry utility design changes will be made by the utility providers during construction.

Drainage

The property is well suited for development, sloping from north east to south west at about an average 2% natural grade. Proposed drainage patterns will mostly follow this natural topography with stormwater routed towards the existing detention pond and towards E. Star Ct. The stormwater system receiving the stormwater was developed with the development of the subdivision and designed to provide water quality treatment (extended detention), control peak flows, and ultimately discharge at historical discharge rates and locations. The detention pond outlet structure was previously modified with site development of another project in the subdivision to better achieve the design parameters stated above.



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Access to property

There is one access point planned into this development being the driveway off of E. Star Ct. Please see the approved layout for more details (Sheet 2 of 2).

Parking

The development proposes two driveway parking spots per unit with additional parking within the attached garages.

Mailboxes

Existing residential gang mailboxes are located along E. Star Ct.

Total number of proposed dwelling units

There are 6 proposed dwelling units for this development.

Compatibility with Natural Features

The development will be laid out to fit the natural topography, with a generous open space along the north and south boundary of this lot.

Permits

The following is a list of known permits that will be required for the E. Star Ct. Lot 7 development.

- a. A CDPHE General Permit for Stormwater Discharge Associated with Construction Activity has been obtained prior to construction of site improvements/infrastructure.
- b. The City of Montrose has issued building permits for the 6-plex.
- c. No wetland permits are required since no jurisdictional aquatic features on the property will be disturbed.

Adjoining Property Owners

A list of the names and addresses of the property owners of record adjoining or within the 100 feet of the development are included in a separate document.

Known Public Concerns

As of the date of this Sketch Plan narrative, there are no known public concerns about this project.



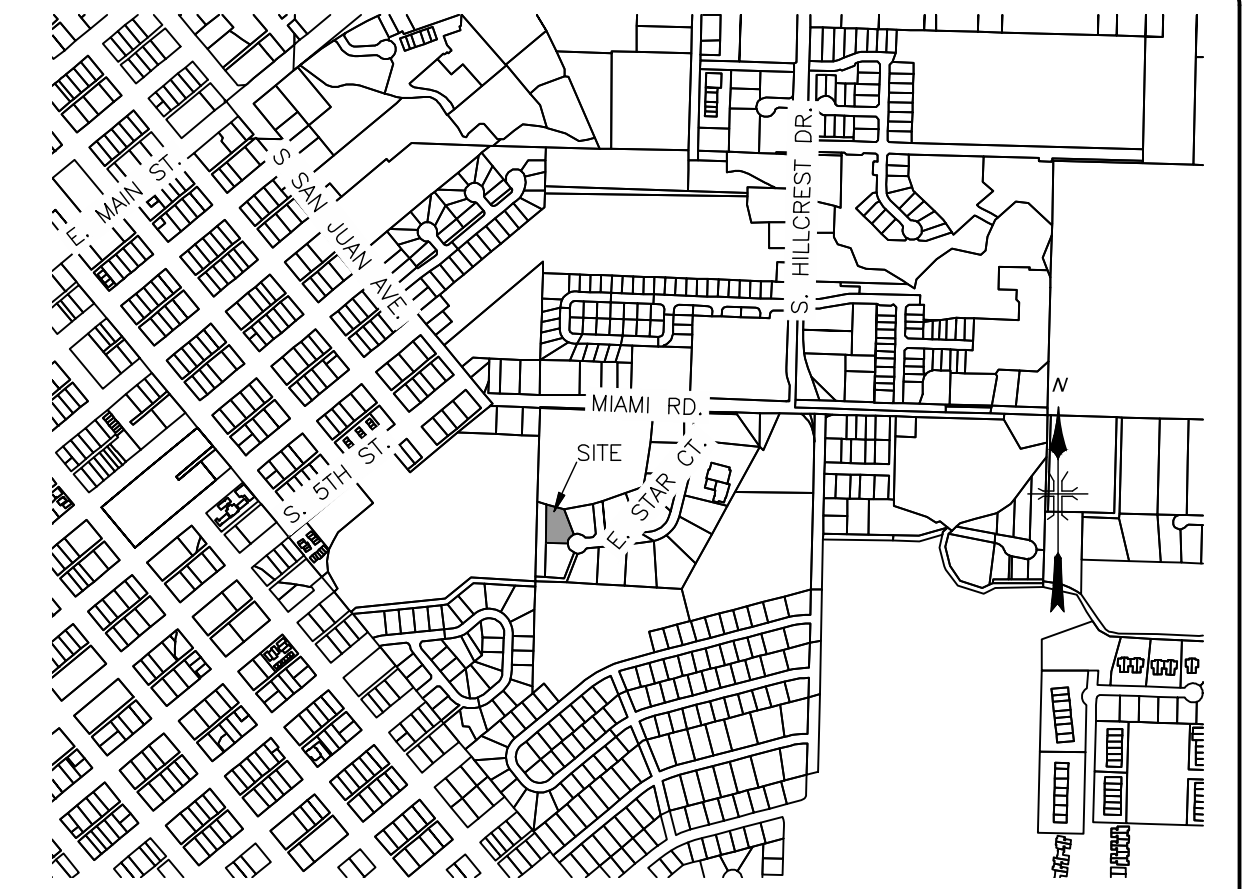
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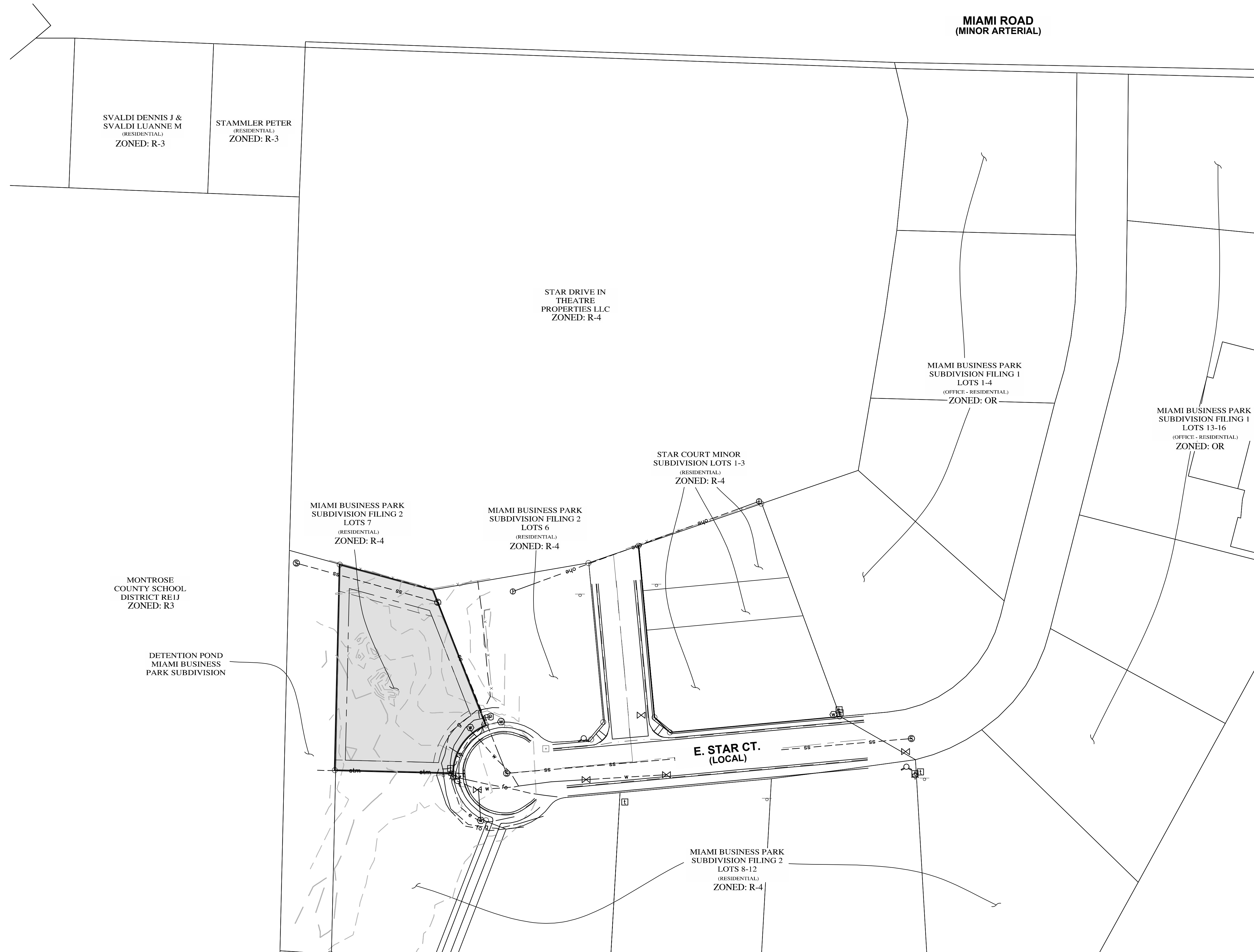
E. STAR CT. LOT 7 SUBDIVISION

SKETCH PLAN

SITUATED IN SECTION 27, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO

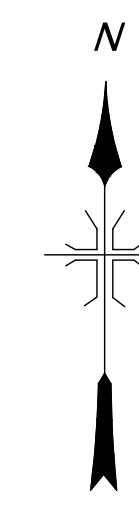


VICINITY MAP
N.T.S.



LEGEND

- = EXISTING TELEPHONE PEDESTAL
- = EXISTING POWER POLE
- = EXISTING WATER VALVE
- = EXISTING FIRE HYDRANT
- = EXISTING WATER METER
- = EXISTING SEWER MANHOLE
- = EXISTING FIBER OPTIC LINE
- = EXISTING OVERHEAD POWER LINE
- = EXISTING GAS LINE
- = EXISTING WATER LINE
- = EXISTING SEWER LINE
- = EXISTING IRRIGATION PIPE
- = EXISTING DITCH
- = EXISTING FENCE
- = EXISTING GROUND MAJOR CONTOUR
- = EXISTING GROUND MINOR CONTOUR
- = E. STAR CT. LOT 7 SKETCH PLAN PARCEL



1" = 50'

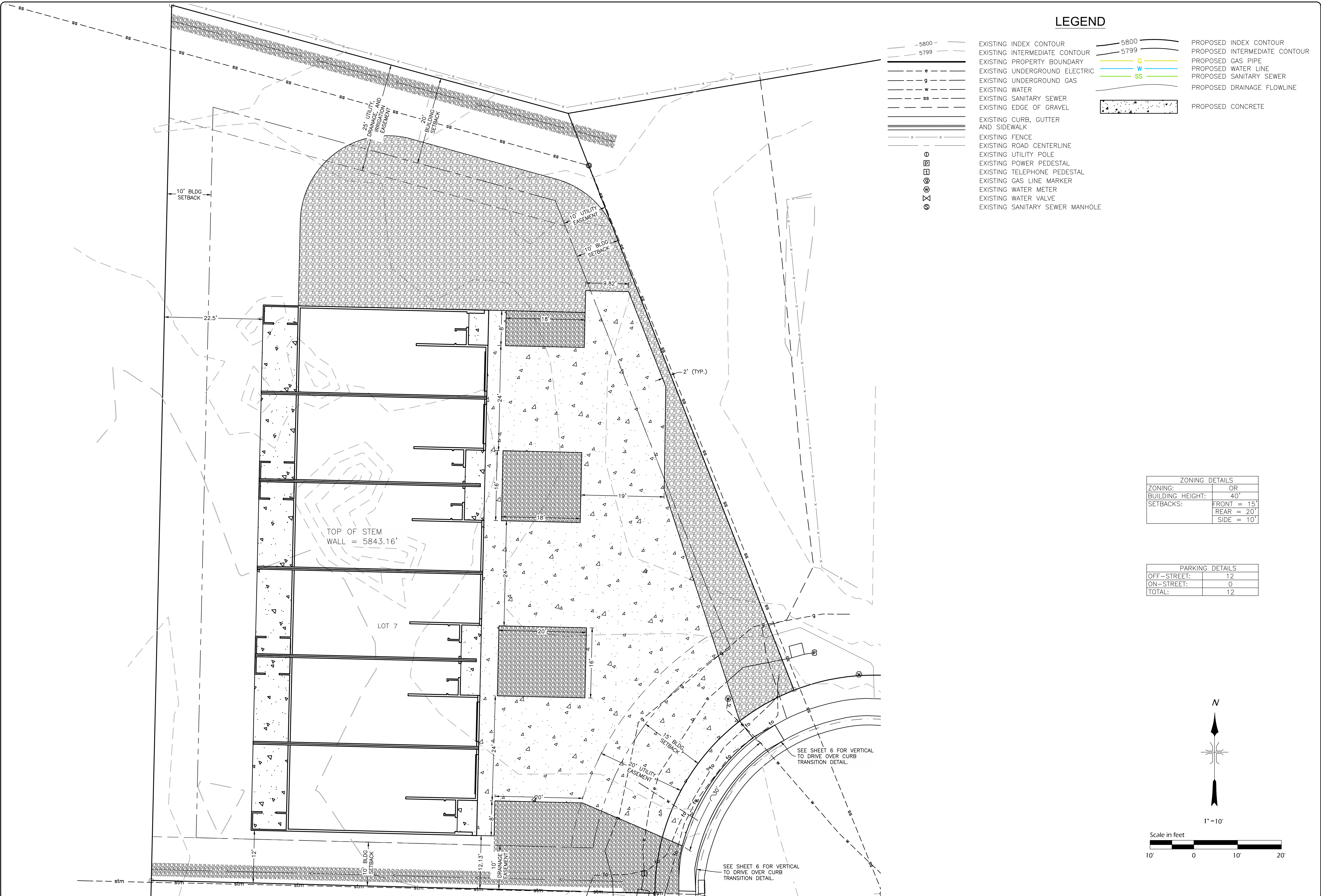


NOTICE: According to Colorado Law (13-80-105, CRS) you must commence any legal action based upon any defect in this survey within three (3) years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten (10) years from the date of the certification shown hereon.

| | | | | |
|-------------------------|--|--|--|---|
| | | DEL-MONT CONSULTANTS, INC. ENGINEERING & SURVEYING 125 Colorado Ave. Montrose, CO 81401 (970) 249-2251 www.del-mont.com service@del-mont.com | | CLIENT: FORZA RED, LLC |
| FIELD BOOK: | | DRAWN BY: DWH/BAJ | | DATE: 2026-02-03 |
| SHEET: 1 of 2 | | FILE: 25096C_SKETCH | | JOB NO.: 25096 |
| | | | | ADDRESS & PHONE: 3391 WEST COURT MONTROSE, CO 81401 |
| | | | | TYPE: SKETCH PLAN |

FILE LOCATED AT: \\DMS14\PROJECTS\ACTIVE PROJECTS\2025\25096-TANNER STAR COURT LOT 7\C3D

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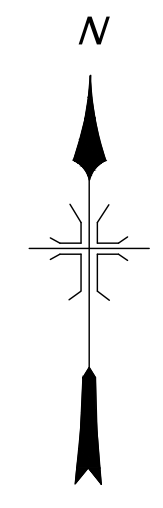


LEGEND

- EXISTING INDEX CONTOUR
- EXISTING INTERMEDIATE CONTOUR
- EXISTING PROPERTY BOUNDARY
- EXISTING UNDERGROUND ELECTRIC
- EXISTING UNDERGROUND GAS
- EXISTING WATER
- EXISTING SANITARY SEWER
- EXISTING EDGE OF GRAVEL
- EXISTING CURB, GUTTER AND SIDEWALK
- EXISTING FENCE
- EXISTING ROAD CENTERLINE
- EXISTING UTILITY POLE
- EXISTING POWER PEDESTAL
- EXISTING TELEPHONE PEDESTAL
- EXISTING GAS LINE MARKER
- EXISTING WATER METER
- EXISTING WATER VALVE
- EXISTING SANITARY SEWER MANHOLE
- PROPOSED INDEX CONTOUR
- PROPOSED INTERMEDIATE CONTOUR
- PROPOSED GAS PIPE
- PROPOSED WATER LINE
- PROPOSED SANITARY SEWER
- PROPOSED DRAINAGE FLOWLINE
- PROPOSED CONCRETE

| ZONING DETAILS | |
|------------------|-------------|
| ZONING: | OR |
| BUILDING HEIGHT: | 40' |
| SETBACKS: | FRONT = 15' |
| | REAR = 20' |
| | SIDE = 10' |

| PARKING DETAILS | |
|-----------------|----|
| OFF-STREET: | 12 |
| ON-STREET: | 0 |
| TOTAL: | 12 |



| NO | DATE | REVISIONS | BY |
|----|------|-----------|----|
| | | | |

DMC
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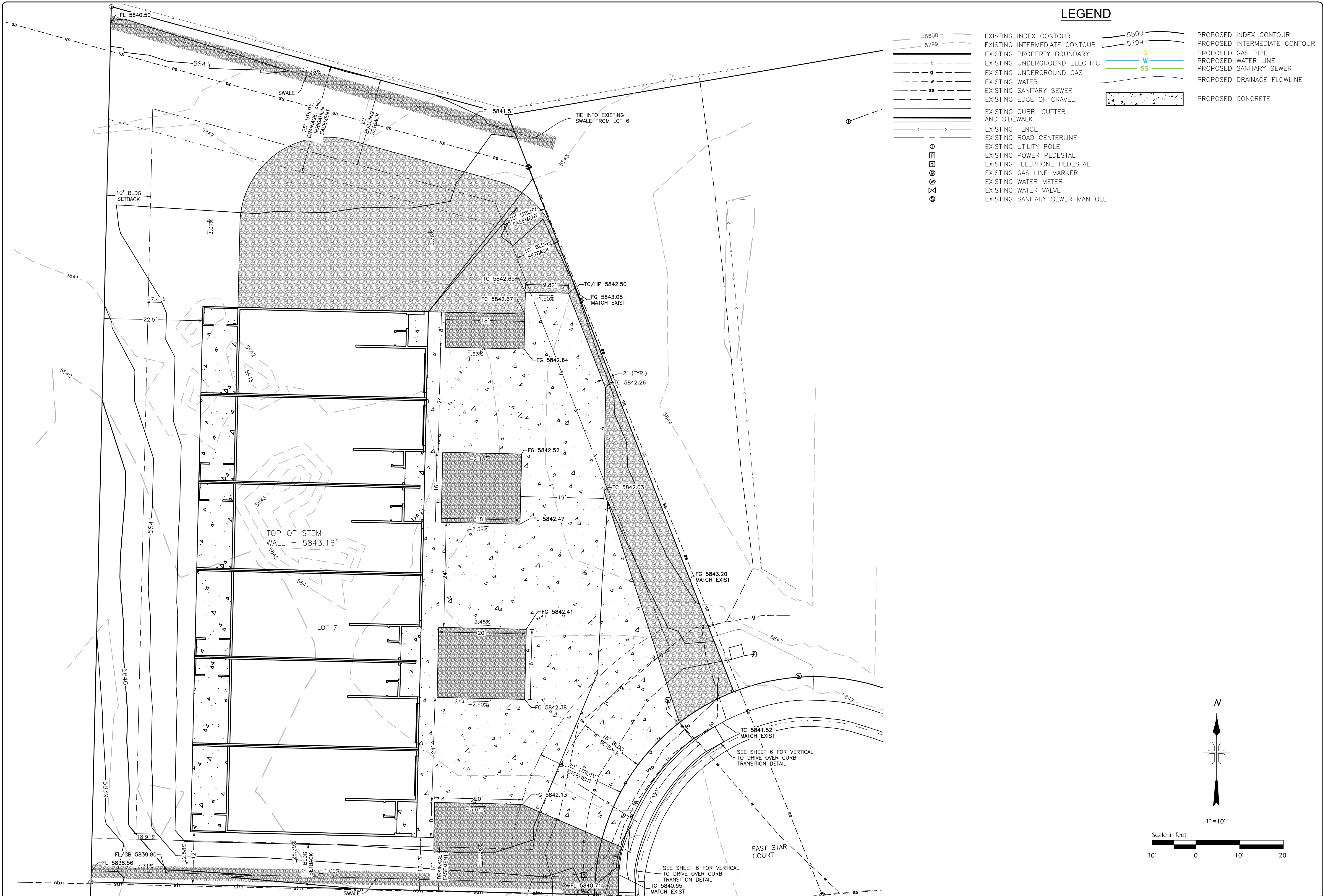
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 CHECKED BY: DWS
 SCALE: 1"=10'
 DATE ISSUED: 2025-10-20
 DRAWN BY: DWH

FORZA RED, LLC
 LOT-7 STAR CT. SITE DEVELOPMENT
 MONTROSE, COLORADO

SITE PLAN

| | |
|---------------|-------|
| DMC JOB NO: | 25096 |
| SHEET NO.: | 1 |
| TOTAL SHEETS: | 6 |

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LEGEND

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- PROPOSED SANITARY SEWER
- PROPOSED DRAINAGE FLOWLINE
- PROPOSED CONCRETE

| NO | DATE | REVISIONS | BY |
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DMC
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FORZA RED, LLC
LOT-7 STAR CT. SITE DEVELOPMENT
MONTROSE, COLORADO

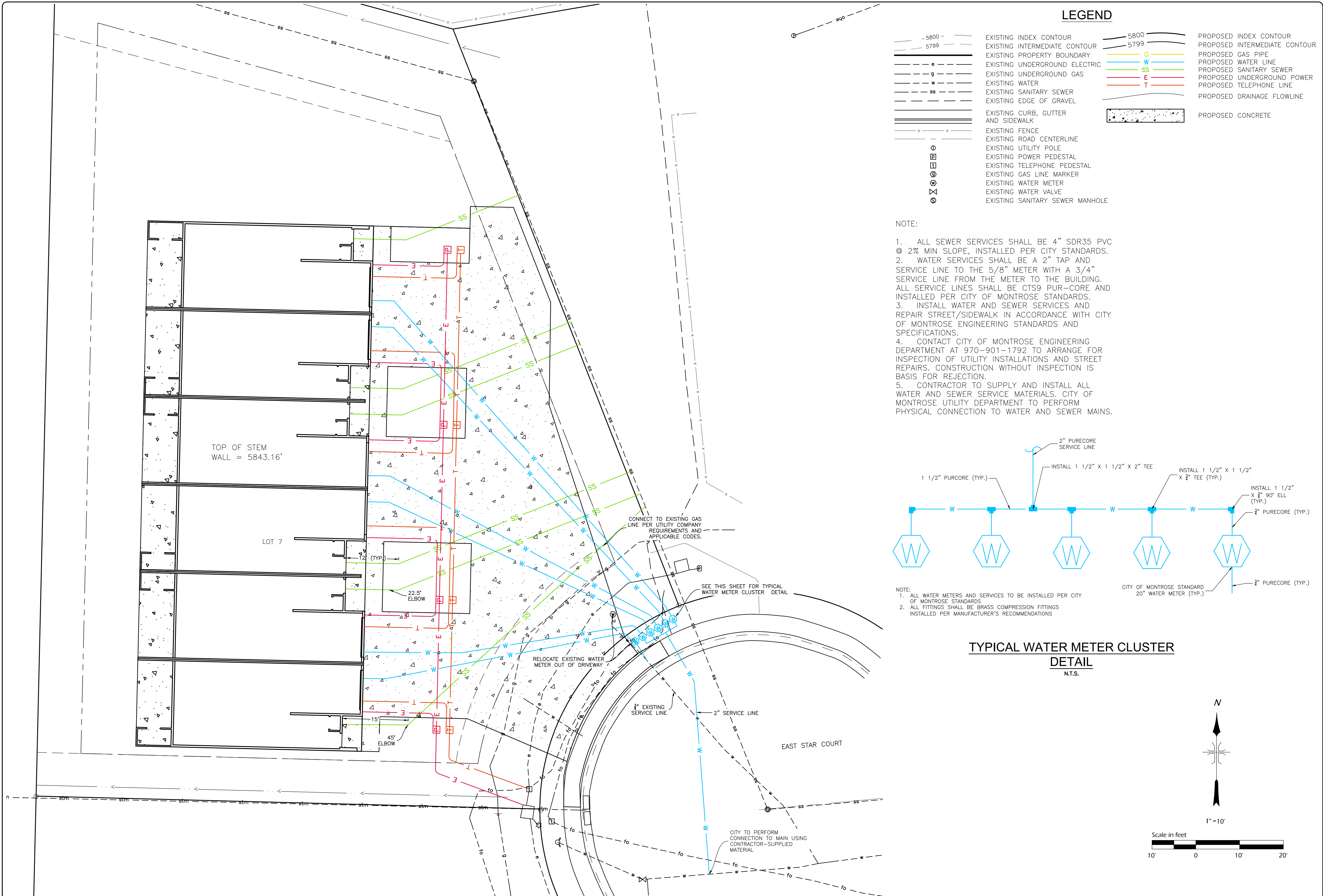
GRADING AND DRAINAGE PLAN

DMC JOB NO: 25096

SHEET NO: 2

OF 6 SHEETS

PLOTTED BY BUJUAN, FILE PATH & NAME = \\NDM\PROJECTS\ACTIVE PROJECTS\2025\25096-FANNER STAR COURT LOT 7\C3D\25096C_BASE.DWG, PLOT DATE = 10/20/2025 8:22 AM

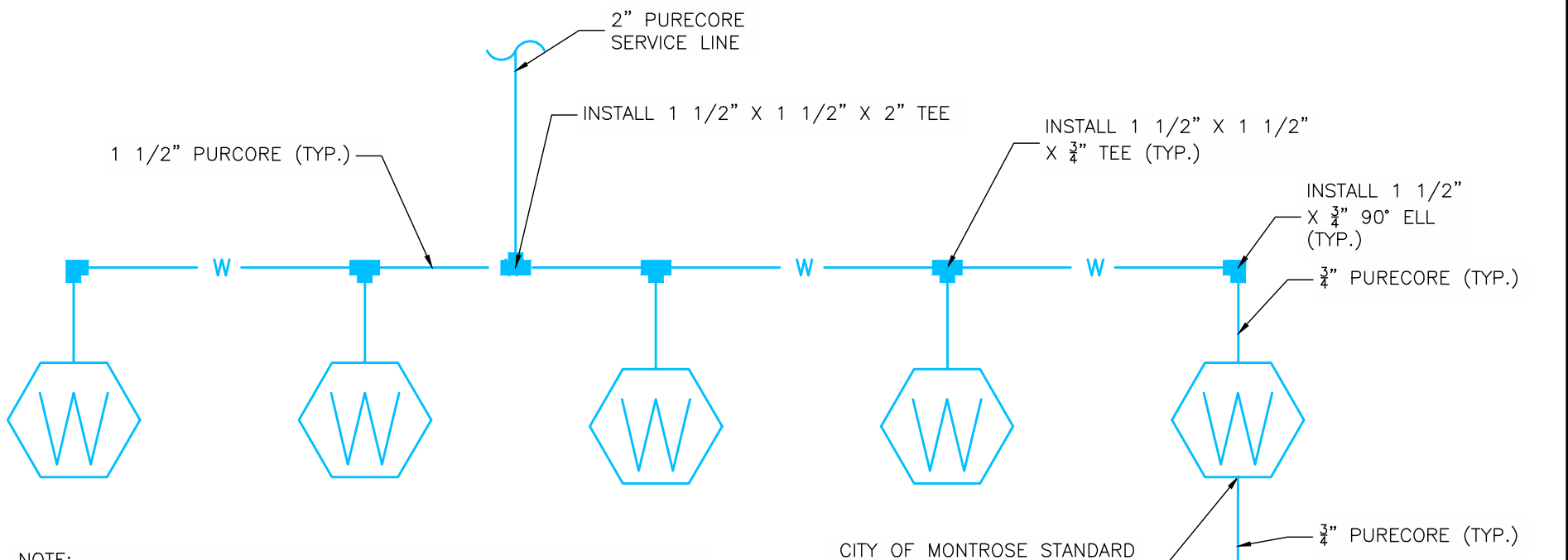


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| | EXISTING INDEX CONTOUR | | PROPOSED INDEX CONTOUR |
| | EXISTING INTERMEDIATE CONTOUR | | PROPOSED INTERMEDIATE CONTOUR |
| | EXISTING PROPERTY BOUNDARY | | PROPOSED GAS PIPE |
| | EXISTING UNDERGROUND ELECTRIC | | PROPOSED WATER LINE |
| | EXISTING UNDERGROUND GAS | | PROPOSED SANITARY SEWER |
| | EXISTING WATER | | PROPOSED UNDERGROUND POWER |
| | EXISTING SANITARY SEWER | | PROPOSED TELEPHONE LINE |
| | EXISTING EDGE OF GRAVEL | | PROPOSED DRAINAGE FLOWLINE |
| | EXISTING CURB, GUTTER AND SIDEWALK | | PROPOSED CONCRETE |
| | EXISTING FENCE | | |
| | EXISTING ROAD CENTERLINE | | |
| | EXISTING UTILITY POLE | | |
| | EXISTING POWER PEDESTAL | | |
| | EXISTING TELEPHONE PEDESTAL | | |
| | EXISTING GAS LINE MARKER | | |
| | EXISTING WATER METER | | |
| | EXISTING WATER VALVE | | |
| | EXISTING SANITARY SEWER MANHOLE | | |

NOTE:

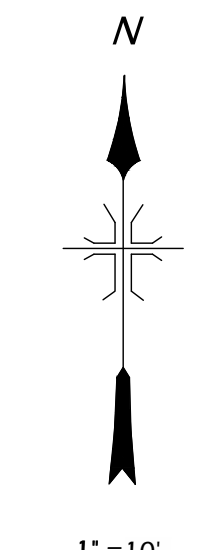
1. ALL SEWER SERVICES SHALL BE 4" SDR35 PVC @ 2% MIN SLOPE, INSTALLED PER CITY STANDARDS.
2. WATER SERVICES SHALL BE A 2" TAP AND SERVICE LINE TO THE 5/8" METER WITH A 3/4" SERVICE LINE TO THE METER TO THE BUILDING. ALL SERVICE LINES SHALL BE CTS9 PUR-CORE AND INSTALLED PER CITY OF MONTROSE STANDARDS.
3. INSTALL WATER AND SEWER SERVICES AND REPAIR STREET/SIDEWALK IN ACCORDANCE WITH CITY OF MONTROSE ENGINEERING STANDARDS AND SPECIFICATIONS.
4. CONTACT CITY OF MONTROSE ENGINEERING DEPARTMENT AT 970-901-1792 TO ARRANGE FOR INSPECTION OF UTILITY INSTALLATIONS AND STREET REPAIRS. CONSTRUCTION WITHOUT INSPECTION IS BASIS FOR REJECTION.
5. CONTRACTOR TO SUPPLY AND INSTALL ALL WATER AND SEWER SERVICE MATERIALS. CITY OF MONTROSE UTILITY DEPARTMENT TO PERFORM PHYSICAL CONNECTION TO WATER AND SEWER MAINS.



NOTE:

1. ALL WATER METERS AND SERVICES TO BE INSTALLED PER CITY OF MONTROSE STANDARDS
2. ALL FITTINGS SHALL BE BRASS COMPRESSION FITTINGS INSTALLED PER MANUFACTURER'S RECOMMENDATIONS

TYPICAL WATER METER CLUSTER DETAIL
N.T.S.



| NO | DATE | REVISIONS | BY |
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DEL-MONT CONSULTANTS, INC.
ENGINEERING & SURVEYING
125 Colorado Ave Montrose, CO 81401 (970) 249-2251
www.delmont.com | service@delmont.com

DESIGNED BY: **DWS** DATE DESIGNED: **2025-10-20**
CHECKED BY: **DWH** DATE CHECKED: **2025-10-20**
SCALE: **DWH** FILE NAME: **25096C_BASE.DWG**
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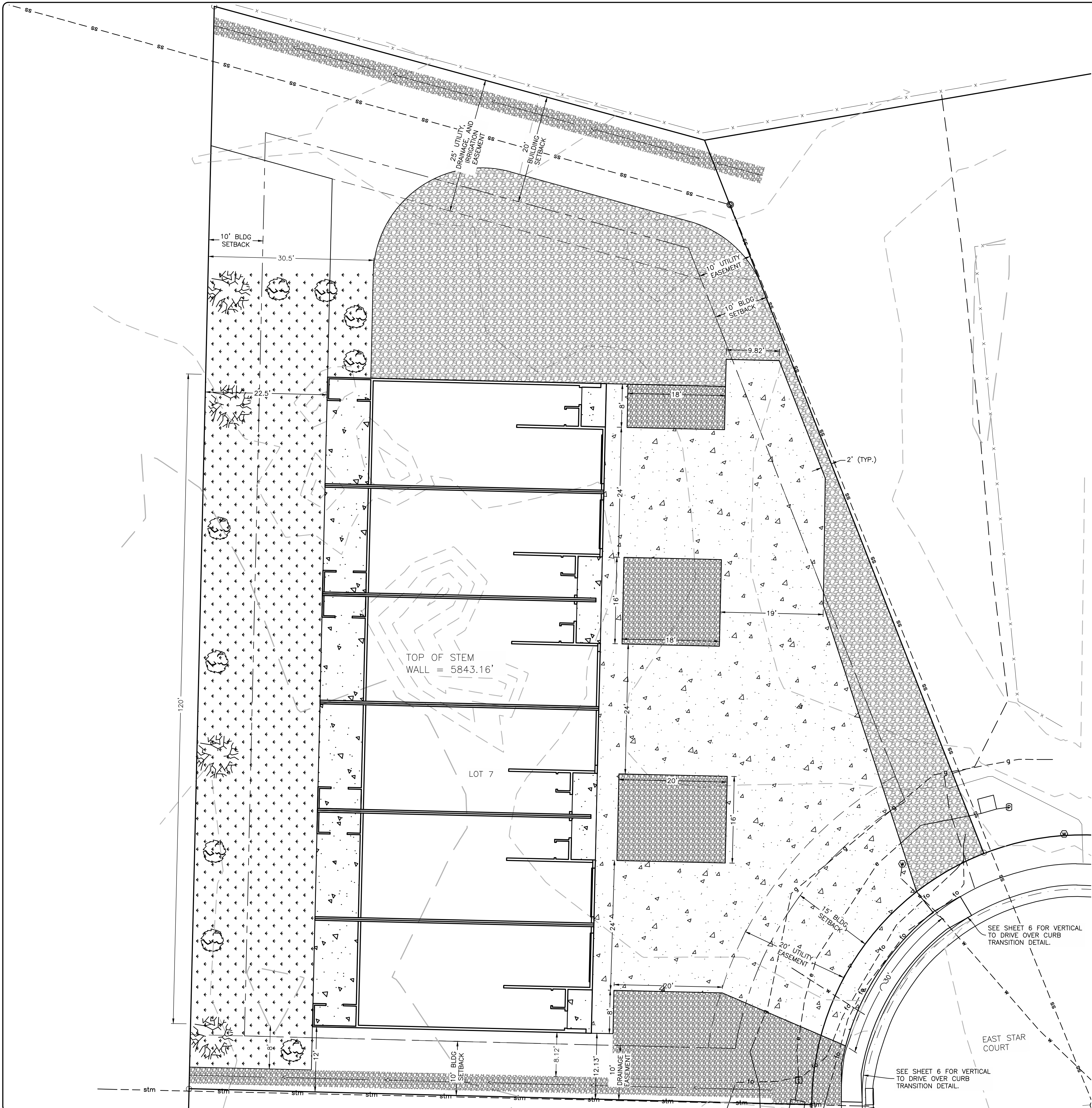
DMC

FORZA RED, LLC
LOT-7 STAR CT. SITE DEVELOPMENT
MONTROSE, COLORADO

UTILITIES

DMC JOB NO.: **25096**
SHEET NO.: **3**
OF **6** SHEETS

PLOTTED BY BULLIAN, FILE PATH & NAME = NDIS14\PROJECTS\ACTIVE PROJECTS\2025\25096-FANNER STAR COURT LOT 7\C3D\25096C_BASE.DWG, PLOT DATE = 10/20/2025 8:22 AM



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| | EXISTING INDEX CONTOUR | | 5800 | PROPOSED INDEX CONTOUR |
| | EXISTING INTERMEDIATE CONTOUR | | 5799 | PROPOSED INTERMEDIATE CONTOUR |
| | EXISTING PROPERTY BOUNDARY | | G | PROPOSED GAS PIPE |
| | EXISTING UNDERGROUND ELECTRIC | | W | PROPOSED WATER LINE |
| | EXISTING UNDERGROUND GAS | | SS | PROPOSED SANITARY SEWER |
| | EXISTING WATER | | | PROPOSED DRAINAGE FLOWLINE |
| | EXISTING SANITARY SEWER | | | PROPOSED CONCRETE |
| | EXISTING EDGE OF GRAVEL | | | PROPOSED TREE |
| | EXISTING CURB, GUTTER AND SIDEWALK | | | PROPOSED SHRUB |
| | EXISTING FENCE | | | |
| | EXISTING ROAD CENTERLINE | | | |
| | EXISTING UTILITY POLE | | | |
| | EXISTING POWER PEDESTAL | | | |
| | EXISTING TELEPHONE PEDESTAL | | | |
| | EXISTING GAS LINE MARKER | | | |
| | EXISTING WATER METER | | | |
| | EXISTING WATER VALVE | | | |
| | EXISTING SANITARY SEWER MANHOLE | | | |

NOTES:

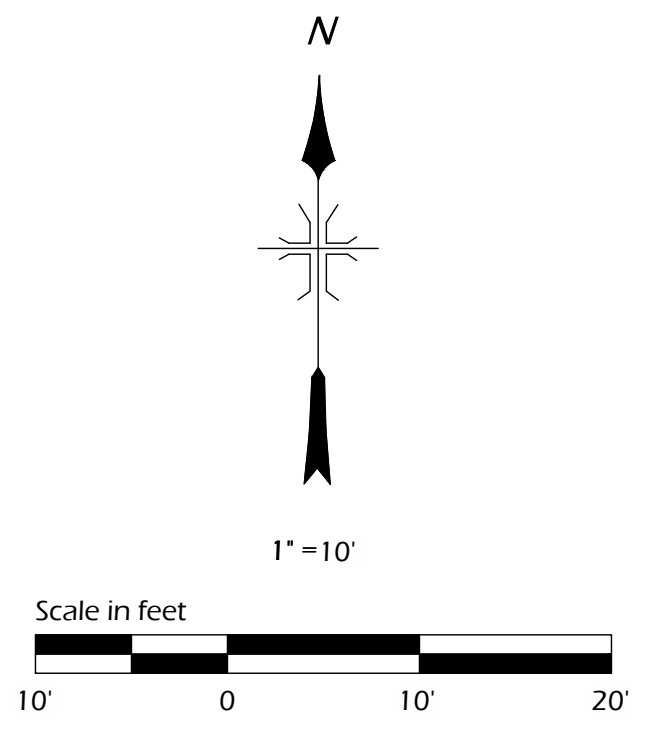
1. ALL LANDSCAPING TO BE DONE PER CITY OF MONTROSE STANDARDS.
2. SHRUBS AND TREES TO BE ADDED AS REQUIRED.
3. 22% LANDSCAPE COVER; APPROXIMATELY 3561 SQ FT OF LANDSCAPING ON 16096.47 SQ FT LOT.
4. CONIFEROUS TREES ARE REQUIRED TO BE AT LEAST 6' TALL AND DECIDUOUS TREES ARE REQUIRED TO HAVE A 1.5" CALIPER MEASURED 6" ABOVE THE GROUND AT TIME OF PLANTING.
5. SHRUBS ARE REQUIRED TO HAVE AT LEAST A 5 GALLON ROOT SIZE AT TIME OF PLANTING.
6. AN AUTOMATIC IRRIGATION SYSTEM WILL BE REQUIRED.
7. UNDERLYING WEED BARRIERS (GEOTEXTILE FABRIC) IS REQUIRED UNDER NON-PLANT MATERIALS SUCH AS ROCK OR WOOD CHIPS. IF ROCK OR STONE IS BEING APPLIED, IT MUST BE 1-3 INCHES IN SIZE, AND APPLIED TO A MINIMUM OF THREE INCHES IN DEPTH. IF REDWOOD BARK OR WOODCHIPS ARE BEING APPLIED, THE DEPTH MUST BE AT LEAST 3 INCHES.

CITY OF MONTROSE LANDSCAPE REQUIREMENTS

22276.55 SF LOT SIZE
 - 6180.00 SF BLDG FOOTPRINT
 16096.55 SF
 x 0.15 RESIDENTIAL ZONING
 2414.48 SF LOT LANDSCAPING REQUIRED

2414.48 / 800 = 4 TREES REQ.
 4 x 3 = 12 SHRUBS REQ.

| | REQUIRED | PROVIDED |
|-------------|------------|------------|
| LANDSCAPING | 2414.48 SF | 3486.94 SF |
| TREES | 3 | 4 |
| SHRUBS | 9 | 9 |



| NO | DATE | REVISIONS | BY |
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| DESIGNED BY | DWH | DATE DESIGNED | 2025-10-20 |
| CHECKED BY | DWH | DATE CHECKED | |
| SCALE | | 20% (BASE DMC) | |
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LANDSCAPING

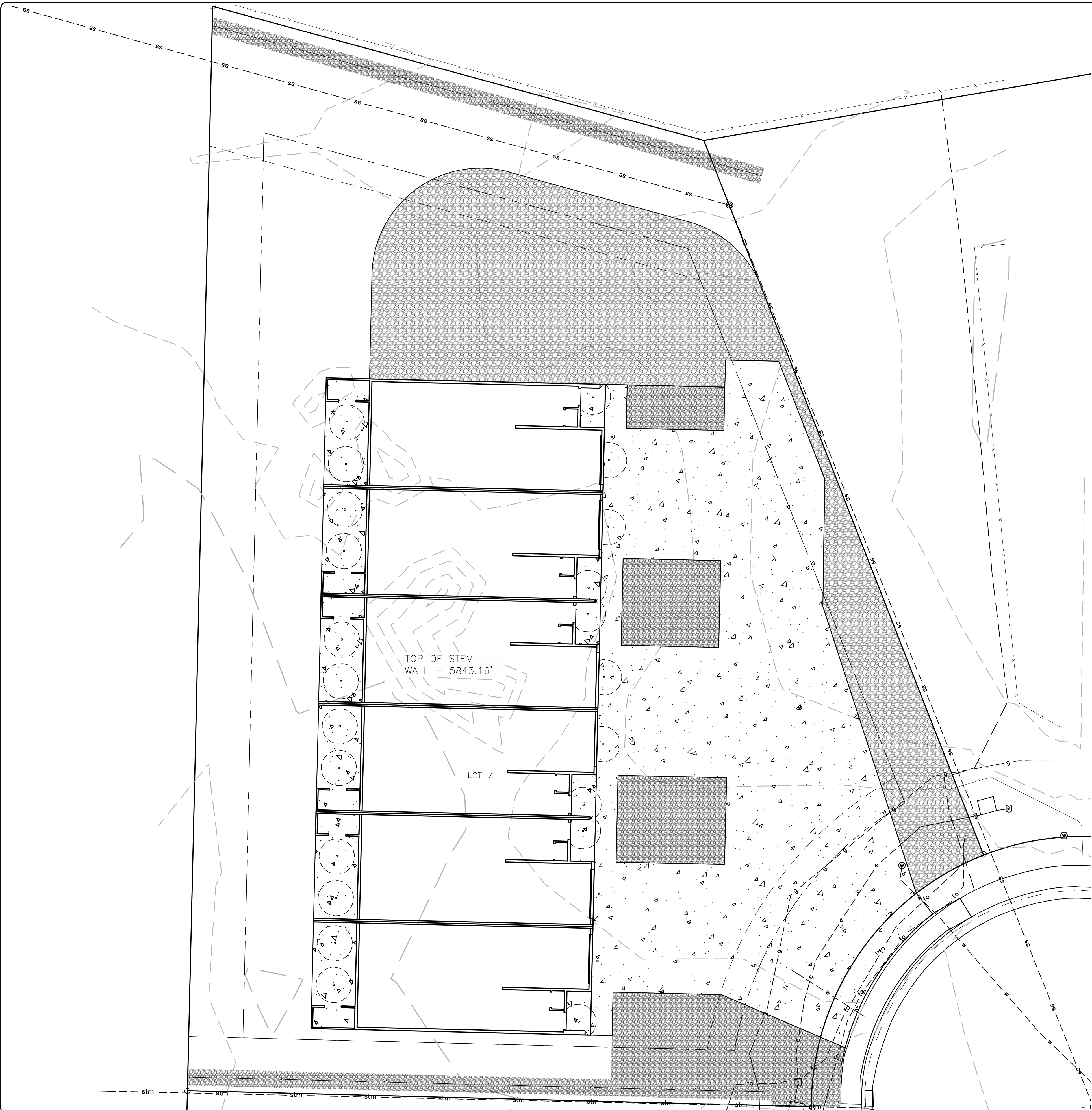
FORZA RED, LLC
 LOT-7 STAR CT. SITE DEVELOPMENT
 MONTROSE, COLORADO

25096

4

6 SHEETS

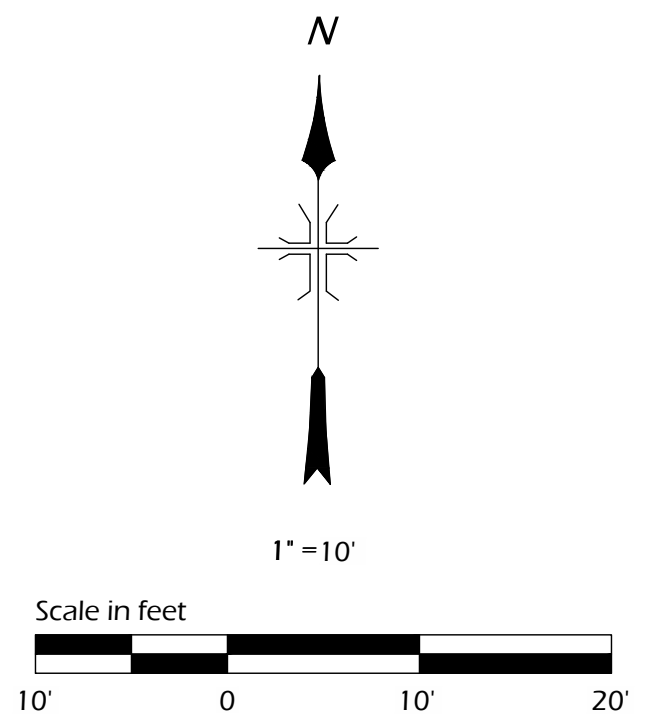
PLOTTED BY BUJUAN, FILE PATH & NAME = \NDMS\PROJECTS\ACTIVE PROJECTS\2025\25096-FANNER STAR COURT LOT 7\C3D\25096C_BASE.DWG, PLOT DATE = 10/20/2025 8:22 AM



LEGEND

- 5800 - EXISTING INDEX CONTOUR
- 5799 - EXISTING INTERMEDIATE CONTOUR
- - - - EXISTING PROPERTY BOUNDARY
- e - - - EXISTING UNDERGROUND ELECTRIC
- g - - - EXISTING UNDERGROUND GAS
- w - - - EXISTING WATER
- ss - - - EXISTING SANITARY SEWER
- - - - EXISTING EDGE OF GRAVEL
- - - - EXISTING CURB, GUTTER AND SIDEWALK
- x - x - EXISTING FENCE
- - - - EXISTING ROAD CENTERLINE
- - - - EXISTING UTILITY POLE
- - - - EXISTING POWER PEDESTAL
- - - - EXISTING TELEPHONE PEDESTAL
- - - - EXISTING GAS LINE MARKER
- - - - EXISTING WATER METER
- - - - EXISTING WATER VALVE
- - - - EXISTING SANITARY SEWER MANHOLE
- 5800 - PROPOSED INDEX CONTOUR
- 5799 - PROPOSED INTERMEDIATE CONTOUR
- C - - - PROPOSED GAS PIPE
- W - - - PROPOSED WATER LINE
- SS - - - PROPOSED SANITARY SEWER
- - - - PROPOSED DRAINAGE FLOWLINE
- [Pattern] - PROPOSED CONCRETE
- [Circle] - PROPOSED OUTSIDE RECESSED CAN LIGHT
- [Circle] - LIGHT HALO (4" RECESSED CAN LIGHT = 6.5' LIGHT FOOT PRINT AT 10' MOUNTING HEIGHT)

- NOTES:
1. LIGHTS USED ARE 4" RECESSED LED CAN LIGHTS.
 2. LIGHTS WILL BE PLACED WITHIN THE SOFFIT MATCHING THE OTHER TOWNHOMES FOUND IN THIS NEIGHBORHOOD.



| NO | DATE | REVISIONS | BY |
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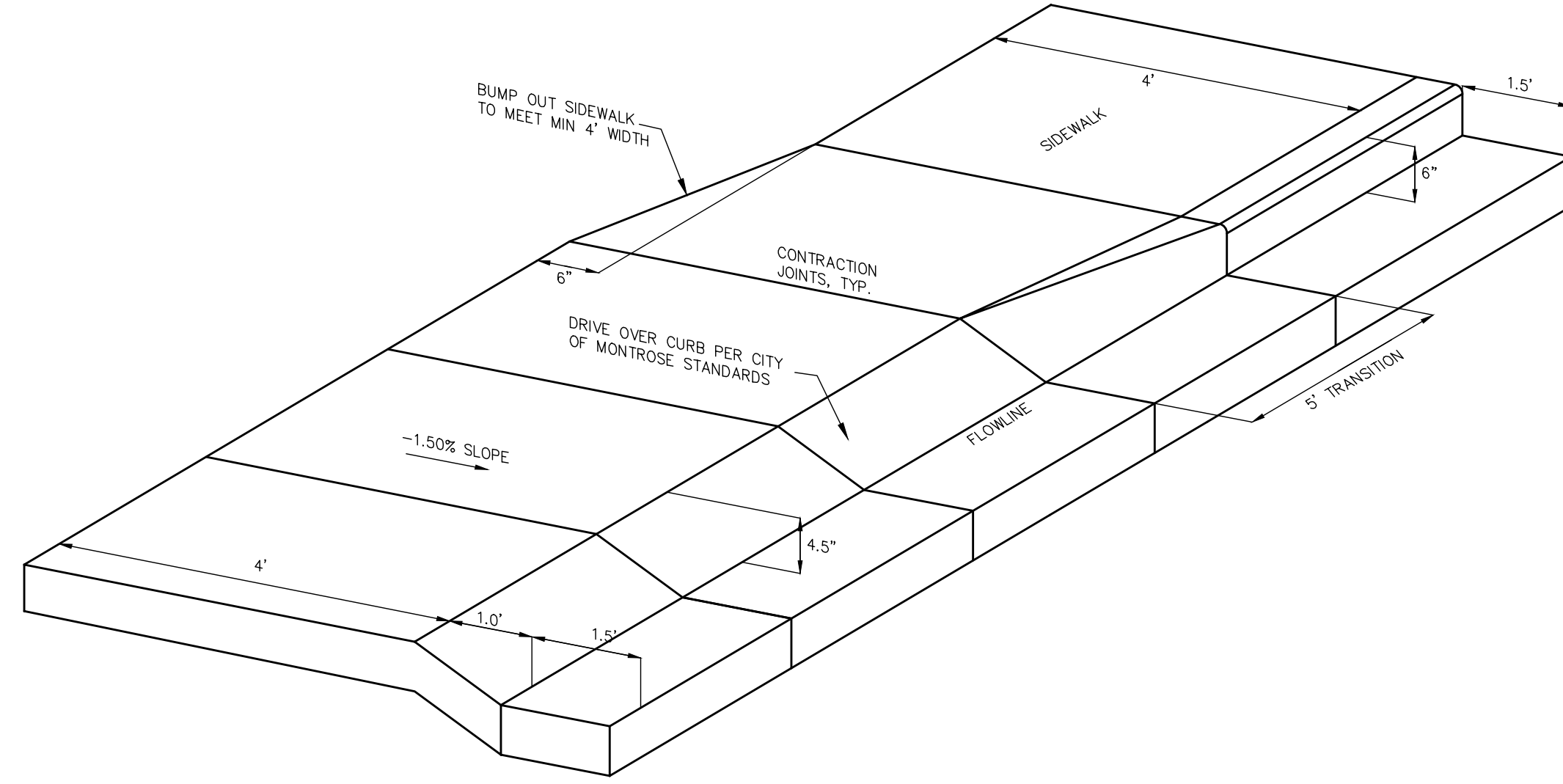
DMC
 DEL-MONT CONSULTANTS, INC.
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 125 Colorado Ave. Montrose, CO 81401 (970) 249-2251
 www.delmont.com service@delmont.com

DESIGNED BY: DWH/BAJ
 CHECKED BY: DWH/BAJ
 DATE ISSUED: 2025-10-20
 DATE REVISION: 2025-10-20

FORZA RED, LLC
 LOT-7 STAR CT. SITE DEVELOPMENT
 MONTROSE, COLORADO

LIGHTING PLAN

| | |
|--------------|-------|
| DMC JOB NO. | 25096 |
| SHEET NO. | 5 |
| TOTAL SHEETS | 6 |



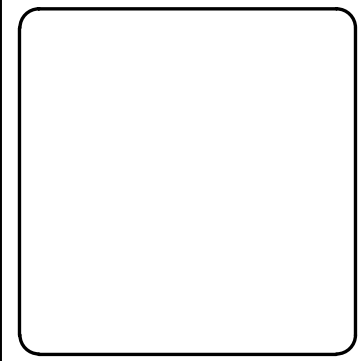
VERTICAL TO DRIVE OVER CURB TRANSITION

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DMC DEL-MONT CONSULTANTS, INC.
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www.dmc-engineers.com

DESIGNED BY: DWH
CHECKED BY: DWS
DATE ISSUED: 2025-10-20

FILE NAME: 25096_C03.DWG
DRAWN BY: DWH



FORZA RED, LLC
LOT-7 STAR CT. SITE DEVELOPMENT
MONTROSE, COLORADO

VERTICAL TO DRIVE OVER
CURB TRANSITION DETAIL

DMC JOB NO: 25096

SHEET NO: 6

OF 6 SHEETS

CHAPTER 11-5. SUBDIVISION REGULATIONS¹

Sec. 11-5-1. General provisions.

- (A) This Chapter, as amended from time to time may be cited and referred to as the City's subdivision regulations.
- (B) The purposes of these subdivision regulations are to:
- (1) Promote and protect public health, safety and welfare;
 - (2) Encourage the harmonious, orderly and progressive development of land;
 - (3) Ensure the development of economically sound and compatible neighborhoods;
 - (4) Require the construction of necessary improvements and utilities;
 - (5) Ensure safe and convenient circulation of vehicular and pedestrian traffic;
 - (6) Ensure that parks, open spaces, school sites and land needed for other public purposes are either reserved or dedicated;
 - (7) Ensure development is in accordance with the requirements of the City's Comprehensive Plan as such may be amended from time to time; and
 - (8) Ensure that new development bears its fair share of the costs of providing improvements and services necessitated by, or resulting from, the development of subdivisions.
- (C) References in this Chapter to the term "lot" include, as the context requires, "tracts" or "parcels" of real property, to the extent the same are or can be legally described and capable of individual transfer.
- (Ord. No. 2677, § 1(exh. A), 12-17-2024)

Sec. 11-5-2. Major subdivisions.

- (A) *New Subdivisions.* A subdivision shall be classified as a major subdivision and governed by this Section when an applicant proposes to create four or more new lots; or less than four new lots if not eligible as a minor subdivision in accordance with Section 11-5-3.
- (B) *Resubdivisions or Major Plat Amendments.* Resubdivisions and major plat amendments are reviewed in the same manner as a major subdivision with the same purposes. A major plat amendment is any plat amendment that does not qualify as a minor plat amendment under Section 11-5-3 (C). To the extent submittal information was submitted as part of the original subdivision proposal and is adequate by current standards, the applicant for approval of a resubdivision or major plat amendment does not need to submit the information again and may reference such submittal information in the new application. The City Manager will determine the technical adequacy of previously submitted information.

¹Ord. No. 2677, § 1(exh. A), adopted Dec. 17, 2024, repealed the former Ch. 11-5, §§ 11-5-1—11-5-14, and enacted a new Ch. 11-5 as set out herein. The former Ch. 11-5 pertained to similar subject matter and derived from Ord. No. 2626, § 3(exh. A), adopted May 16, 2023.

(C) *Procedure.* The major subdivision procedure shall consist of three separate phases, sketch plan, preliminary plat and final plat, in accordance with Sections 11-5-4, 11-5-5, and 11-5-6, respectively.

(Ord. No. 2677, § 1(exh. A), 12-17-2024)

Sec. 11-5-3. Minor subdivisions.

(A) *New Subdivisions.* A parcel of land is eligible for subdivision through the minor subdivision process if it meets the following criteria:

- (1) The subdivision results in no more than three lots except as permitted within a common interest community subdivision. See Subsection (B) below.
- (2) All lots are adjacent to a dedicated and accepted public street.
- (3) The public improvements required by these regulations are:
 - (a) Already in existence and available to serve each lot, or
 - (b) Individual lot service line stub improvements are completed and services are available at each lot, or
 - (c) Only for lots in commercial zoning districts with no existing building on the lot, and such improvements may be deferred until construction of a building on said lot. A Certificate of Occupancy shall not be issued until the improvements required by these regulations for said lot are installed, inspected, and approved by the City. The plans for such improvements shall be reviewed and approved by the City prior to commencement of construction. The plat shall specify what improvements are so required, and may include additional easements, plat notes or restrictions as appropriate to implement these provisions, or
 - (d) For minor subdivisions creating only two lots in which one lot is already devoted to use as a single household dwelling and to which services for that lot are already in place. The remaining lot may not be issued any building or construction permits until the public improvements necessary to serve the same have been installed, inspected and approved by the City, or the lot is approved for further subdivision.
- (4) Each proposed lot will meet requirements of Chapter 7, Zoning, without the necessity for any variance.
- (5) No part of the subdivision has been approved as part of a minor subdivision within three years prior to the date of submission of the minor subdivision plat.
- (6) No material changes to prior plat notes, restrictions or easements are proposed.

(B) *Common Interest Community Subdivisions.* A common interest community subdivision may be processed as a minor subdivision if all of the following criteria are met:

- (1) Is proposed for development of properties contained within a previously approved and recorded subdivision plat.
- (2) Meets all applicable conditions of the plat governing the original subdivision.
- (3) Complies with the required City platting conditions in Subsection (A) above.
- (4) Complies with the requirements of C.R.S. § 38-33.3-101 et seq. (sublots and common interest community units are not lots for purposes of compliance with this Section).
- (5) Is consistent with the representations made by the property owner and/or applicant for subdivision approval which created the lot proposed to be further subdivided as a common interest community subdivision.

-
- (6) Results in a change of ownership or marketing regime consistent with the basis upon which creation of the lot being proposed for common interest community subdivision was based.
- (C) *Minor Plat Amendments.* Previously-approved subdivision plats may be amended through the minor subdivision process if they meet the following criteria:
- (1) The plat, as amended, reduces the number of lots within the subdivision, i.e., a lot consolidation; or the nature of the amendment is de minimis, e.g., a boundary line adjustment, lot line correction, duplex conversion, easement adjustment, or similar minor plat modification.
 - (2) All lots are adjacent to a dedicated public street.
 - (3) The lots are part of a subdivision plat which has been approved and/or accepted by the City and recorded in the Montrose County Records.
 - (4) The improvements required by these regulations are already in existence and available to serve each lot, or if not yet constructed, are secured as a part of the original subdivision approval.
 - (5) Each lot will meet requirements of the applicable City zoning regulations without the necessity for any variance. No material changes to prior plat notes, restrictions or easements are proposed.
- (D) *Procedure.* Submittals of sketch plans and preliminary plats are not required for minor subdivisions. The minor subdivision application shall conform to all applicable final plat requirements. All fees related to this Section shall be as set forth in Chapter 3-1 of the City of Montrose Regulations Manual. The final plat for a minor subdivision shall contain certification on forms approved by the City to document approval of the plat.
- (1) The City Manager may either approve, disapprove or conditionally approve the final plat subject to compliance with any minimum design standards; dedication of additional right-of-way, easements, open space or park land; or installation of additional improvements. Final plats shall not be recorded until required public and private improvements are installed and approved by the City.
 - (2) Upon approval by the City land use staff, the plat of the minor subdivision shall be submitted in final form on one reproducible mylar, with all requisite signatures, and also in a digital format acceptable to the City, and compatible with City computer systems.
- (E) *Limitation of Eligibility.* Any subdivision not qualifying as a minor subdivision is a major subdivision. For the purpose of interpreting the requirements of this Section, any proposed minor subdivision which is clearly intended to evade the major subdivision regulations or would result in a de facto major subdivision through the combination of previous contiguous and/or consecutive minor subdivisions is not eligible for minor subdivision. A minor subdivision shall only be used one time on a previously unsubdivided parcel of land.
- (Ord. No. 2677, § 1(exh. A), 12-17-2024)

Sec. 11-5-4. Sketch plan.

- (A) *Purpose.* Sketch plan review provides an opportunity to determine whether an application will comply with the City's subdivision review and approval criteria, and to address any issues of concern early in the review process. The sketch plan is a conceptual version of the preliminary plat showing the general subdivision layout, access, street and lot pattern, location of parks, open space tracts, trail corridors, and other tracts for utilities or services.
- (B) *Review Procedure.* The sketch plan application shall be reviewed by the City in accordance with Section 11-4-2 of this Title. The Planning Commission shall take no formal action at the conclusion of its public hearing on the sketch plan; however, comments by the public and the Commission shall be reflected in the minutes of the hearing as a part of the record on the application as it moves through the entire review process.
- (C) *Review Criteria.* A sketch plan shall comply with the following review criteria:

-
- (1) The proposal shall be consistent with the City subdivision and zoning regulations, standards and other applicable ordinances and regulations and will be reviewed, considering the following at a minimum:
 - (a) Relationship of development to topography, soils, drainage, flooding, potential natural hazard areas and other physical characteristics;
 - (b) Availability of water, means of sewage collection and treatment, stormwater drainage, access and other utilities and services;
 - (c) Compatibility with the natural environment, wildlife, vegetation and unique natural features;
 - (d) Adjacent streets and traffic flow, including pedestrian access; and
 - (e) Availability of fire, police and other emergency services protection.
 - (2) An applicant intending to immediately develop only a portion of a full tract shall nevertheless submit an informal sketch plan for the entire tract showing their present plans for its eventual development.

(Ord. No. 2677, § 1(exh. A), 12-17-2024)

Sec. 11-5-5. Preliminary plat.

- (A) *Purpose.* The purpose of the preliminary plat is to provide the City with an overall master plan for the proposed subdivision. The preliminary plat is more detailed than the sketch plan and should incorporate the comments and guidance provided during the sketch plan process. It includes the layout of the subdivision, engineering design studies, and final engineering design, with all bearings, distances and survey monumentation.
- (B) *Review Procedure.* The preliminary plat application shall be reviewed by the City in accordance with Section 11-4-2 of this Title.
- (C) *Review and Approval Criteria.* A preliminary plat shall comply with the following review and approval criteria:
 - (1) The plat shall be consistent with the City subdivision and zoning regulations, standards and other applicable ordinances and regulations;
 - (2) The plat proposes a harmonious development and lot pattern that is compatible with the neighborhood and community;
 - (3) The lot and development pattern ensures there will be adequate light, air, parks, open space, and other places for public use;
 - (4) The plat design provides for adequate access and efficient emergency response to all lots proposed in the subdivision;
 - (5) Adequate, safe, and efficient public improvements, utilities, and community facilities and services will be provided with sufficient capacity to serve the subdivision;
 - (6) A sufficient supply of water is available and sufficient water rights have been dedicated to the City, in conformance with the City's water standards;
 - (7) The plat design provides for adequate protection from fire, flood, geologic hazards, significant soil constraints, and other dangers, and provides for proper design of stormwater drainage, erosion control, utilities and streets;
 - (8) The plat design provides for compatibility with unique or distinctive natural areas, scenic areas and views, natural landmarks, significant wildlife habitats and migration areas, drainage areas, riparian areas, wetlands, historic features and archaeologically sensitive sites, recognizing the irreplaceable character of such resources and their importance to the quality of life in Montrose; and

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(Supp. No. 12)

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- (9) The preliminary plat and proposed improvements shall comply with all requirements of this Chapter, other applicable City design and construction specifications and standards and all applicable County, State, and Federal Regulations.
- (D) *Notice to Proceed.* No construction of the required subdivision improvements shall commence until approval of the preliminary plat by the City Council and submittal of both a reproducible mylar of the preliminary plat, as finally approved with signed certificates as required by the City, and a copy of the preliminary plat in a digital format acceptable to the City and compatible with City computer systems. Upon approval and submittal of the reproducible mylar of the preliminary plat, and supporting documentation as required, the City shall provide signed copies of the preliminary plat which shall serve as notice to proceed with construction of the required subdivision improvements, both public and private.
- (Ord. No. 2677, § 1(exh. A), 12-17-2024)

Sec. 11-5-6. Final plat.

- (A) *Purpose.* The purpose of the final plat is to complete the subdivision of land in conformance with all the applicable requirements and standards of the City. The final plat shall correspond in every significant respect with the preliminary plat as previously approved. A complete review is conducted of the final subdivision design, with all bearings and distances, survey monumentation, and certificates of approval included on a document suitable for recordation.
- (B) *Review Procedure.* The final plat application shall be reviewed by the City in accordance with Section 11-4-2 of this Title.
- (C) *Review and Approval Criteria.* A final plat shall comply with the following review and approval criteria:
- (1) The plat shall be consistent with the City subdivision and zoning regulations, standards and other applicable ordinances and regulations;
 - (2) The plat proposes a harmonious development and lot pattern that is compatible with the neighborhood and community;
 - (3) The lot and development pattern ensures there will be adequate light, air, parks, open space, and other places for public use;
 - (4) The plat design provides for adequate access and efficient emergency response to all lots proposed in the subdivision;
 - (5) Adequate, safe, and efficient public improvements, utilities, and community facilities and services will be provided with sufficient capacity to serve the subdivision;
 - (6) A sufficient supply of water is available and sufficient water rights have been dedicated to the City, in conformance with the City's water standards;
 - (7) The plat design provides for adequate protection from fire, flood, geologic hazards, significant soil constraints, and other dangers, and provides for proper design of stormwater drainage, erosion control, utilities and streets;
 - (8) The plat design provides for the preservation and conservation of unique or distinctive natural areas, scenic areas and views, natural landmarks, including rock outcroppings and unique landforms, significant wildlife habitats and migration areas, drainage areas, riparian areas, wetlands, historic features and archaeologically sensitive sites, recognizing the irreplaceable character of such resources and their importance to the quality of life in Montrose; and

-
- (9) The final plat is generally consistent with the preliminary plat, as applicable and proposed improvements comply with all requirements of this Chapter, other applicable City design and construction specifications and standards and all applicable County, State, and Federal Regulations.

(D) *Additional Provisions.*

- (1) No land shall be subdivided, or any parcel thereof sold or conveyed, until a final plat has been approved and either a Letter of Substantial Completion or a Preliminary Letter of Infrastructure Completion has been issued in accordance with this Section.
- (2) Any conditions or improvements imposed on the applicant by the City Council under the preliminary plat approval must be shown on the final plat and either completed, or accompanied by the appropriate security under Section 11-5-12, prior to approval by the City Council.
- (3) The final plat may be submitted for a portion of the preliminary plat, or phased, subject to the following conditions:
- (a) The applicant has submitted a phasing plan that has been approved as a part of the preliminary plat, or if subsequent to that time, as an amendment of the approved preliminary plat.
 - (b) All required improvements, utilities and road infrastructure must be accessible to the remaining aggregate of unsubdivided land, or outlot.
 - (c) In instances where completion of required improvements, utilities or road infrastructure within the outlot is determined by the City to be necessary as a condition of approval of that final plat, the developer shall be required to complete said improvements, utilities or road infrastructure upon approval of that final plat. This may include, but not be limited to, completion of necessary road infrastructure, stormwater drainage system, trails and park development.
- (4) No final plat shall be approved by the City Council until:
- (a) All of the public improvements required by these subdivision regulations have been installed, inspected and approved by the City Engineer, or properly secured in accordance with the provisions of Section 11-5-12 on forms approved by the City.
 - (b) As-built plans, supporting documentation, certificates and data for completed utility improvements have been provided, reviewed and accepted by the City Engineer and provided in a digital format acceptable to the City and compatible with City computer systems. All as-built plans, supporting documentation, certificates and data for completed utility and infrastructure improvements shall be signed and stamped by a registered Colorado professional engineer.
 - (c) The final plat has been submitted in final form on reproducible mylars, with all requisite signatures, and also in a digital format acceptable to the City, and compatible with City computer systems.
 - (d) Payment to the City of any atypical costs incurred by the City within the subdivision review process, which costs are specifically subject to reimbursement.
 - (e) The security for the two-calendar year construction warranty has been provided by the subdivider in a form acceptable to the City.
- (5) Following City Council approval of the final plat and verification that the documentation has met all applicable codes and regulations, the final plat shall be executed by the appropriate City staff and recorded with due diligence.

(Ord. No. 2677, § 1(exh. A), 12-17-2024)

Sec. 11-5-7. Reserved.

Sec. 11-5-8. Issuance of building permits.

- (A) Until any required public improvements are accepted by the City, the City shall not be obliged to issue any building permits within a subdivision, except as provided herein. Provided that all other applicable City codes and regulations have been satisfied, building permits may be issued only to the subdivider for any property with an approved Preliminary Plat. The subdivision must have sufficient access and water to allow for adequate fire protection as determined by the fire protection district. No certificates of occupancy, temporary or otherwise, shall be issued unless and until:
- (1) All required public and private on- and off-site improvements have been completed;
 - (2) A Letter of Substantial Completion or a Preliminary Letter of Infrastructure Completion has been issued by the City; and
 - (3) A final plat has been approved and recorded.
- (B) A Letter of Substantial Completion or a Preliminary Letter of Infrastructure Completion shall evidence City inspection and approval.

(Ord. No. 2677, § 1(exh. A), 12-17-2024)

Sec. 11-5-9. Land dedication and fees in lieu.

(A) *Purpose and Intent.*

- (1) The purpose of the land dedication requirement is to provide public park, open space, trail, and school facilities and/or services made necessary as a consequence of a subdivision, in an amount roughly proportional to the impact of the subdivision upon such facilities and/or services or the increased need for them brought about by a subdivision. New residential subdivisions require these services provided through municipal facilities which are constructed, in part, through dedication of land necessary to construct the facilities. Absent land dedication by new subdivisions, sufficient land may not be made available at the time of subdivision to provide necessary services to new residents. In order to provide public services, the City requires certain dedications of land or in the appropriate circumstances, payment of fees-in-lieu of such dedication.
- (2) It is the intent of this Section to preserve natural and scenic areas and provide for the public health, recreational, and educational needs by ensuring that school, recreational, and open space land and trails are available to the residents and/or employees of developments in conformance with the City's Comprehensive Plan as updated from time to time.

(B) *Dedication Procedure.*

- (1) The amount, location, and nature of land interests to be dedicated shall be established prior to final subdivision plat approval. Land dedications and/or conveyances shall be made as a condition of final plat approval and shall be implemented in one or more of the following ways, as appropriate and as provided in the final plat approval:
 - (a) A fee simple dedication to the City granted via plat note on the final plat;
 - (b) A fee simple conveyance to the City granted via general warranty deed;
 - (c) A fee simple dedication to the school district of a school site via plat note on the final plat;

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- (d) A fee simple conveyance to the school district via general warranty deed; and/or
 - (e) Payment of fees-in-lieu of land dedications where permitted and approved by the City.
- (2) Whenever a subdivision application involves land that is to be dedicated and/or conveyed to the City, the applicant shall submit, with the final plat application, a title insurance commitment indicating the land is owned by the applicant free and clear from all liens, encumbrances and restrictions.
- (a) Title insurance shall be provided by the applicant in an amount equal to the approximate value of the property to be dedicated and/or conveyed, as approved by the City.
 - (b) The executed deed, if applicable, and the payment of the premium for the title insurance policy shall be delivered to the City prior to the recording of the final plat.
- (C) *Land Dedication Standards.*
- (1) *General Requirements.* Every approved subdivision shall convey land for the purpose of providing parks, open space, trails, school sites, and other public uses. The standards herein are minimum standards and the City may require dedications and improvements greater than the minimum to adequately meet the needs created by the development.
- (a) The City Council shall determine the suitability of the land and improvements proposed for dedication in consideration of the intended purpose of the dedication.
 - (b) The City may consider recommendations from other agencies which would be directly involved in the development and service of those areas.
 - (c) Parks, open space, and trails shall be dedicated to the City in conformance with the requirements herein and the adopted standards of the City Comprehensive Plan as may be updated from time to time.
 - (d) Parks, open space and trails shall be situated within floodplains instead of developed lots when reasonable to do so.
- (2) *Improvement Required.* Any land to be dedicated to the City shall be improved by the developer per the timetable specified at time of final plat subdivision approval for use as park, open space, and/or trails.
- (D) *Park Land Standards.* Dedication of land for park purposes shall be based upon the following standards. In the event the subdivider disagrees with the calculation provided by the City, the subdivider may request continuation of final plat review and fund an independent study under Section 11-5-9(I):
- (1) Subdividers shall dedicate to the City developed park land based upon a formula of seven acres of developed and usable park land per density of 1,000 residents, calculated at build-out of the proposed subdivision. For the purpose of this calculation, it shall be assumed that each residential unit shall house an average of two and one-half residents.
 - (2) Those developments that dedicate adequate quantities and qualities of park land acceptable to the City, in the City's sole discretion, shall not be required to pay the money in lieu of park land dedication. Only park land dedicated to the City of Montrose, and approved by the City, in the City's sole discretion, that meets the City's Comprehensive Plan, the minimum design standards as set forth herein, and that is improved to meet the City's park standards and specifications, shall qualify to relieve the subdivider of payment of money in lieu of park land dedication.
 - (3) Developed park land proposed for dedication or conveyance to the City shall require prior submittal and approval of a park plan by the City, which plan shall address the City's park standards and specifications.

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- (4) When authorized by the City, the required dedication of developed park land may be partially or wholly substituted by alternative dedication and/or preservation of open space areas such as riparian habitat, wetlands habitat, wildlife habitat and view corridors as approved by the City.
 - (5) Parks that are sized, developed, and located to meet the needs of the City and constructed in accordance with City standards and specifications may be dedicated to the City, and if so dedicated, shall be available for use by the public.
- (E) *Trail and Sidewalk Standards.*
- (1) Trails shall be dedicated as needed to serve the recreational and transportation needs of the subdivision in conformance with the Comprehensive Plan, and shall provide links to schools, the local and regional trail system, parks and open space areas, commercial and employment areas, public transit, community facilities such as libraries, and other destinations. Trails should be provided adjacent to or within natural and scenic areas and open space areas, when possible, in a manner that provides a recreational corridor without degrading the natural or scenic resource.
 - (2) Sidewalks and recreation trails shall be integrated with existing and planned sidewalks and recreation trails in accordance with the City's Comprehensive Plan. The owner of each project shall dedicate the appropriate easements and/or rights-of-way consistent with said plans.
 - (3) All sidewalk and recreational trails shall be available for use by the public.
- (F) *Open Space and Watercourse Standards.*
- (1) If required by the City, open space shall be dedicated as necessary to preserve significant natural areas such as buttes, bluffs, and other geologic formations, water bodies/resources, wildlife habitat areas, fragile ecosystems (wetlands) riparian areas, floodplains, native trees and shrubs and/or other significant native vegetation. Open space shall also be dedicated as necessary to preserve lands which preserve significant views, provide transitions between different densities and uses (buffers) and otherwise serve to give shape and form to the proposed development and surrounding community.
 - (2) Public access is not required for open space dedications.
 - (3) Natural watercourses may be developed and preserved consistent with City floodplain management regulations, Storm Drainage Requirements and Federal Clean Water Act Section 404 Permit requirements, to minimize safety, environmental, and other hazards, and shall be integrated with the City's Comprehensive Plan for such watercourses whenever feasible.
- (G) *Fees in Lieu of Dedication.*
- (1) In the event the dedication of required park land is not deemed suitable or not in the public interest within the development, the City Manager is hereby authorized to require the applicant, in-lieu thereof, to pay the City a fee-in-lieu-of land based on the amount of required land dedication as calculated in Section 11-5-9(D) above, and pro-rated using the average value of land in the City plus the cost per acre of constructing the improvements for that type of facility. Such fee may be updated from time to time to reflect current market land values and costs of the improvements and shall be adopted by Resolution and included in the City's fee schedule.
 - (2) Alternatively, and if approved by the City Manager, the subdivider may develop or contribute to the improvement of an off-site facility if said facility conforms to the adopted standards in the Comprehensive Plan. Nothing contained herein shall be construed to prevent the City Manager from requiring that part of the park land dedication requirement be made in the form of dedicated land, and that part of such requirement be made in the form of cash in-lieu of the remaining requirements for such land.
 - (3) When in-lieu payments are permitted, the following standards apply:

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- (a) Lot or Unit x 0.0175 (acres park land per lot or unit) x \$90,000.00 (value per developed park land acre, based upon \$25,000.00 per acre undeveloped land value plus \$65,000.00 park land development cost) = \$1,575.00 per lot or unit.
 - (b) Monies collected in lieu of park land dedication shall be collected at time of issuance of building permit, and placed into a City park development fund to be earmarked for future acquisition or development of parks, opens space, or trails. No security as set forth in Section 11-5-12 shall be required.
- (4) Monies paid in lieu of park land dedication pursuant to this Section are to enable the City to provide parks in the proper locations, and of the proper sizes to serve the citizens of the City.
- (H) *Relationship to Useable Open Space.*
- (1) Useable open space, as defined in Section 11-15-2 of this Title, shall not be a substitute for the dedication of park land, or money in lieu of park land dedication.
 - (2) All non-public common areas, parks and open spaces shall be held in private ownership and maintained in perpetuity, with appropriate platted restrictions on use and covenants for ownership and maintenance in accordance with the provisions of Section 11-5-11(B).
 - (3) For useable open space within Planned Developments, see Section 11-7-8(B)(2).
- (I) *Site Specific Dedication Study.*
- (1) In the event that the applicant disagrees with the City's determination concerning dedication of land and/or payment in lieu of dedication, the applicant may request a continuation of any subdivision processing and review by the City, in order for the applicant to prepare a private study evaluating the demand for public facilities made necessary or generated by the proposed development. Upon receipt by the City of the applicant-funded study, the subdivision review process shall recommence.
 - (2) Such study shall be undertaken at the applicant's cost by a licensed professional engineer or other professional approved in advance by the City.
 - (3) To the greatest extent possible, the study shall include an evaluation of the City's present supply or capacity and present demand for all public facilities and/or services required by the proposed development.
 - (4) The study shall identify and quantify the additional demand placed upon such public facilities and/or services by the proposed development.
 - (5) The study shall identify the necessary public land and improvements required to be dedicated or constructed by the applicant in order to serve the demand generated by the proposed development.
 - (6) Such study shall be considered by the City in determining the required dedication of land.
- (J) *School Land Dedication Requirements.*
- (1) Based upon conversations with both the City staff and School District staff during the pre-application phase of any project at the time of filing a sketch plan or preliminary plat for approval, the applicant shall, as part of such filing, either:
 - (a) Designate the general area or areas the applicant proposes to set aside for school site(s) and shall indicate the number of acres proposed for such uses and the number of proposed dwelling units in the development; or
 - (b) Agree to make payment of cash-in-lieu of land in an amount as set forth in Section 3-1 of the City of Montrose Regulations Manual; or

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- (c) Request waiver of the requirement to provide for school land dedication or payment in lieu, per Section 11-5-9(K) below.
 - (2) The preliminary plat and final plat of a proposed subdivision shall designate specific areas proposed for use as school sites, the number of acres so designated, and the proposed number of lots by dwelling unit type in the subdivision; or, the waiver of this requirement and agreement to provide cash in-lieu-of land; or a plat note indicating that no children will be generated by the development.
 - (3) School sites dedicated through this procedure shall conform to the school site size requirements and site criteria policy adopted by the School District and incorporated herein by this reference.
 - (4) *Determination of School Land Dedication.* If the City Council determines that the dedication of land for school purposes is appropriate, then the applicant shall convey the property and all improvements located thereon in the manner permitted by Section 11-5-9(B) to the School District at the time of recording of the final plat.
 - (5) *Fees in-Lieu of Land or Guarantee of Future Land Dedication.* When, after recommendation of the School District, dedication of all or portions of required school lands is not deemed feasible or in the public interest, in that event the City Council shall require the payment of fees in-lieu thereof.
 - (6) Monies collected in lieu of school land dedication shall be collected at time of issuance of building permit (or Certificate of Occupancy for those buildings commenced prior to final plat approval) and disbursed to the School District on a quarterly basis. No security as set forth in Section 11-5-12 shall be required.
 - (7) The following shall be exempted from school land dedication requirements or payment in-lieu-of fees:
 - (a) Skilled nursing facilities as defined in the Section 11-15-2 of this Title;
 - (b) City-approved subdivisions that are subject to recorded covenants restricting the age of the residents of said dwelling units such that the dwelling may be classified as housing for older persons pursuant to the Federal Fair Housing Amendments Act of 1988.
- (K) *Waiver of Requirements.*
- (1) The City Council may waive the required dedication of land or the payment in lieu of dedication of open space, parks, trails and/or school lands in the following cases:
 - (a) When the project has already been fully developed and the subdivision of land is necessary to bring the land into conformance with the as-built or as-constructed development;
 - (b) When the development does not result in any increase in demand for parks, trails, or open space; or
 - (c) With respect to school land dedication, the School District approves a waiver request under Section 11-5-9(J).

(Ord. No. 2677, § 1(exh. A), 12-17-2024)

Sec. 11-5-10. Required public improvements.

- (A) All subdivisions shall be provided, at the expense of the subdivider, and subject to applicable zoning criteria, with the following public improvements as required to serve the subdivision and to mitigate its impacts:
 - (1) Street improvements:
 - (a) Paved streets;
 - (b) Paved alleys, if required by the City;

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- (c) Street signs;
 - (d) Street lights; and
 - (e) On- and off-site traffic mitigation improvements as identified in the subdivision's Traffic Impact Study as necessary to safely support the development.
- (2) Curbs, gutters, sidewalks and accessibility ramps.
 - (3) Parks, open space and recreation trails.
 - (4) Public utilities:
 - (a) A water system including fire hydrants and fire mains;
 - (b) A sanitary sewer system;
 - (c) A stormwater system; and
 - (d) Other public utilities, including gas, electricity, and a minimum of three conduits for telecommunications.
 - (5) Drainage facilities and waterways.
 - (6) Survey monuments.
 - (7) As applicable, off-street parking, mailbox location areas and bus stops with accessibility ramps.
- (B) Other improvements required as a condition of approval and found to be roughly proportional to the impacts being mitigated. All public improvements shall be subject to applicable City minimum design standards, regulations and specifications.
 - (C) Public improvements shall be secured by warranty and security instruments as required by Section 11-5-12.
(Ord. No. 2677, § 1(exh. A), 12-17-2024)

Sec. 11-5-11. Private improvements.

- (A) The subdivider may provide, or may be required to provide as a condition of certain private improvements, as specifically referenced below, to serve the subdivision and to mitigate its impacts, and in accordance with duly adopted City standards, if applicable, to include:
 - (1) Recreational facilities, parks, open space and trails;
 - (2) Drainage facilities and waterways;
 - (3) Mailbox location areas;
 - (4) Berms, screening and buffers; and
 - (5) Other private improvements required as a condition of approval.
- (B) Such improvements shall be privately-owned and/or -maintained, and the plat shall contain appropriate restrictions and/or covenants, in form approved by the City Attorney, governing use, ownership and maintenance in perpetuity enforceable by the City, providing for recovery of the City's costs by liens or assessment against the property in the subdivision. Such improvements shall be completed prior to issuance of building permits pursuant to Section 11-5-8.
(Ord. No. 2677, § 1(exh. A), 12-17-2024)

Sec. 11-5-12. Security, warranty and acceptance of improvements.

- (A) If the subdivider wishes to have the final plat approved prior to the installation, inspection and approval of all required improvements, the subdivider must provide security incorporated into a subdivision improvement agreement to guarantee the completion of all required improvements within one year, and all landscaping improvements within two calendar years after approval of the final plat in accordance with this Section.
- (1) Said security shall be in the form of:
 - (a) A subdivision improvements agreement, in a form approved by the City Attorney, in an amount to be verified by the City Engineer equal to 150 percent of the pro rata cost to complete the improvements necessary to serve said lots; or
 - (b) A cash escrow deposited with the City or a clear irrevocable letter of credit in an amount to be verified by the City Engineer equal to 150 percent of the pro rata cost to complete the improvements necessary to serve said lots.
 - (2) Funds in any escrow account shall be returned to the subdivider upon the issuance of either a Letter of Substantial Completion or a Preliminary Letter of Infrastructure Completion, depending on the circumstances.
 - (3) Security shall not be required for money in lieu of payments relative to park land and school land dedications provided in Section 11-5-9(D) and (J), as such money payments shall be collected upon issuance of building permits relative to subdivided lots or units.
 - (4) Even though a final plat will have been recorded, when a subdivider chooses to secure required improvements with a subdivision improvement agreement, as a part of that agreement, the subdivider shall agree not to sell, transfer, offer for sale or otherwise convey any portion of the property, including lot, unit or outlot, prior to the issuance of a Letter of Substantial Completion or a Preliminary Letter of Infrastructure Completion, depending on the circumstances. A sale or other transfer of the entire subdivision is permitted once the purchaser has provided the necessary security.
- (B) The subdivider shall complete all required improvements within one year, and all landscaping improvements within two calendar years of the approval of the final plat by the City Council. In the event that all necessary on- and off-site improvements are not completed, inspected and approved within two calendar years of the date of the approval of the final plat by the City Council, no further building permits, occupancy permits, water taps or sewer taps shall be allowed by the City in such subdivision until such improvements are completed. It shall then be unlawful to sell any further lots in the subdivision until all necessary on- and off-site improvements are completed.
- (C) The City Council may authorize extensions of time to complete all improvements beyond the one and two-year limitations as set forth herein.
- (D) Following the completion of required improvements and submission of the as-built plans, the City Engineer shall conduct an inspection and if the improvements are in accordance with the requirements of these and other applicable regulations and good engineering and construction standards, shall issue a Preliminary Letter of Infrastructure Completion as provided herein.
- (1) A Letter of Substantial Completion may be issued when only landscaping and irrigation facilities are incomplete and secured as provided in Subsection 11-5-12(A) of this Section.
 - (a) In the case of subdivisions that have been issued a Letter of Substantial Completion, upon completion of the outstanding improvements and submission of the as-built plans therefor; the City Engineer shall conduct an inspection and shall issue a Preliminary Letter of Infrastructure

Completion, if all required improvements are in accordance with the requirements of these and other applicable codes and regulations and good engineering and construction standards.

- (2) The subdivider shall warrant the public improvements against defects or failures in workmanship or materials for a period of two calendar years from the date of the Preliminary Letter of Infrastructure Completion. During this two-calendar-year construction warranty period, the City will, as applicable, assume the responsibility for snow removal within public rights-of-way in regard thereto, but the subdivider shall remain responsible for all other maintenance and to correct all defects or failures that appear in any such public improvements during the construction warranty period.
- (a) The City shall determine what constitutes a defect or failure in its sole discretion, provided that such are not the result of public abuse, misuse or normal wear from use. The City Engineer shall notify the subdivider in writing of such defect or failure, setting forth a list of specific deficiencies. If within 30 days after the City has notified the subdivider of a defect or failure, the subdivider has not started or completed the required repairs, provided construction drawings and a proposed repair schedule for City review and approval, or submitted a written objection to the to the City's request for repair work, the City is hereby authorized to make the repairs or replacements or to order the work be done by a third party. The City may authorize a temporary repair if necessary due to weather conditions or materials availability. The subdivider shall pay the cost of any repair work. Any appeal of the City Engineer's repair or replacement requirements shall follow the appeal process pursuant to Chapter 4-1-6 of the City Code.
- (b) At the end of the warranty period, the subdivider shall request, in writing, that the City Engineer perform a final inspection of the improvements to facilitate the completion of the construction warranty.
- (i) The City Engineer shall conduct an inspection of all public improvements, and upon final approval, as evidenced by the City's issuance of a Letter of Infrastructure Completion and Acceptance, the City shall accept the improvements, and the security held by the City shall be returned to the subdivider.
- (ii) All public improvements, including all physical facilities constructed by the subdivider necessary for the extension, maintenance and repair of municipal utility services and other public facilities constructed by the subdivider in public rights-of-way, easements, streets or alleys shall become the property of the City immediately upon the issuance of the Letter of Infrastructure Completion and Acceptance by the City Engineer.
- (iii) Following such conveyance, the City shall be solely responsible for the maintenance of such public improvements, unless otherwise provided for by agreement, except for any correction work required during the warranty period.
- (c) Any repairs or replacements noted in the final inspection shall be completed prior to the issuance of the Letter of Infrastructure Completion and Acceptance.
- (i) Upon notification, the subdivider shall promptly make all repairs or replacements in accordance with a repair plan prepared by the subdivider and approved by the City, which repair or replacement, in the opinion of the City, arose out of defects or failures and became necessary during the construction warranty period.
- (ii) The subdivider shall warrant each repaired and/or replaced improvement or any portion or phase thereof for one calendar year following acceptance of such repair and/or replacement.
- (iii) Inspection of any improvements does not constitute a waiver by the City of any rights or remedies that it may have on account of any defect in or failure of the improvements that

are detected. The construction warranty shall continue until the Letter of Infrastructure Completion and Acceptance is provided in writing to the subdivider.

- (3) The subdivider may, at the subdivider's option, provide the City financial security for the two-calendar year construction warranty in one or a combination of the following forms only:
- (a) A cash escrow in the amount of 15 percent of the total construction cost of all public improvements required by the final plat.
 - (b) A letter or letters of credit on forms acceptable to the City, in the amount of 15 percent of the total construction cost of all public improvements required by the final plat.
 - (c) It is the responsibility of the subdivider to maintain the necessary amount of security at all times until all public improvements are completed and accepted by the City.
 - (d) The City shall not be obligated to administer burdensome security arrangements.
 - (e) The City shall require a construction warranty backed by financial security prior to issuance of a Preliminary Letter of Infrastructure Completion.
 - (f) The security shall be available for the City to use to correct any defects or failures in accordance with City specifications during or after the construction warranty period in the event the subdivider is unable or unwilling to perform any repair or replacement of the improvements in a timely fashion. The use of the proceeds from the security is a remedy that is cumulative in nature and is in addition to any other remedies that the City has at law or in equity.

(Ord. No. 2677, § 1(exh. A), 12-17-2024)

Sec. 11-5-13. Minimum design standards.

- (A) *Minimum Standards, Conformity to Preliminary Plat, and Approval Required.* All public improvements shall be constructed in accordance with the minimum standards set forth below or other applicable City design and construction specifications and standards, and other applicable City ordinances or regulations. All public and private improvements shall be in substantial conformity with the preliminary plat as approved, the City Comprehensive Plan and amendments thereto, and in accordance with good engineering and construction practices. All plans must be approved in advance by the City Engineer.
- (B) *Minimum Standards.*
- (1) *Streets.*
 - (a) Subdivider shall be required to make and install improvements to existing streets within and abutting the subdivision and/or other areas outside the subdivision or any filing thereof being considered, including, but not limited to, curbs, gutters, sidewalks and street paving improvements, when the subdivision and developments thereof will directly create a need for said improvements outside the subdivision itself, if necessary to properly serve the subdivision.
 - (b) In those cases where the City determines that the immediate improvement of the abutting street, or other on-site or off-site improvements, is not currently practical, or should be delayed, or the costs of such improvements should be shared with additional property likely to use and be benefited by the improvements, the developer may be allowed to execute recordable covenants on the plat or separately in a form provided by the City, binding the lots in the subdivision to future assessments or participation in an improvement district for the construction of such improvements.

- (c) Wherever topography will permit, the arrangement of the streets shall provide for the dedication and construction of street stubs to align with existing or future streets to adjoining developing or developable areas.
- (d) Cul-de-sacs shall terminate in a circular turn-around having a minimum right-of-way of at least 100 feet in diameter, and a paved turn-around with a minimum outside diameter of 80 feet. Cul-de-sacs shall be not less than 100 feet long, and not more than 500 feet long, as measured from the center of the cul-de-sac bulb to the center of the intersecting street; use of cul-de-sacs is limited to places where street connections would be impractical.
 - (i) Cul-de-sacs longer than 300 feet shall require a recreation trail connection at the end that provides connectivity to the nearest City street.
- (e) Temporary dead-end streets which extend for a distance greater than the depth of one abutting lot shall be provided with a temporary turn-around having a diameter of at least 80 feet.
- (f) Whenever a new street is proposed along the edge of the subdivision, the entire street shall be dedicated and improved within the subdivision.
- (g) No more than two streets shall intersect at any point. Intersections shall be as near as practicable to 90 degrees. A street shall have a minimum straight distance of 100 feet from the intersection before it may be curved.
- (h) A straight section of 100 feet shall be provided between reverse curves on all streets.
- (i) All lots in the subdivision shall have direct access to a dedicated street, subject to the following exceptions:
 - (i) One or more private shared access drives may be used to provide access for up to no more than four dwelling units each, subject to City Manager approval, in residential zoning districts. Shared access drives shall not be used as an extension of a cul-de-sac.
 - (ii) Reciprocal access easements may be approved to accommodate subdivisions with multiple commercial units sharing a contiguous parking area in commercial zoning districts.
- (j) Any two local streets which intersect a common third local or collector street shall have centerlines no closer than 175 feet from one another. Any two local streets which intersect a common third minor arterial or major arterial street, shall have centerlines no closer than 350 feet from one another.
 - (i) The City may limit access to major arterial or minor arterial streets to facilitate traffic flows, or to promote public safety.
- (k) The maximum block length, as measured from the centerline of the nearest intersecting streets, shall be a maximum of 700 feet.
- (l) Street names must be approved by the City and respective 911 authority.
- (m) Streets shall be developed in accordance with the City's Comprehensive Plan roadway cross sections, the City's engineering specifications, as applicable, and the table below. The minimum dedicated rights-of-way and street widths shall be as shown in Table 5.1.

Table 5.1
Minimum Dedicated Rights-Of-Way and Street Widths

| Street Classification | Minimum Right-of-Way | Minimum Street Width Urban = Width (Distance Between Curb Flowlines) |
|-----------------------|----------------------|--|
| Major Arterial | 124 feet* | 92 feet |

| | | |
|--|----------|---|
| Minor Arterial | 80 feet* | Varies with traffic volume and whether parking is allowed, see engineering specifications for road widths |
| Collector | 70 feet | 46 feet |
| Local | 50 feet | 28 feet with detached 5-foot sidewalk; 36 feet with attached 6-foot sidewalk |
| Planned Developments | 40 feet | 27 feet with attached 6-foot sidewalks. Supplemental off-street parking may be required. |
| * ROW width shall be increased by 12 feet within 500 feet of an arterial cross street intersection to allow a double left turn lane. | | |

- (n) Subdivisions which include any part of an existing platted street which does not conform to the minimum right-of-way requirements of these regulations may be required to provide additional width necessary to meet the minimum right-of-way requirements of these regulations.
- (o) No street grade shall be less than one-half of one percent or exceed the maximum grade shown in Table 5.2.

Table 5.2 Maximum Street Grade

| Street Classification | Maximum Percent Grade | Minimum Radius of Curve | Minimum Sight Distance* |
|--|-----------------------|-------------------------|-------------------------|
| Major Arterial | 5 percent | 400 feet | 500 feet |
| Minor Arterial | 5 percent | 400 feet | 500 feet |
| Collector | 8 percent | 300 feet | 300 feet |
| Local | 8 percent | 100 feet | 200 feet |
| * As measured between points four feet above the centerline of the street. | | | |

- (p) Alleys shall be provided at the rear of lots within the commercial zoning districts, or as otherwise approved by the City. Alleys shall be 20 feet in width and shall be paved in accordance with City specifications.
- (2) *Curb, Gutter, Sidewalks and Trails.*
 - (a) Curb, gutter, and sidewalks or recreation trails shall be provided along all roadways consistent with the City's Comprehensive Plan.
 - (i) Six-foot detached concrete sidewalks are required on collector streets.
 - (ii) Five-foot detached or six-foot attached concrete sidewalks are required for local streets.
 - (iii) A ten-foot wide concrete recreation trail on one side and 6 foot detached concrete sidewalk are required on the other side of major and minor arterial roadways, as directed by the City.
 - (iv) Recreation trails with alternative non-hard surfaces and narrower widths may be approved in those instances where such trails are secondary to existing or proposed concrete recreation trails, and do not serve as connectors to the City's recreation trail system, as denoted within the City's Comprehensive Plan.
 - (b) Sidewalks shall be located and constructed as necessary to interconnect the subdivision and lots therein with the network of City sidewalks and recreation trails.
 - (c) Accessibility ramps shall be provided in accordance with the U.S. Access Board Public Right-of-Way Accessibility Guidelines (PROWAG).

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- (d) The City may elect to require over-sizing of any sidewalk and participate in cost sharing thereof.
 - (e) The City may require any sidewalk to be wider than those standards set forth herein, upon a finding that such greater widths are necessary to serve the subdivision, due to:
 - (i) High density of the subdivision;
 - (ii) Special needs of the residents of the subdivision; or
 - (iii) Connection to existing wider sidewalks or recreation trails.
- (3) *Blocks and Lots.*
- (a) In residentially zoned districts, blocks shall be wide enough to permit two lots between lengthwise streets.
 - (b) The building line for residential lots on collector streets shall be set back 25 feet from the front property line.
 - (c) The building line on corner lots shall be set back 25 feet from both street front property lines.
 - (d) Lots which abut a street in the front and the rear shall be avoided except where a railroad right-of-way, a major arterial or minor arterial street is located to the rear of the lot, in which case such a lot shall have a minimum depth of 125 feet.
 - (e) Every lot shall front on a designated collector or local street, subject however, to the following exceptions:
 - (i) One or more private shared access drives may be used to provide access up to no more than four dwelling units each, subject to City approval, in residential zoning districts. Shared access drives shall not be used as an extension of a cul-de-sac.
 - (ii) Private access easements may be provided, subject to City approval, in subdivisions within commercial zoning districts across parking lot areas;
 - (iii) In such instances, the shared access improvements shall be subject to City specifications and the restrictions set forth in Section 11-5-11(B).
 - (f) No residential lot shall front on a major arterial or minor arterial street. No access shall be permitted directly from a residential lot to a major arterial or minor arterial street.
 - (g) The lot depth shall not be more than three times the lot width at the front of the building line of the principal structure.
 - (h) Access drives and intersections shall comply with City access standards and the transportation plan. In addition, accesses onto County roads shall comply with applicable County regulations.
 - (i) Lots shall be at least 50 feet in width at the front of the building line of the principal structure. Lots abutting cul-de-sacs shall have at least 25 feet of linear frontage to the cul-de-sac.
 - (j) Sight triangles shall be shown on the plat as per the engineering specifications.
- (4) *Public Utilities.*
- (a) All utilities shall be installed underground unless the City Engineer determines that soil or topographic conditions make that impracticable.
 - (b) Utilities shall be installed prior to the paving of any street under which they are to be located and the individual service lines shall be connected and stubbed out prior to paving, in order to avoid the necessity of cutting into the pavement to connect any abutting lots.

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- (c) Utilities will be sized and placed as necessary to facilitate connection with future subdivisions and developments. With the exception of terminal lines and fire hydrant laterals where sufficient hydraulic capacity can be demonstrated, all water mains shall be a minimum eight inches diameter in all zoning districts. At a minimum, eight-inch diameter sewer main lines shall be provided in all zoning districts. Individually conveyable lots shall each require a singular water and sewer lateral connection to a public main line.
 - (d) The City may elect to require over-sizing of the extended utility and pay for the cost of such materials accordingly.
 - (e) City water and sewer systems shall be provided except where the City has required an alternative supplier by service area agreement with such alternative provider. In cases where alternative utilities are provided on a temporary basis, connection to City services shall be required at such time they are made available to the subject property.
 - (f) In the event that City sewer service will not be available within a reasonable time period following final plat approval, engineered individual sewage disposal systems may be authorized by the City for those subdivisions occurring within the residential rural living zoning districts with lot sizes of five acres or greater. Advance City approval shall be required in each case.
 - (g) All extension of City utilities shall require City approval and proper execution of City utility extension agreements. The extension of utilities shall be at the sole expense of the subdivider.
 - (h) Prior to any installation or construction of utility extensions, the subdivider shall first submit proposed alignment location maps and engineered drawings for City approval. The subdivider shall acquire all necessary easements for the proposed utility location from all affected properties. The easements shall be conveyed to the City and executed on applicable City forms.
 - (i) All utility extensions shall be subject to City inspection and approval.
 - (j) All utility main line extensions, once approved by the City, shall be dedicated to the City with applicable utility easements. As-built plans and data shall be provided on hard copy in accordance with these provisions and in a digital format compatible with City computer systems.
 - (k) Following the completion of any utility extension and submission of the as-built plans, the City Engineer shall conduct an inspection, and if the improvements are in accordance with the requirements of these and other applicable regulations and good engineering and construction standards, shall issue a Preliminary Letter of Infrastructure Completion.
 - (i) For a period of two calendar years thereafter, the subdivider shall be responsible for correcting all defects or failures that appear in such improvements.
 - (ii) At the completion of this two-calendar-year construction warranty period, upon written request from the subdivider, all public and necessary on- and off-site improvements shall again be inspected by the City Engineer, and upon final approval, may be accepted by the City, as evidenced by issuance of a Letter of Infrastructure Completion and Acceptance. The provisions set forth in Section 11-5-12(D) shall apply to improvements and construction covered by this Section.
- (5) *Piped Drainage Facilities and Waterways.*
- (a) Stormwater discharge improvements shall be engineered and approved in accordance with City specifications, stormwater retention on site shall be discouraged. When feasible to do so and when requested by the City Engineer, all ditches shall be piped and subject to platted easements to be dedicated either to the City or to the applicable owner of the ditch facilities. The City may elect to allow the location of piped ditch facilities within its rights-of-way at its discretion. Perpetual maintenance shall be provided pursuant to plat notes and/or City-approved covenants.

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- (b) Permission shall be acquired, in writing, from all applicable owners of ditch facilities prior to improvements thereto.
 - (c) No discharges of urban stormwater into any irrigation supply facilities shall be allowed. No discharges of urban stormwater into agricultural drainage ditch facilities shall be allowed, unless approved in writing by the owning interest in said drainage facilities.
- (6) *Monuments.* Monument quantity, type, and location shall be established and set in accordance with to Section 38-51-105, Colorado Revised Statutes, as amended from time to time.
- (7) *Street Lights.*
- (a) In all subdivisions, except for residential zoned rural living and estate subdivisions, streetlights shall be provided at all intersections.
 - (b) In residential rural living zoning districts and estate subdivisions, street lights shall only be required at street intersections with major or minor arterials.
 - (c) All streetlights shall conform to City standards and specifications, and with Chapter 11-9 of this Title.
- (8) *Outdoor Lighting.* All outdoor and exterior lighting shall conform with Chapter 11-9 of this Title.
- (9) *Flood Hazard Prevention.* All subdivision proposals shall conform to the flood hazard reduction standards in Section 11-6-5(G) of this Title.
- (10) Nonfunctional turf, artificial turf, or invasive plant species. On and after January 1, 2026, no subdivision approved under this Chapter shall permit the installation, planting, or placing of any nonfunctional turf, artificial turf, or invasive plant species as a public or private improvement within the subdivision, except for residential property or as otherwise permitted by C.R.S. § 37-99-101 et seq.

(Ord. No. 2677, § 1(exh. A), 12-17-2024)

Sec. 11-5-14. Deviations from standards.

The Planning Commission may recommend to the City Council a deviation from the standards of Section 11-5-13 during preliminary or final plat review, if one or more of the below criteria are met. The City Council may accept or deny the recommendation accordingly.

- (1) Unusual topography or a non-financial hardship exists;
- (2) Alternative standards will more effectively protect the quality of the subdivision and the public welfare and more effectively achieve the purposes of these regulations;
- (3) Alternative standards will more effectively implement provisions of the City's Comprehensive Plan; or
- (4) Alternative standards will more effectively conform to existing improvements within the subdivision, which existing improvements have been previously approved by either the City or the County of Montrose in accordance with applicable laws and regulations.

(Ord. No. 2677, § 1(exh. A), 12-17-2024)



CITY OF MONTROSE
Planning Services

MEMO

TO: Planning Commission
FROM: William Reis, Senior Planner
DATE: March 11, 2026
RE: The Bridges at Black Canyon Filing No. 11 Amended Preliminary Plat

ATTACHMENTS

- Exhibit A: Area Maps
- Exhibit B: Excerpts from City of Montrose Municipal Code

Public notice requirements have been fulfilled in accordance with Section 11-4-3(D) of the City of Montrose Municipal Code. A sign was posted on the property, letters sent to property owners within 300 feet, and an ad appeared in the Montrose Daily Press.

Planning Commission Consideration:

The Planning Commission shall make a recommendation to City Council to approve, deny, or approve with conditions The Bridges at Black Canyon Filing No. 11 Amended Preliminary Plat. The Planning Commission will consider all of the information in this memo in making a decision.

Applicant: Bridges Development Partners, LLC

Application Background:

The Bridges at Black Canyon Subdivision is located in southeastern Montrose, and is partially developed. This amended preliminary plat consists of 14 residential lots on Outlot B of The Bridges at Black Canyon Subdivision Filing No. 8 Final Plat, located off of E Oak Grove Rd. This application amends the previously approved preliminary plat, which is still valid, eliminating the previously approved Bear Dance Dr, which alters the proposed traffic pattern and slightly alters property lines. There are no further changes to the previous preliminary plat. The property is zoned "R-2" Low Density District and "R-3A" Medium High Density District. Note that all proposed lots are within the "R-2" zoned portion of the property.

The meeting before City Council to approve or deny the Preliminary Plat is tentatively scheduled for March 17, 2026. A Final Plat will also be required within five (5) years of approval of this Preliminary Plat (City of Montrose Municipal Code, Section 11-4-8(A)(3)).



Staff Analysis:

1. Subdivision Application Details & Review Standards:

The City of Montrose Municipal Code outlines the process and standards for Subdivision applications. The preliminary plat and proposed improvements shall comply with all requirements of the subdivision regulations and other applicable City design and construction specifications and standards. The Planning Commission should consider whether the project meets the standards outlined within Section 11-5 and summarized below: (See Exhibit B)

- The proposal shall be consistent with the Master Plan, City subdivision and zoning regulations, standards and other applicable ordinances and regulations and will be reviewed considering the following at a minimum:
 - a. Conformance with the master plan and zoning regulations;
 - b. Relationship of development to topography, soils, drainage, flooding, potential hazard areas and other physical characteristics;
 - c. Availability of water, means of sewage collection and treatment, storm water drainage, access and other utilities and services;
 - d. Compatibility with the natural environment, wildlife, vegetation and unique natural features;
 - e. Adjacent streets and traffic flow, including pedestrian access;
 - f. Availability of fire, police and other emergency services protection;
 - g. Impacts on area schools.

2. Comprehensive Plan - Land Use Map Designation:

- The Comprehensive Plan Future Land Use Map identifies this parcel as located in an area proposed as follows: Residential Mixed Density Low and Residential Mixed Density Medium. The Residential Mixed Density Low district provides primarily for single-family homes, as well as small amounts of attached residential dwelling units (such as duplexes and even small groups of townhomes). This low-density residential land use is intended to preserve the traditional building pattern of the existing residential development in Montrose. It will continue to be the predominant density in the City. The Residential Mixed Density Medium district provides for a variety of residential types, mixed within a neighborhood, including single-family homes, townhomes, duplexes and triplexes. The majority of the mixed-density medium residential land uses are designated in areas that are not yet developed.

3. Zoning Regulations:

- Municipal Code, Section 11-7-5 (A)(4): The “R-2” Low Density District is intended to provide for development of single-family residences, along with certain other compatible land uses.
- Municipal Code, Section 11-7-5 (A)(6): The “R-3A” Medium High Density District is intended to provide for an area which is suitable primarily for single household attached, triplex, fourplex and other medium density multi-household dwellings, along with certain other compatible land uses.



- The proposed use is a use-by-right in the “R-2” zoning district, and is compatible with general conditions in the area. The proposed lots are not within the “R-3A” portion of the property. The property is adjacent to properties that are zoned “R-3A” Medium High Density District and “B-4” Neighborhood Shopping District.

4. Dimensional Requirements:

- a. Municipal Code, Section 11-7-7. The dimensional requirements in the “R-2” zoning district are included in the table below.

| District | Use | Maximum Density | Minimum Lot Size | Front | Rear | Side | Corner Lot | Maximum Building Height |
|----------|-------------------------------------|--------------------------|------------------|-------|------|------|------------|-------------------------|
| R-2 | Dwelling, Single Household Detached | 5.8 dwelling units/acre | 7,500 | 25 | 20 | 5 | 20 | 35 |
| | Duplex | 7.75 dwelling units/acre | 11,250 | 25 | 20 | 5 | 20 | 35 |

5. The Bridges at Black Canyon Filing No. 11 Amended Preliminary Plat does not appear to be adverse to the public health, safety and welfare and is in compliance with the City’s Subdivision Regulations.

Planning Commission Action:

The Planning Commission shall make a recommendation to City Council to approve, deny, or approve with conditions The Bridges at Black Canyon Filing No. 11 Amended Preliminary Plat. The Planning Commission may also continue the item. Proposed motions for Planning Commission consideration are included below.

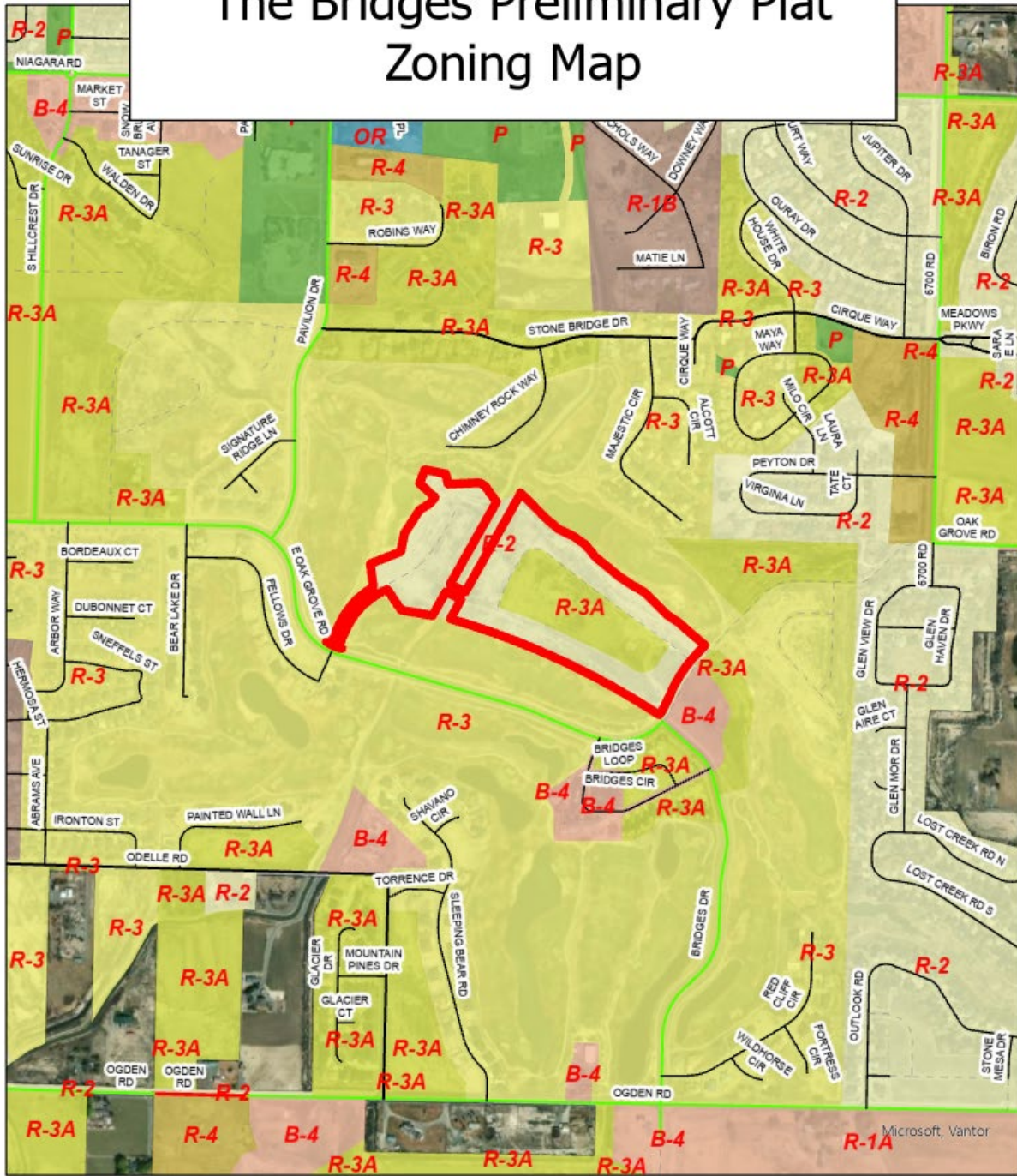
Planning Commission Recommendation Alternatives for Preliminary Plat:

Conditional Approval Motion: “I hereby make a motion to recommend to City Council approval of the Preliminary Plat application with the following condition(s). The approval of this Preliminary Plat is expressly conditioned upon City staff ensuring that all policies, regulations, ordinances and municipal code provisions are met and that the Applicant adequately addresses all of staff's concerns prior to the execution of the Final Plat. The City staff is not authorized by this approval to execute the Final Plat prior to all conditions being satisfied. The request meets the Code criteria based on the evidence and testimony presented at this hearing and in the staff report.”

Denial Motion: “I hereby make a motion to recommend to City Council denial of the Preliminary Plat application. The application does not meet the Code criteria based on evidence and testimony presented at this hearing and in the staff report



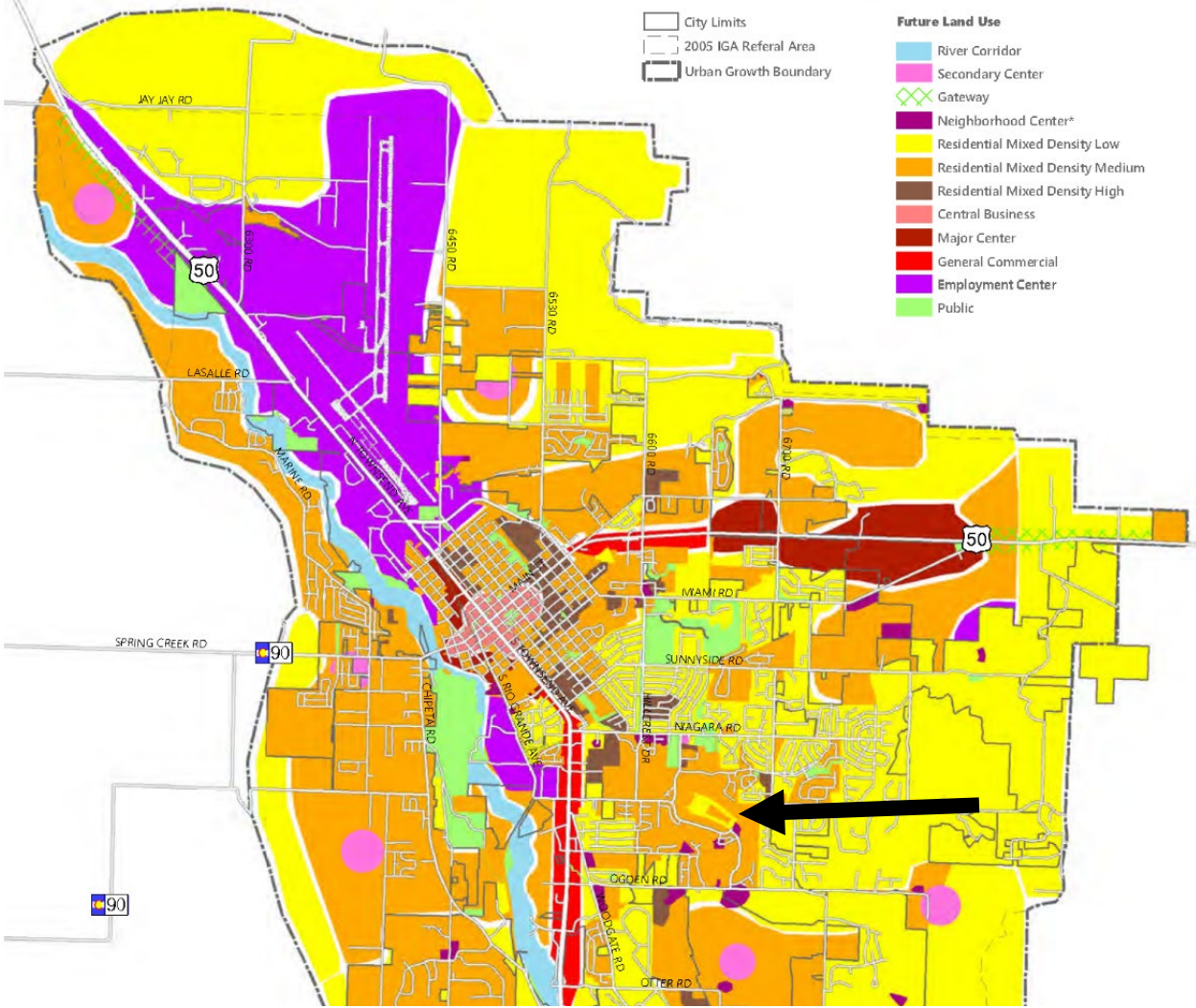
The Bridges Preliminary Plat Zoning Map



Comprehensive Plan Future Land Use Map

FUTURE LAND USE

MAP 5.1



THE BRIDGES AT BLACK CANYON FILING NO. 11

AMENDED PRELIMINARY PLAT

SITUATED IN SECTION 35, TOWNSHIP 49 NORTH, RANGE 9 WEST & SECTION 3, TOWNSHIP 48 NORTH, RANGE 9 WEST, N.M.P.M.

CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO



| LINE TABLE | | |
|------------|-------------|--------|
| LINE # | DIRECTION | LENGTH |
| L2 | S69°08'09"W | 17.50' |
| L3 | N23°35'28"W | 16.00' |

| CURVE DATA | | | | | |
|------------|---------|---------|------------|---------------|--------------|
| CURVE | LENGTH | RADIUS | DELTA | CHORD BEARING | CHORD LENGTH |
| C1 | 409.23' | 500.00' | 046°53'40" | S46°40'56"W | 397.90' |
| C2 | 349.68' | 500.00' | 040°04'13" | N50°05'39"E | 342.60' |
| C6 | 330.36' | 525.00' | 036°03'15" | S41°15'43"W | 324.94' |
| C7 | 25.00' | 525.00' | 002°43'40" | S67°46'22"W | 24.99' |
| C8 | 28.40' | 475.00' | 003°25'31" | N67°25'24"E | 28.39' |
| C9 | 126.23' | 475.00' | 015°13'36" | N58°05'51"E | 125.86' |
| C10 | 150.56' | 475.00' | 018°09'39" | N41°24'14"E | 149.93' |
| C11 | 18.77' | 475.00' | 002°15'52" | N31°11'28"E | 18.77' |
| C12 | 36.14' | 50.00' | 041°24'55" | N09°21'16"E | 35.36' |
| C13 | 46.19' | 50.00' | 052°55'46" | S15°06'51"W | 44.56' |
| C14 | 34.54' | 50.00' | 039°35'02" | S61°22'15"W | 33.86' |
| C15 | 47.43' | 50.00' | 054°21'06" | N71°39'41"W | 45.67' |
| C16 | 31.69' | 50.00' | 036°18'36" | N26°19'50"W | 31.16' |
| C17 | 36.32' | 50.00' | 041°36'55" | N12°37'56"E | 35.52' |
| C18 | 33.19' | 50.00' | 038°01'44" | N52°27'15"E | 32.58' |
| C19 | 36.14' | 50.00' | 041°24'55" | S50°45'50"W | 35.36' |
| C20 | 26.63' | 525.00' | 002°54'21" | N31°30'43"E | 26.62' |
| C21 | 100.45' | 525.05' | 010°57'41" | N38°26'45"E | 100.30' |
| C22 | 50.02' | 524.97' | 005°27'33" | N46°39'20"E | 50.00' |
| C23 | 180.96' | 524.96' | 019°45'02" | N59°15'39"E | 180.06' |
| C24 | 21.84' | 475.00' | 002°38'05" | S67°49'07"W | 21.84' |
| C25 | 358.69' | 475.00' | 043°15'59" | S44°52'05"W | 350.23' |
| C39 | 60.73' | 541.00' | 006°25'54" | S63°11'35"W | 60.70' |

- LEGEND**
- = FD. REBAR & 1" PLASTIC CAP (P.L.S. 35576)
 - = SET 5/8"x18" REBAR W/ 1 1/2" ALUMINUM CAP (P.L.S. 38037)
 - ⊙ = CITY MONUMENT
 - ⊙ = 15' UTILITY EASEMENT
 - FLOOD — = 100 YEAR FLOODPLAIN
 - FLOOD — = 500 YEAR FLOODPLAIN
 - - - = FLOODWAY

NOTICE: According to Colorado Law (13-80-105, CRS) you must commence any legal action based upon any defect in this survey within three (3) years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten (10) years from the date of the certification shown hereon.

| | | | |
|---------------|-------------------------------|--|--|
| | | DEL-MONT CONSULTANTS, INC. ENGINEERING & SURVEYING 125 Colorado Ave. W. Montrose, CO 81401 W (970) 248-2251 www.del-mont.com service@del-mont.com | |
| | | CLIENT: THE BRIDGES OF MONTROSE | ADDRESS & PHONE: 2500 BRIDGES DRIVE MONTROSE, CO 81401 |
| FIELD BOOK: | DRAWN BY: DCC/MGW | DATE: 2026-02-18 | TITLE: AMENDED PRELIMINARY PLAT |
| SHEET: 2 of 2 | FILE: 24126V_PLAT-PRELIUM-F11 | JOB NO.: 24126 | TYPE: AMENDED PRELIMINARY PLAT |

Sec. 11-5-1. General provisions.

- (A) This Chapter, as amended from time to time may be cited and referred to as the City's subdivision regulations.
- (B) The purposes of these subdivision regulations are to:
 - (1) Promote and protect public health, safety and welfare;
 - (2) To encourage the harmonious, orderly and progressive development of land;
 - (3) To ensure the development of economically sound and compatible neighborhoods;
 - (4) To require the construction of necessary improvements and utilities;
 - (5) To ensure safe and convenient circulation of vehicular and pedestrian traffic;
 - (6) To ensure that parks, open spaces, school sites and land needed for other public purposes are either reserved or dedicated;
 - (7) To ensure development is in accordance with the requirements of the City's Comprehensive Plan as such may be amended from time to time; and to ensure that new development bears its fair share of the costs of providing improvements and services necessitated by, or resulting from, the development of subdivisions.

(Ord. No. 2626 , § 3(exh. A), 5-16-2023)

Sec. 11-5-2. Major subdivisions.

- (A) *New Subdivisions.* A subdivision shall be classified as a major subdivision and governed by this Section when an applicant proposes to create four or more new tracts, lots, or interests; or less than four new tracts, lots or interests if not eligible as a minor subdivision in accordance with Section 11-5-3.
- (B) *Resubdivisions or Major Plat Amendments.* Resubdivisions and major plat amendments are reviewed in the same manner as a major subdivision with the same purposes. A major plat amendment is any plat amendment that does not qualify as a minor plat amendment under Section 11-5-3 (C). To the extent that submittal information was submitted as part of the original subdivision proposal and is adequate by current standards, the applicant for approval of a resubdivision or major plat amendment does not need to submit the information again and may reference such submittal information in the new application. The City Manager will determine the technical adequacy of previously submitted information.
- (C) *Procedure.* The major subdivision procedure shall consist of three separate phases, sketch plan, preliminary plat and final plat, in accordance with Sections 11-5-4, 11-5-5, and 11-5-6, respectively.

(Ord. No. 2626 , § 3(exh. A), 5-16-2023)

Sec. 11-5-3. Minor subdivisions.

- (A) *New Subdivisions.* A parcel of land is eligible for subdivision through the minor subdivision process if it meets all of the following criteria:
 - (1) The subdivision results in no more than three tracts, lots or interests. See Subsection (B)(3) below for common interest community subdivisions.
 - (2) All lots or tracts are adjacent to a dedicated and accepted public street.
 - (3) The improvements required by these regulations are:

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- (a) Already in existence and available to serve each lot, or if not yet constructed, are secured as a part of the original subdivision approval.
 - (b) In commercial zoning districts only, the improvements required by these regulations shall be required only for lots with no existing building on the lot, and such improvements may be deferred until construction of a building on said lot. A Certificate of Occupancy shall not be issued until the improvements required by these regulations for said lot are installed, inspected, and approved by the City. The plans for such improvements shall be reviewed and approved by the City prior to commencement of construction. The plat shall specify what improvements are so required, and may include additional easements, plat notes or restrictions as appropriate to implement these provisions.
- (4) Each proposed lot, or tract, will meet requirements of Chapter 7, Zoning, without the necessity for any variance and no variance from the minimum lot width, depth, or size required by provisions of Chapter 7, Zoning, has been granted within the three previous years.
 - (5) No part of the subdivision has been approved as part of a minor subdivision within three years prior to the date of submission of the minor subdivision plat.
 - (6) No material changes to prior plat notes, restrictions or easements are proposed.
- (B) *Common Interest Community Subdivisions.* A common interest community subdivision may be processed as a minor subdivision if all of the following criteria are met:
- (1) Meets all applicable conditions of any recorded plat governing the original land subdivision.
 - (2) Complies with the required City platting conditions in Subsection (A) above.
 - (3) Complies with the requirements of C.R.S. § 38-33.3-101 et. seq. (sublots and common interest community units are not lots for purposes of compliance with this Section).
 - (4) Is consistent with the representations made by the property owner and/or applicant for subdivision approval which created the lot or tract proposed to be further subdivided as a common interest community subdivision.
 - (5) Results in a change of ownership or marketing regime consistent with the basis upon which creation of the lot, tract or parcel being proposed for common interest community subdivision was based.
 - (6) Is consistent with the City's Comprehensive Plan.
 - (7) Advances the public health, safety and welfare of the residents of the City.
- (C) *Minor Plat Amendments.* Previously approved subdivision plats may be amended through the minor subdivision process if they meet the following criteria:
- (1) The plat, as amended, reduces the number of lots within the subdivision, i.e., a lot consolidation; or the nature of the amendment is de minimis, e.g., a boundary line adjustment, lot line correction, duplex conversion, easement adjustment, or similar minor plat modification.
 - (2) All lots or tracts are adjacent to a dedicated public street.
 - (3) The lots are part of a subdivision plat which has been approved and/or accepted by the City and recorded in the Montrose County Records.
 - (4) The improvements required by these regulations are already in existence and available to serve each lot, or if not yet constructed, are secured as a part of the original subdivision approval.
 - (5) Each lot will meet requirements of the applicable City zoning regulations without the necessity for any variance and no variance has been granted within the three previous years. No material changes to prior plat notes, restrictions or easements are proposed.

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- (D) *Procedure.* Submittals of sketch plans and preliminary plats are not required for minor subdivisions. The minor subdivision application shall conform to all applicable final plat requirements. All fees related to this Section shall be as set forth in Chapter 3-1 of the City of Montrose Regulations Manual. The final plat for a minor subdivision shall contain certification on forms approved by the City to document approval of the plat.
- (1) The City Manager may either approve, disapprove or conditionally approve the final plat subject to compliance with any minimum design standards; to dedication of additional right-of-way, easements, open space or park land; or to installation of additional improvements.
 - (2) Upon approval by the City land use staff, the plat of the minor subdivision shall be submitted in final form on one reproducible Mylar, with all requisite signatures, and also in a digital format acceptable to the City, and compatible with City computer systems.
- (E) *Limitation of Eligibility.* Any subdivision not qualifying as a minor subdivision is a major subdivision. For the purpose of interpreting the requirements of this Section, any proposed minor subdivision which is clearly intended to evade the major subdivision regulations or would result in a de facto major subdivision through the combination of previous contiguous and/or consecutive minor subdivisions is not eligible for minor subdivision. A minor subdivision shall only be used one time on a previously unsubdivided parcel of land.
- (Ord. No. 2626 , § 3(exh. A), 5-16-2023)

Sec. 11-5-4. Sketch plan.

- (A) *Purpose.* Sketch plan review provides an opportunity to determine whether an application will comply with the City's subdivision review and approval criteria, and to address any issues of concern early in the review process. The sketch plan is a conceptual version of the preliminary plat showing the general subdivision layout, access, street and lot pattern, location of parks, open space tracts, trail corridors, and other tracts for utilities or services.
- (B) *Review Procedure.* The sketch plan application shall be reviewed by the City in accordance with Section 11-4-2 of this Title. The Planning Commission shall take no formal action at the conclusion of its public hearing on the sketch plan; however, comments by the public and the Commission shall be reflected in the minutes of the hearing as a part of the record on the application as it moves through the entire review process.
- (C) *Review Criteria.* A sketch plan shall comply with the following review criteria:
- (1) The proposal shall be consistent with the City subdivision and zoning regulations, standards and other applicable ordinances and regulations and will be reviewed, considering the following at a minimum.
 - (a) Relationship of development to topography, soils, drainage, flooding, potential natural hazard areas and other physical characteristics;
 - (b) Availability of water, means of sewage collection and treatment, stormwater drainage, access and other utilities and services;
 - (c) Compatibility with the natural environment, wildlife, vegetation and unique natural features;
 - (d) Adjacent streets and traffic flow, including pedestrian access; and
 - (e) Availability of fire, police and other emergency services protection.
 - (2) An applicant who intends to immediately develop only a portion of a full tract shall nevertheless submit an informal sketch plan for the entire tract showing their present plans for its eventual development.

(Ord. No. 2626 , § 3(exh. A), 5-16-2023)

Sec. 11-5-5. Preliminary plat.

- (A) *Purpose.* The purpose of the preliminary plat is to provide the City with an overall master plan for the proposed subdivision. The preliminary plat is more detailed than the sketch plan and should incorporate the comments and guidance provided during the sketch plan process. It includes the layout of the subdivision and final engineering design, with all bearings, distances and survey monumentation.
- (B) *Review Procedure.* The preliminary plat application shall be reviewed by the City in accordance with Section 11-4-2 of this Title.
- (C) *Review and Approval Criteria.* A preliminary plat shall comply with the following review and approval criteria:
- (1) The plat shall be consistent with the City subdivision and zoning regulations, standards and other applicable ordinances and regulations;
 - (2) The plat proposes a harmonious development and lot pattern that is compatible with the neighborhood and community;
 - (3) The lot and development pattern ensures there will be adequate light, air, parks, open space, and other places for public use;
 - (4) The plat design provides for adequate access to all lots and tracts proposed in the subdivision;
 - (5) Adequate, safe, and efficient public improvements, utilities, and community facilities and services will be provided with sufficient capacity to serve the subdivision;
 - (6) A sufficient supply of water is available and sufficient water rights have been dedicated to the City, in conformance with the City's water standards;
 - (7) The plat design provides for adequate protection from fire, flood, geologic hazards, significant soil constraints, and other dangers, and provides for proper design of stormwater drainage, erosion control, utilities and streets;
 - (8) The plat design provides for compatibility with unique or distinctive natural areas, scenic areas and views, natural landmarks, significant wildlife habitats and migration areas, drainage areas, riparian areas, wetlands, historic features and archaeologically sensitive sites, recognizing the irreplaceable character of such resources and their importance to the quality of life in Montrose; and
 - (9) The preliminary plat and proposed improvements shall comply with all requirements of this Chapter, other applicable City design and construction specifications and standards and all applicable County, State, and Federal Regulations.
- (D) *Notice to Proceed.* No construction of the required subdivision improvements shall commence until approval of the preliminary plat by the City Council and submittal of both a Mylar of the preliminary plat, as finally approved with signed certificates as required by the City, and a copy of the preliminary plat in a digital format acceptable to the City and compatible with City computer systems. Upon approval and submittal of the Mylar, and supporting documentation as required, the City shall then issue a written notice to proceed.

(Ord. No. 2626 , § 3(exh. A), 5-16-2023)

Sec. 11-5-6. Final plat.

- (A) *Purpose.* The purpose of the final plat is to complete the subdivision of land in conformance with all the applicable requirements and standards of the City. The final plat shall correspond in every significant respect with the preliminary plat as previously approved. A complete review is conducted of the final subdivision design, with all bearings and distances, survey monumentation, and certificates of approval included on a document suitable for recordation.

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- (B) *Review Procedure.* The final plat application shall be reviewed by the City in accordance with Section 11-4-2 of this Title.
- (C) *Review and Approval Criteria.* A final plat shall comply with the following review and approval criteria:
- (1) The plat shall be consistent with the City subdivision and zoning regulations, standards and other applicable ordinances and regulations;
 - (2) The plat proposes a harmonious development and lot pattern that is compatible with the neighborhood and community;
 - (3) The lot and development pattern ensures there will be adequate light, air, parks, open space, and other places for public use;
 - (4) The plat design provides for adequate access to all lots and tracts proposed in the subdivision;
 - (5) Adequate, safe, and efficient public improvements, utilities, and community facilities and services will be provided with sufficient capacity to serve the subdivision;
 - (6) A sufficient supply of water is available and sufficient water rights have been dedicated to the City, in conformance with the City's water standards;
 - (7) The plat design provides for adequate protection from fire, flood, geologic hazards, significant soil constraints, and other dangers, and provides for proper design of stormwater drainage, erosion control, utilities and streets;
 - (8) The plat design provides for the preservation and conservation of unique or distinctive natural areas, scenic areas and views, natural landmarks, including rock outcroppings and unique landforms, significant wildlife habitats and migration areas, drainage areas, riparian areas, wetlands, historic features and archaeologically sensitive sites, recognizing the irreplaceable character of such resources and their importance to the quality of life in Montrose; and
 - (9) The final plat is generally consistent with the preliminary plat, as applicable.
- (D) *Additional Provisions.*
- (1) No land shall be subdivided, or any parcel thereof sold or conveyed, until a final plat has been approved and either a Letter of Substantial Completion or a Preliminary Letter of Infrastructure Completion has been issued in accordance with this Section.
 - (2) Any conditions or improvements imposed on the applicant by the City Council under the preliminary plat approval must be shown on the final plat and either completed, or accompanied by the appropriate security under Section 11-5-12, prior to approval by the City Council.
 - (3) The final plat may be submitted for a portion of the preliminary plat, or phased, subject to the following conditions:
 - (a) The applicant has submitted a phasing plan that has been approved by the City.
 - (b) All required improvements, utilities and road infrastructure must be accessible to the remaining aggregate of unsubdivided land, or outlot.
 - (c) In instances where completion of required improvements, utilities or road infrastructure within the outlot is determined by the City to be necessary as a condition of approval of that final plat, the developer shall be required to complete said improvements, utilities or road infrastructure upon approval of that final plat. This may include, but not be limited to, completion of necessary road infrastructure, stormwater drainage system, trails and park development.
 - (d) In instances where the dedication of land for public purposes within the outlot is determined by the City to be necessary as a condition of approval of that final plat, the developer shall be required to dedicate said lands upon approval of that final plat. This may include, but not be

limited to, the dedication and development of land for parks, trails, open space, rights-of-way and easements.

- (4) No final plat shall be approved by the City Council until:
 - (a) All of the improvements required by these subdivision regulations have been installed, inspected and approved by the City Engineer, or properly secured in accordance with the provisions of Section 11-5-12 on forms approved by the City.
 - (b) As-built plans, supporting documentation, certificates and data for completed utility improvements have been provided, reviewed and accepted by the City Engineer, and also provided in a digital format acceptable to the City and compatible with City computer systems. All as-built plans, supporting documentation, certificates and data for completed utility improvements shall be signed and stamped by a licensed professional engineer.
 - (c) The final plat has been submitted in final form on reproducible Mylars, with all requisite signatures, and also in a digital format acceptable to the City, and compatible with City computer systems.
 - (d) Payment to the City of any atypical costs incurred by the City within the subdivision review process, which costs are specifically subject to reimbursement.
 - (e) The security for the two-calendar year construction warranty has been provided by the subdivider in a form acceptable to the City.
- (5) Following City Council approval of the final plat and verification that the documentation has met all applicable codes and regulations, the final plat shall be executed by the appropriate City staff and recorded with due diligence.

(Ord. No. 2626 , § 3(exh. A), 5-16-2023)

Sec. 11-5-7. Administrative review hearing.

- (A) Upon City Council final action concerning either preliminary plat or final plat, the subdivider may request, in writing and submitted to the City within 30 days of said final action, with appropriate fees paid as set forth in Section 3-1 of the City of Montrose Regulations Manual, an administrative review hearing before the City Council.
- (B) The administrative review hearing shall be limited to review of:
 - (1) Denial of the plat;
 - (2) Minimum standards and/or conditions imposed as a requirement of approval of the plat.
- (C) The hearing shall be conducted on record, and the Council shall prepare and submit to the subdivider a written summary of its findings and decision in the matter.

(Ord. No. 2626 , § 3(exh. A), 5-16-2023)

Sec. 11-5-8. Issuance of building permits.

- (A) Until any required public improvements are accepted by the City, the City shall not be obliged to issue any building permits within a subdivision, except as provided herein. Provided that all other applicable City codes and regulations have been satisfied, building permits may be issued only to the subdivider for any property with an approved Preliminary Plat. The subdivision must have sufficient access and water to allow for adequate fire protection as determined by the fire protection district. No certificates of occupancy, temporary or otherwise, shall be issued unless and until:
 - (1) All public and necessary on- and off-site improvements have been completed;

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- (2) A Letter of Substantial Completion or a Preliminary Letter of Infrastructure Completion has been issued by the City; and
 - (3) A final plat has been approved and recorded.
- (B) A Letter of Substantial Completion or a Preliminary Letter of Infrastructure Completion shall evidence City inspection and approval.
- (C) The two-calendar year Construction Warranty shall begin to run from the date of said Preliminary Letter of Infrastructure Completion.
- (Ord. No. 2626 , § 3(exh. A), 5-16-2023)

Sec. 11-5-9. Land dedication.

- (A) All property and easements dedicated to the City on any plat shall become property of the City upon execution of the plat, free and clear of all mortgages, liens and encumbrances.
- (1) Prior to the recordation of the final plat, the subdivider shall provide written evidence to the City Attorney that the title to lands underlying the improvements is free and clear from all liens and encumbrances, except those items or encumbrances that may be approved in writing by the City Attorney.
 - (2) All dedicated improvements shall be subject to the two calendar year construction warranty, as provided above.
- (B) *Parks, Open Space and Trails.*
- (1) For all new residential developments requiring subdivision, the owner shall pay money in lieu of park land dedication as determined by the City to be necessary or required, to defray the cost of and provide parks and open space as calculated below.
 - (2) Those developments that dedicate adequate quantities and qualities of park land acceptable to the City, in the City's sole discretion, shall not be required to pay the money in lieu of park land dedication. Only park land dedicated to the City of Montrose, and approved by the City, in the City's sole discretion, that meets the City's parks, trails, and open space plan, or the City's Comprehensive Plan, the minimum design standards as set forth herein, and that is improved to meet the City's park standards and specifications, shall qualify to relieve the subdivider of payment of money in lieu of park land dedication.
 - (3) When in-lieu payments are permitted, the following standards apply:
 - (a) Lot or Unit x 0.0175 (acres park land per lot or unit) x \$90,000.00 (value per developed park land acre, based upon \$25,000.00 per acre undeveloped land value plus \$65,000.00 park land development cost) = \$1,575.00 per lot or unit.
 - (b) Monies collected in lieu of park land dedication shall be collected at time of issuance of building permit, and placed into a City park development fund to be earmarked for future acquisition or development of parks, opens space, or trails. No security as set forth in Section 11-5-12 shall be required.
 - (4) Monies paid in lieu of park land dedication pursuant to this Section are to enable the City to provide parks in the proper locations, and of the proper sizes to serve the citizens of the City.
 - (5) Private open space or recreation areas shall not be a substitute for the dedication of park land, or money in lieu of park land dedication.
 - (6) All non-public common areas, parks and open spaces shall be held in private ownership and maintained in perpetuity, with appropriate platted restrictions on use and covenants for ownership and

maintenance in accordance to the provisions of Section 11-5-11 (B). All non-public common areas shall be located, constructed and installed in compliance with plans as reviewed and approved.

- (7) For the purposes of these provisions, developed park land shall require prior submittal and approval of a park plan by the City, which plan shall address the City's park standards and specifications.
- (8) When authorized by the City, the required dedication of developed park land may be partially or wholly substituted by alternative dedication and/or preservation of open space areas such as riparian habitat, wetlands habitat, wildlife habitat and view corridors as approved by the City.
- (9) Parks that are sized, developed, and located to meet the needs of the City and constructed in accordance with City standards and specifications may be dedicated to the City, and if so dedicated, shall be available for use by the public.
- (10) Consistent with the City's Comprehensive Plan, subdividers shall dedicate to the City developed park land based upon a formula of seven acres of developed and usable park land per density of 1,000 residents, calculated at build-out of the proposed subdivision. For the purpose of this calculation, it shall be assumed that each residential unit shall house two and one-half residents.
- (11) Sidewalks and recreation trails shall be integrated with existing and planned sidewalks and recreation trails in accordance with the City's parks, trails and open space plan or Comprehensive Plan. The owner of each project shall dedicate the appropriate easements and/or rights-of-way consistent with said plans.
- (12) Unless otherwise authorized, all sidewalk and recreation trails shall be available for use by the public and shall be dedicated to the City.
- (13) Natural watercourses may be developed and preserved consistent with City floodplain management regulations, Storm Drainage Requirements and Federal Clean Water Act Section 404 Permit requirements, to minimize safety, environmental, and other hazards, and shall be integrated with the City's Comprehensive Plan for such watercourses whenever feasible. Parks, open space and trails shall be situated within floodplains instead of developed lots when reasonable to do so.

(C) *School Land Dedication.*

- (1) The subdivider shall dedicate to the City land for development of school based upon the below formula of 17.83 acres of vacant land per density of 1,000 units or lots, calculated at build-out of the proposed subdivision. This is based upon an average of 0.64 students per residential unit.
- (2) All of the dedicated land shall be of a singular parcel, shall meet the minimum size requirements for the intended use, and shall be suitable for construction of school facilities. The RE-1J School district shall review the subdivider's request to dedicate land or pay cash-in-lieu of land dedication, and shall provide its recommendation to the City land use staff accordingly.

| | |
|-------------------|----------|
| Elementary school | 15 acres |
| Middle school | 30 acres |
| High school | 55 acres |

- (3) For those subdivisions where the dedication of school land is not practicable, such as subdivisions involving small land area, or where the area of the land is not suitable or sufficient for the purposed construction of school facilities, the City shall require a money-in-lieu-of payment equal to the value of the property otherwise developed and dedicated in accordance with these provisions. The value of the property shall be based upon Montrose County Land Values, as adjusted from time to time, and calculated in Table 5.1 as follows:

Table 5.1
School Land Cash-In-Lieu Calculation

| School | Student/Lot | Acres/Student | Dollars/Acre | In-Lieu Fees |
|------------|-------------|---------------|--------------|--------------|
| Elementary | .29 | .033 | \$25,000.00 | \$243.00 |
| Middle | .154 | .067 | \$25,000.00 | \$258.00 |
| High | .192 | .037 | \$25,000.00 | \$178.00 |
| TOTAL | | | | \$679.00 |

- (4) Monies collected in lieu of school land dedication shall be collected at time of issuance of building permit (or Certificate of Occupancy for those buildings commenced prior to final plat approval) and placed into a school land fund to be disbursed to the RE-1J school district on a quarterly basis. No security as set forth in Section 11-5-12 shall be required.
- (5) When possible, the requirement for money in lieu of dedication shall be noted as a plat note on the final plat of the subdivision, or within the recorded declaration of covenants for residential development not requiring subdivision, such as mobile home parks.
- (6) The following shall be exempted from school land dedication requirements or payment-in-lieu-of fees:
 - (a) Skilled nursing facilities as defined in the Section 11-15-11 of this Title;
 - (b) City-approved subdivisions that are subject to recorded covenants restricting the age of the residents of said dwelling units such that the dwelling may be classified as housing for older persons pursuant to the Federal Fair Housing Amendments Act of 1988;
 - (c) Residential zoning uses that do not accommodate permanent residential housing. Said developments shall be required to record a covenant running with the land, prohibiting permanent residential housing therein, in a form acceptable to the City, if a waiver of the fee in lieu of school land dedication is requested.

(Ord. No. 2626 , § 3(exh. A), 5-16-2023)

Sec. 11-5-10. Required improvements.

- (A) All subdivisions shall be provided, at the expense of the subdivider, and subject to applicable zoning criteria, with the following public improvements as required to serve the subdivision and to mitigate its impacts.
 - (1) Street improvements:
 - (a) Paved streets;
 - (b) Paved alleys, if required by the City;
 - (c) Street signs;
 - (d) Street lights; and
 - (e) On- and off-site traffic mitigation improvements.
 - (2) Curbs, gutters, sidewalks and accessibility ramps.
 - (3) Blocks and lots.
 - (4) Parks, open space and recreation trails.
 - (5) Public utilities.
 - (a) A water system including fire hydrants and fire mains;
 - (b) A sanitary sewer system;
 - (c) A stormwater system; and

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- (d) Other public utilities, including if available, gas, electricity, telephone, and CATV.
 - (6) Piped drainage facilities and waterways.
 - (7) Survey monuments.
 - (8) Berms, screening and buffers, if applicable.
 - (9) Off-street parking, mailbox location areas and bus stops, if applicable.
- (B) Other improvements required as a condition of approval and found to be roughly proportional to the impacts being mitigated. All public improvements shall be subject to applicable City minimum design standards, regulations and specifications.
- (Ord. No. 2626 , § 3(exh. A), 5-16-2023)

Sec. 11-5-11. Private improvements.

- (A) The subdivider may provide, at his expense, certain private improvements, as specifically referenced below, to serve the subdivision and to mitigate its impacts, and in accordance with duly adopted City standards, if applicable, to include:
- (1) Recreational facilities, parks, open space and trails;
 - (2) Piped drainage facilities and waterways;
 - (3) Mail box location areas;
 - (4) Berms, screening and buffers; and
 - (5) Other private improvements required as a condition of approval.
- (B) Such improvements shall be privately-owned and/or -maintained, and the plat shall contain appropriate restrictions and/or covenants governing use, ownership and maintenance in perpetuity enforceable by the City, providing for recovery of the City's costs by liens or assessment against the property in the subdivision. Such improvements shall be completed or secured similar to public improvements prior to final plat approval.
- (Ord. No. 2626 , § 3(exh. A), 5-16-2023)

Sec. 11-5-12. Warranty and acceptance of improvements.

- (A) If the subdivider wishes to have the final plat approved prior to the installation, inspection and approval of all required improvements, the subdivider must provide security incorporated into a subdivision improvement agreement to guarantee the completion of all improvements within two calendar years after approval of the final plat in accordance with this Section.
- (1) Said security shall be in the form of:
- (a) A subdivision lien agreement placing an adequate lien upon the lots of the subdivision, with an escrow account with the City into which the subdivider shall pay, prior to the sale of any lot within the subdivision, an amount to be verified by the City Engineer equal to 150 percent of the pro rata cost to complete the subdivision improvements necessary to serve that lot; or
 - (b) A cash escrow deposited with the City or a clear irrevocable letter of credit in an amount to be verified by the City Engineer equal to 150 percent of the pro rata cost to complete the subdivision improvements necessary to serve that lot.

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- (2) Funds in any escrow account shall be returned to the subdivider upon the issuance of either a Letter of Substantial Completion or a Preliminary Letter of Infrastructure Completion, depending on the circumstances.
 - (3) Security shall not be required for money in lieu of payments relative to park land and school land dedications provided in Section 11-5-9 (B) and (C), as such money payments shall be collected upon issuance of building permits relative to subdivided lots or units.
 - (4) Even though a final plat will have been recorded, when a subdivider chooses to secure public and necessary on- and off-site improvements with a subdivision improvement agreement, the subdivider shall agree not to sell, transfer, offer for sale or otherwise convey any portion of the property, including lot, unit or outlot, prior to the issuance of a Letter of Substantial Completion or a Preliminary Letter of Infrastructure Completion, depending on the circumstances. A sale or other transfer of the entire subdivision will be possible once the purchaser has provided the necessary security.
- (B) The subdivider shall complete all necessary on- and off-site improvements within two calendar years of the approval of the final plat by the Council. In the event that all necessary on- and off-site improvements are not completed, inspected and approved within two calendar years of the date of the approval of the final plat by the Council, no further building permits, occupancy permits, water taps or sewer taps shall be allowed by the City in such subdivision until such improvements are completed. It shall then be unlawful to sell any further lots in the subdivision until all necessary on- and off-site improvements are completed.
 - (C) The City Council may authorize extensions of time to complete all improvements beyond the two-year limitation as set forth herein.
 - (D) Following the completion of any required improvements and submission of the as-built plans, the City Engineer shall conduct an inspection and if the improvements are in accordance with the requirements of these and other applicable regulations and good engineering and construction standards, shall issue a Preliminary Letter of Infrastructure Completion as provided herein.
 - (1) A letter of substantial completion may be issued when only landscaping and irrigation facilities are incomplete and secured as provided in Subsection 11-5-12 (A) of this Section.
 - (a) In the case of subdivisions that have been issued a letter of substantial completion, upon completion of the outstanding improvements and submission of the as-built plans therefor; the City Engineer shall conduct an inspection and shall issue a Preliminary Letter of Infrastructure Completion, if all public and necessary on- and off-site improvements are in accordance with the requirements of these and other applicable codes and regulations and good engineering and construction standards.
 - (2) The subdivider shall warrant the improvements against defects or failures in workmanship or materials for a period of two calendar years from the date of the Preliminary Letter of Infrastructure Completion. During this two-calendar-year construction warranty period, the City will, as applicable, assume the responsibility for snow removal in regard thereto, but the subdivider shall remain responsible for all other maintenance and to correct all defects or failures that appear in any such public improvements during the construction warranty period.
 - (a) The City shall determine what constitutes a defect or failure in its sole discretion, provided that such are not the result of public abuse, misuse or normal wear from use. The City Engineer shall notify the subdivider in writing of such defect or failure, setting forth a list of specific deficiencies. If within 30 days after the City has notified the subdivider of a defect or failure, the subdivider has not started or completed the required repairs, provided construction drawings and a proposed repair schedule for City review and approval, or submitted a written objection to the City's request for repair work, the City is hereby authorized to make the repairs or replacements or to order the work be done by a third party. The City may authorize a temporary repair if necessary due to weather conditions or materials availability. The subdivider shall pay

the cost of any repair work. Any appeal of the City Engineer's repair or replacement requirements shall follow the appeal process pursuant to Chapter 4-1-6 of the City Code.

- (b) At the end of two calendar years from the date of issuance of the Preliminary Letter of Infrastructure Completion, the subdivider shall request, in writing, that the City Engineer perform a final inspection of the improvements to facilitate the completion of the construction warranty.
 - (i) The City Engineer shall conduct an inspection of all public and necessary on- and off-site improvements, and upon final approval, as evidenced by the City's issuance of a Letter of Infrastructure Completion and acceptance, the City shall accept the improvements, and the security held by the City shall be returned to the subdivider.
 - (ii) All public and necessary on- and off-site improvements, including all physical facilities constructed by the subdivider necessary for the extension, maintenance and repair of municipal utility services and other public facilities constructed by the subdivider in public rights-of-way, easements, streets or alleys shall become the property of the City immediately upon the issuance of the Letter of Infrastructure Completion and acceptance by the City Engineer.
 - (iii) Following such conveyance, the City shall be solely responsible for the maintenance of such public improvements, unless otherwise provided for by agreement, except for any correction work required during the warranty period.
- (c) Any repairs or replacements noted in the final inspection shall be completed prior to the issuance of the Letter of Infrastructure Completion and acceptance.
 - (i) Upon notification, the subdivider shall promptly make all repairs or replacements in accordance with a repair plan prepared by the subdivider and approved by the City, which repair or replacement, in the opinion of the City, arose out of defects or failures and became necessary during the construction warranty period.
 - (ii) The subdivider shall warrant each repaired and/or replaced improvement or any portion or phase thereof for one calendar year following acceptance of such repair and/or replacement.
 - (iii) Inspection of any improvements does not constitute a waiver by the City of any rights or remedies that it may have on account of any defect in or failure of the improvements that are detected. The construction warranty shall continue until the Letter of Infrastructure Completion and acceptance is provided in writing to the subdivider.
- (3) The City shall require a construction warranty backed by financial security prior to issuance of a Preliminary Letter of Infrastructure Completion.
- (4) The subdivider may, at the subdivider's option, provide the City financial security for the two calendar year construction warranty in one or a combination of the following forms only:
 - (a) A cash escrow in the amount of 15 percent of the total construction cost of all public and necessary on- and off-site improvements required by the final plat.
 - (b) A letter or letters of credit on forms acceptable to the City, in the amount of 15 percent of the total construction cost of all public and necessary on- and off-site improvements required by the final plat.
 - (c) It is the responsibility of the subdivider to maintain the necessary amount of security at all times until all public and necessary on- and off-site improvements are completed and accepted by the City.
 - (d) The City shall not be obligated to administer burdensome security arrangements.

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- (5) The security shall be available for the City to use to correct any defects or failures in accordance with City specifications during or after the two-year construction warranty period in the event the subdivider is unable or unwilling to perform any repair or replacement of the improvements in a timely fashion. The use of the proceeds from the security is a remedy that is cumulative in nature and is in addition to any other remedies that the City has at law or in equity.

(Ord. No. 2626 , § 3(exh. A), 5-16-2023)

Sec. 11-5-13. Minimum design standards.

- (A) *Minimum Standards, Conformity to Preliminary Plat, and Approval Required.* All public improvements shall be constructed in accordance with the minimum standards set forth below or other applicable City design and construction specifications and standards, and other applicable City ordinances or regulations. All public and private improvements shall be in substantial conformity with the preliminary plat as approved, the City Comprehensive Plan and amendments thereto, and in accordance with good engineering and construction practices. All plans must be approved in advance by the City Engineer.
- (B) *Minimum Standards.*
- (1) *Streets.*
- (a) Subdivider shall be required to make and install improvements to existing streets within and abutting the subdivision and/or other areas outside the subdivision or any filing thereof being considered, including, but not limited to, curbs, gutters, sidewalks and street paving improvements, when the subdivision and developments thereof will directly create a need for said improvements outside the subdivision itself, or a need to expand or improve existing public improvements to current standards in order to properly serve future residents of the subdivision, or if the subdivider or their predecessors of interest by virtue of their actions and the timing and scope of developing the subdivision or other property have created a situation where the needed improvements were not previously improved or installed. It shall be presumed that existing streets and sidewalks directly abutting the subdivision must be improved to current City standards in order to properly serve the subdivision.
- (b) In those cases where the City determines that the immediate improvement of the abutting street, or other on-site or off-site improvements, is not currently practical, or should be delayed, or the costs of such improvements should be shared with additional property likely to use and be benefited by the improvements, the developer may be allowed to execute recordable covenants on the plat or separately in a form provided by the City, binding the lots in the subdivision to future assessments or participation in an improvement district for the construction of such improvements.
- (c) Wherever topography will permit, the arrangement of the streets shall provide for the dedication and construction of street stubs to align with existing or future streets to adjoining developing or developable areas.
- (d) Cul-de-sacs shall terminate in a circular turn-around having a minimum right-of-way of at least 100 feet in diameter, and a paved turn-around with a minimum outside diameter of 80 feet. Cul-de-sacs shall be not less than 100 feet long, and not more than 500 feet long, as measured from the center of the cul-de-sac bulb to the center of the intersecting street; use of cul-de-sacs is limited to places where street connections would be impractical.
- (i) Cul-de-sacs longer than 300 feet shall require a recreation trail connection at the end that provides connectivity to the nearest City street.
- (e) Temporary dead-end streets which extend for a distance greater than the depth of one abutting lot shall be provided with a temporary turn-around having a diameter of at least 80 feet.

- (f) Whenever a new street is proposed along the edge of the subdivision, the entire street shall be dedicated and improved within the subdivision.
- (g) No more than two streets shall intersect at any point. Intersections shall be as near as practicable to 90 degrees. A street shall have a minimum straight distance of 100 feet from the intersection before it may be curved.
- (h) A straight section of 100 feet shall be provided between reverse curves on all streets.
- (i) All lots in the subdivision will have direct access to a dedicated street, subject to the following exceptions:
 - (i) One or more private shared access drives may be used to provide access up to no more than four dwelling units each, subject to City approval, in residential zoning districts. In general, shared access drives shall not be used as an extension to a cul-de-sac.
 - (ii) Reciprocal access easements may be approved to accommodate subdivisions with multiple commercial units with contiguous parking area in commercial zoning districts.
- (j) Any two local streets which intersect a common third local or collector street shall have centerlines no closer than 175 feet from one another. Any two local streets which intersect a common third minor arterial or major arterial street, shall have centerlines no closer than 350 feet from one another.
 - (i) The City may limit access to major arterial or minor arterial streets to facilitate traffic flows, or to promote public safety.
- (k) The maximum block length, as measured from the centerline of the nearest intersecting streets, shall be a maximum of 700 feet.
- (l) Street names must be approved by the City.
- (m) All streets, alleys, sidewalks, recreation paths, parks of two acres or larger, and other public ways or places must be dedicated to the City by the owners of any interest therein except the owners of severed mineral or water interests.
- (n) Streets shall be developed in accordance with the City's Comprehensive Plan roadway cross sections, the City's engineering specifications, as applicable, and the table below. The minimum dedicated rights-of-way and street widths shall be as shown in Table 5.2.

Table 5.2
Minimum Dedicated Rights-Of-Way and Street Widths

| Street Classification | Minimum Right-of-Way | Minimum Street Width Urban = Width between Curb Flowlines Rural = Paved Width (asphalt or Concrete) |
|-------------------------------------|----------------------|---|
| Major Arterial—Urban | 124 feet * | 92 feet *** |
| Major Arterial—Rural | 124 feet * | 76 feet *** |
| Minor Arterial—Urban | 112 feet ** | Varies with traffic volume and whether parking is allowed, see engineering specifications for road widths *** |
| Minor Arterial—Rural | 112 feet ** | Varies with traffic volume and whether parking is allowed, see engineering specifications for road widths *** |
| Collector | 70 feet | 46 feet |
| Local—Boulevard Style Alternative 2 | 50 feet; 50 feet | 28 feet with detached 5-foot sidewalk; 36 feet with attached 6-foot sidewalk |

| | | |
|---|---------|---|
| Planned Developments | 40 feet | 24 feet with attached 6-foot sidewalks in addition to curb and gutter. Supplemental off-street parking may be required. |
| * ROW width shall be increased by ten feet within 500 feet of an arterial cross street intersection to allow a double left turn lane. | | |
| ** ROW width shall be increased by 12 feet within 500 feet of an arterial cross street intersection to allow a double left turn lane. | | |
| *** The decision whether to require urban or rural street widths shall be made at sketch plan review. | | |

- (o) Subdivisions which include any part of an existing platted street which does not conform to the minimum right-of-way requirements of these regulations may be required to provide additional width necessary to meet the minimum right-of-way requirements of these regulations.
- (p) No street grade shall be less than one-half of one percent or exceed the maximum grade shown in Table 5.3.

Table 5.3
Maximum Street Grade

| Street Classification | Maximum Percent Grade | Minimum Radius of Curve | Minimum Sight Distance* |
|-----------------------|-----------------------|-------------------------|-------------------------|
| Major Arterial | 5 percent | 400 feet | 500 feet |
| Minor Arterial | 5 percent | 400 feet | 500 feet |
| Collector | 8 percent | 300 feet | 300 feet |
| Local | 8 percent | 100 feet | 200 feet |

- (q) Alleys shall be provided at the rear of lots within the commercial zoning districts, or as otherwise approved by the City. Alleys shall be 20 feet in width and shall be paved in accordance with City specifications.
- (2) *Curb, Gutter, Sidewalks and Trails.*
 - (a) Curb, gutter, and sidewalks or recreation trails shall be provided along all roadways consistent with the City's Comprehensive Plan.
 - (i) A minimum ten-foot-wide concrete recreation trail with the addition of two-foot obstacle-free recovery zones, constructed of Class 6 gravel aggregate, or a City-approved alternative, on each side of said trail shall be located along one side of the roadway, as determined by the City. Recreation trails shall be designed in accordance with the AASHTO "Guide for the Development of Bicycle Facilities."
 - (ii) A minimum six-foot-wide sidewalk shall be provided on the side of the roadway not occupied by the recreation trail described above. Greater sidewalk widths may be required in commercial areas.
 - (iii) Recreation trail lighting may be required in more heavily populated or urbanized areas, travel corridors, and commuter routes, as determined by the City. Recreation trail lighting shall provide a minimum 0.4 to 0.5 footcandles of illumination at all points along the length of the trail. The City's provisions, standards, and specifications regarding outdoor lighting shall also apply.
 - (iv) Recreation trails with alternative non-hard surfaces and narrower widths may be approved in those instances where such trails are secondary to existing or proposed concrete

recreation trails, and do not serve as connectors to the City's recreation trail system, as denoted within the City's Comprehensive Plan.

- (v) Curb, gutter, and sidewalks shall be provided along collector and local streets. Six-foot detached sidewalks are required on collector streets. Five-foot detached or six-foot attached sidewalks are required for local streets.
 - (b) Sidewalks shall be located and constructed as necessary to interconnect the subdivision and lots therein with the network of City sidewalks and recreation trails.
 - (c) Accessibility ramps shall be provided in accordance with the Americans with Disabilities Act.
 - (d) The City may elect to require over-sizing of any sidewalk and participate in cost sharing thereof.
 - (e) The City may require any sidewalk to be wider than those standards set forth herein, upon a finding that such greater widths are necessary to serve the subdivision, due to:
 - (i) High density of the subdivision;
 - (ii) Special needs of the residents of the subdivision; or
 - (iii) Connection to existing wider sidewalks or recreation trails.
- (3) *Blocks and Lots.*
- (a) In residentially zoned districts, blocks shall be wide enough to permit two lots between lengthwise streets.
 - (b) The building line for residential lots on collector streets shall be set back 25 feet from the front property line.
 - (c) The building line on corner lots shall be set back 25 feet from both street front property lines.
 - (d) Lots which abut a street in the front and the rear shall be avoided except where a railroad right-of-way, a major arterial or minor arterial street is located to the rear of the lot, in which case such a lot shall have a minimum depth of 125 feet. Lots abutting cul-de-sacs shall have a minimum frontage of 25 feet.
 - (e) Every lot shall front on a designated collector or local street, subject however, to the following exceptions:
 - (i) One or more private shared access drives may be used to provide access up to no more than four dwelling units each, subject to City approval, in residential zoning districts;
 - (ii) Private access easements may be provided, subject to City approval, in subdivisions within commercial zoning districts across parking lot areas;
 - (iii) In such instances, the shared access improvements shall be subject to City specifications and the restrictions set forth in Section 11-5-11 (B).
 - (f) No residential lot shall front on a major arterial or minor arterial street. No access shall be permitted directly from a residential lot to a major arterial or minor arterial street.
 - (g) The lot depth shall not be more than three times the lot width at the front building line.
 - (h) Access drives and intersections shall comply with City access standards and the transportation plan. In addition, accesses onto County roads shall comply with applicable County regulations.
 - (i) Lots shall be at least 50 feet in width at the front building line. Lots abutting cul-de-sacs shall have at least 25 feet of linear frontage to the cul-de-sac.
 - (j) Sight triangles shall be shown on the plat as per the engineering specifications.
- (4) *Public Utilities.*

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- (a) All utilities shall be installed underground unless the City Engineer determines that soil or topographic conditions make that impracticable.
 - (b) Utilities shall be installed prior to the paving of any street under which they are to be located and the individual service lines shall be connected and stubbed out prior to paving, in order to avoid the necessity of cutting into the pavement to connect any abutting lots.
 - (c) Utilities will be sized and placed as necessary to facilitate connection with future subdivisions and developments. At a minimum, six-inch water main lines shall be provided in residential zoning districts, and eight-inch water main lines shall be provided in commercial and industrial zoning districts. At a minimum, eight-inch sewer main lines shall be provided in all zoning districts. Multiple buildings within a single lot shall each require a singular water and sewer lateral connection to a main line.
 - (d) The City may elect to require over-sizing of the extended utility and pay for the cost of such materials accordingly.
 - (e) City water and sewer systems shall be provided except where the City has required an alternative supplier by service area agreement with such alternative provider. In cases where alternative utilities are provided on a temporary basis, connection to City services shall be required at such time they are made available to the subject property.
 - (f) In the event that City sewer service will not be available within a reasonable time period following final plat approval, engineered individual sewage disposal systems may be authorized by the City for those subdivisions occurring within the residential rural living zoning districts with lot sizes of five acres or greater. Advance City approval shall be required in each case.
 - (g) All extension of City utilities shall require City approval and proper execution of City utility extension agreements. The extension of utilities shall be at the sole expense of the subdivider.
 - (h) Prior to any installation or construction of utility extensions, the subdivider shall first submit proposed alignment location maps and engineered drawings for City approval. The subdivider shall acquire all necessary easements for the proposed utility location from all affected properties. The easements shall be conveyed to the City and executed on applicable City forms.
 - (i) All utility extensions shall be subject to City inspection and approval. The City may elect to contract inspection services at the subdivider's expense.
 - (j) All utility main line extensions, once approved by the City, shall be dedicated to the City with applicable utility easements. As-built plans and data shall be provided on hard copy in accordance with these provisions and on diskette in a digital format compatible with City computer systems.
 - (k) Following the completion of any utility extension and submission of the as-built plans, the City Engineer shall conduct an inspection, and if the improvements are in accordance with the requirements of these and other applicable regulations and good engineering and construction standards, shall issue a Preliminary Letter of Infrastructure Completion.
 - (i) For a period of two calendar years thereafter, the subdivider shall be responsible for correcting all defects or failures that appear in such improvements.
 - (ii) At the completion of this two-calendar-year construction warranty period, upon written request from the subdivider, all public and necessary on- and off-site improvements shall again be inspected by the City Engineer, and upon final approval, may be accepted by the City, as evidenced by issuance of a Letter of Infrastructure Completion and Acceptance. The provisions set forth in Section 11-5-12(D) shall apply to improvements and construction covered by this Section.
- (5) *Piped Drainage Facilities and Waterways.*

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- (a) Stormwater discharge improvements shall be engineered and approved in accordance with City specifications. stormwater retention on site shall be discouraged. When feasible to do so and when requested by the City Engineer, all ditches shall be piped and subject to platted easements to be dedicated either to the City or to the applicable owner of the ditch facilities. The City may elect to allow the location of piped ditch facilities within its rights-of-way at its discretion. Perpetual maintenance shall be provided pursuant to plat notes and/or City-approved covenants.
 - (b) Permission shall be acquired, in writing, from all applicable owners of ditch facilities prior to improvements thereto.
 - (c) No discharges of urban stormwater into any irrigation ditch facilities shall be allowed. No discharges of urban stormwater into agricultural drainage ditch facilities shall be allowed, unless otherwise approved by the owning interest in said drainage facilities.
- (6) *Monuments.* Monuments shall be set in concrete and placed at all corners of all street intersections, at the intersections of the boundary of the subdivision with street right-of-way lines, at angle points and points of curve in each street and at points of change in direction of the exterior boundaries of the subdivision. The top of the monument shall have a metal cap set flush to identify the location. All lot corners shall be monumented with a minimum of a #5 rebar 18 inches in length and metal cap.
- (7) *Berms, Screening and Buffers.* Buffers and/or screening shall be provided between incompatible uses both within the subdivision and adjoining the subdivision in accordance with City design standards and specifications.
- (8) *Street Lights.*
- (a) In all subdivisions, except for residential zoned rural living and estate subdivisions, streetlights shall be provided at all intersections and at intervals between intersections in accordance with City specifications.
 - (b) In residential rural living zoning districts and estate subdivisions, street lights shall only be required at street intersections, with no interval requirements.
 - (c) All streetlights shall conform to City standards and specifications, and with Chapter 11-9 of this Title.
- (9) *Outdoor Lighting.* All outdoor and exterior lighting shall conform with Chapter 11-9 of this Title.
- (10) *Flood Hazard Prevention.* All subdivision proposals shall conform to the flood hazard reduction standards in Section 11-6-5 (G) of this Title.

(Ord. No. 2626 , § 3(exh. A), 5-16-2023)

Sec. 11-5-14. Deviations from standards.

The Planning Commission may recommend to the City Council a deviation from the standards of Section 11-5-13 during preliminary or final plat review, if and only if all of the below criteria are met. The Council may accept or deny the recommendation accordingly.

- (1) Unusual topography or a hardship exists;
- (2) Alternative standards will more effectively protect the quality of the subdivision and the public welfare and more effectively achieve the purposes of these regulations;
- (3) Alternative standards will more effectively implement provisions of the City's Comprehensive Plan;
- (4) Alternative standards will more effectively conform to existing improvements within the subdivision, which existing improvements have been previously approved by either the City or the County of Montrose in accordance with applicable laws and regulations.

(Ord. No. 2626 , § 3(exh. A), 5-16-2023)

