



**REGULAR PLANNING COMMISSION MEETING AGENDA**  
**Wednesday, June 10, 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 May 27, 2026 Planning Commission meeting
- 4) Additions or Deletions
- 5) **HORSESHOE RIDGE SUBDIVISION AMENDED PRELIMINARY PLAT** This is a review of a proposed subdivision on Outlot B of the Horseshoe Ridge Subdivision Filing No. 2, also addressed as 66391 Crestview Drive. This proposal subdivides the property into 5 residential lots. The applicants are Donald Walker and Teresa Walker.



- 6) **ELEVATED EYE DOCS VARIANCE** This is a review of a proposed variance to the Highway Corridor Overlay District setback requirement on Lot 2 of the Buchanan/Reed Boundary Line Adjustment. The Highway Corridor Overlay District requires a 50 foot front setback. This application proposes a 24 foot setback. The applicant is CAB, LLC.
  
- 7) **EL CHAPIN ADDITION INITIAL ZONING** This is a review of the initial zoning of the El Chapin Addition, a pending annexation of a 12.28 acre property located along 6600 Road, near its intersection with Draft Horse Road. The applicant has requested "R-3" Medium Density District zoning. The applicant is El Chapin Investment Group, LLC.
  
- 8) **ODELLE ROAD MONTROSE HOUSING SUBDIVISION SKETCH PLAN** This is a review of a proposed subdivision located on Lot 2 of the Woodgate Trails Minor Subdivision, a 10.04 acre site on Odelle Road. The review and discussion of a sketch plan by the Planning Commission is informal and non-binding in nature, and serves as a means to provide guidance to the subdivider in accordance with City of Montrose Municipal Code. The applicant is Odelle Land Holdings, LLC.
  
- 9) Other Business
  
- 10) Next Meeting will be June 24, 2026
  
- 11) Motion to Adjourn



## **City of Montrose Planning Commission**

**May 27, 2026**

The Montrose City Planning Commission held a meeting on May 27, 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), Delphine Jadot, Phoebe Benziger Richard Rogers, Steve Ball and Ronald L. Cairns. Beth McCorkle Absent: Chad Huffman (Vice-Chair)

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

There were 5 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 April 22, 2026, meeting as submitted. Delphine Jadot seconded, and the motion carried.

### **Additions or Deletions**

None.

### **Star Court Lot 8 Townhomes Sketch Plan**

This is a review of a proposed subdivision on Lot 8 of the Maimi Business Park Subdivision Filing No. 2, also addressed as 739-749 East Star Court. This proposal subdivides the building currently under construction into 6 individually conveyable townhome lots. The applicant is Forza Red LLC.

### **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**

Applicants step forward ready for questions and ready to move forward with development

**Questions for Applicant**

Asked applicant what construction has started and there has been none for this sketch

**Public Comment**

none

**Discussion**

Planning Commission Sketch plan talked about the trail remaining in the development, the concrete trail is not part of this parcel and is maintained as a trail.

**Horseshoe Ridge Subdivision Amended Preliminary Plat**

This is a review of a proposed subdivision on Outlot B of the Horseshoe Ridge Subdivision Filing No. 2, also addressed as 66391 Crestview Drive. This proposal subdivides the property into 5 residential lots. The applicants are Donald Walker and Teresa Walker.

**Motion and Vote**

The commission has tabled this item for a future meeting for the applicant presentation

**Other Business**

None

**Next Meeting**

The next Planning Commission meeting is scheduled for June 10, 2026.

**Public Comment**

None.

**Adjournment**

Richard Rogers moved to adjourn the meeting. Delphine Jadot seconded and the meeting ended at 5:10 p.m.

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Chairperson

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Attest



CITY OF MONTROSE  
Planning Services

**MEMO**

TO: Planning Commission  
FROM: William Reis, Senior Planner  
DATE: June 10, 2026  
RE: Horseshoe Ridge Subdivision Amended Preliminary Plat

**ATTACHMENTS**

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

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***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 Horseshoe Ridge Subdivision Amended Preliminary Plat. The Planning Commission will consider all of the information in this memo in making a decision.

**Applicant:** Donald Walker and Teresa Walker

**Application Background:**

The Horseshoe Ridge Subdivision is located in southern Montrose, and is partially developed. This amended preliminary plat consists of 5 residential lots on Outlot B of the Horseshoe Ridge Subdivision Filing No. 2, also addressed as 66391 Crestview Drive. This property also has frontage on Kinikin Road. This application renews a previous preliminary plat within this portion of the Horseshoe Ridge Subdivision. The property is zoned "R-1B" Small Estate District.

The meeting before City Council to approve or deny the Preliminary Plat is tentatively scheduled for July 7, 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 Residential Mixed Density Low. 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.

### 3. Zoning Regulations:

- Municipal Code, Section 11-7-5 (A)(3): The "R-1B" Small Estate District is intended to provide for large single-household detached dwelling residential lots within a semi-rural environment.
- The proposed use is a use-by-right in the "R-1B" Small Estate District and is compatible with general conditions in the area. The property is adjacent to properties that are zoned "R-1B" Small Estate District, and properties outside of City limits.

### 4. The Horseshoe Ridge Subdivision 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 Horseshoe Ridge Subdivision 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:**

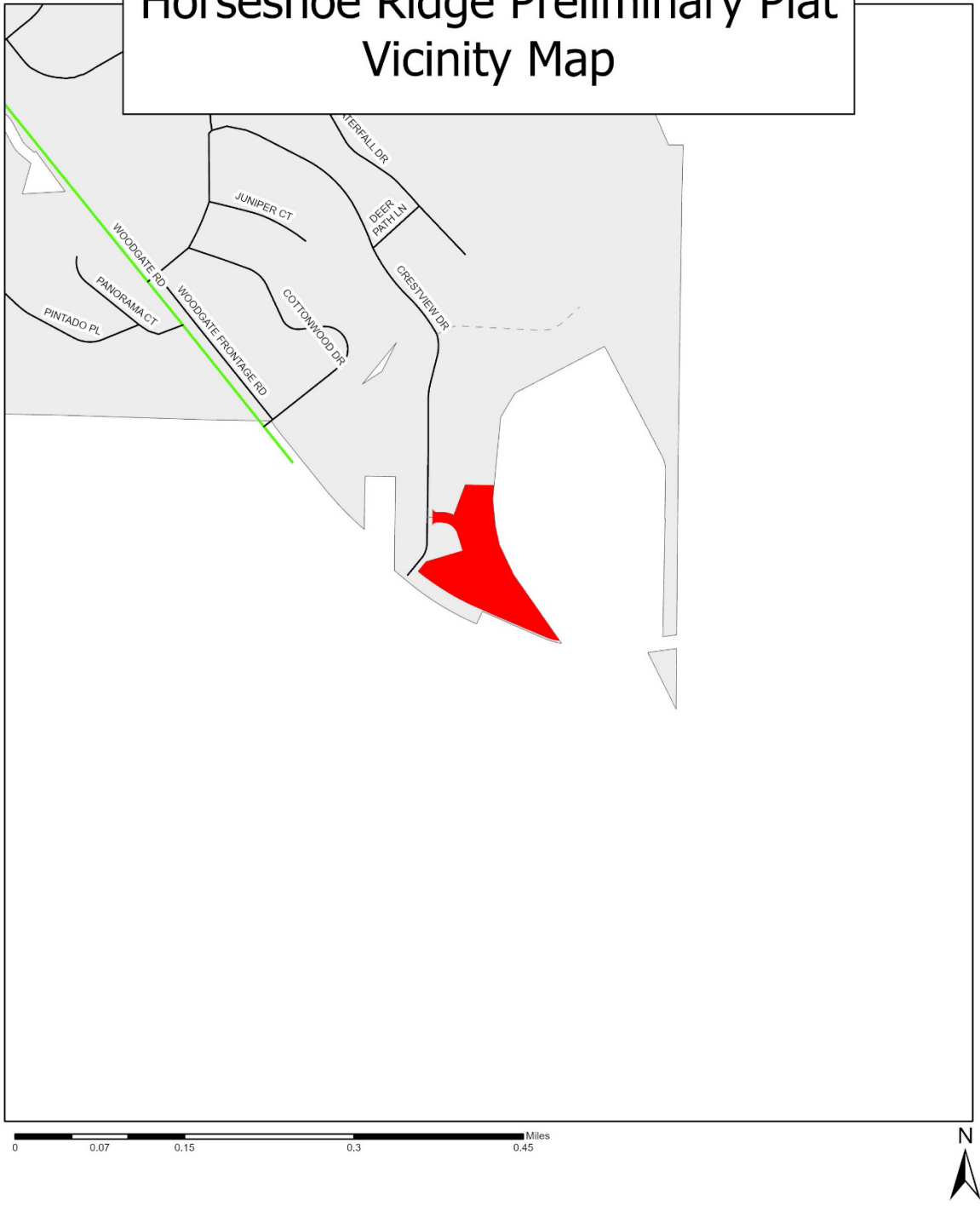
**Conditional Approval Motion:** “I hereby make a motion to recommend to City Council approval of the Preliminary Plat application with the following condition(s). The approval of this Preliminary Plat is expressly conditioned upon City staff ensuring that all policies, regulations, ordinances and municipal 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.”



EXHIBIT A: Area Maps

# Horseshoe Ridge Preliminary Plat Vicinity Map



# Horseshoe Ridge Preliminary Plat Zoning Map



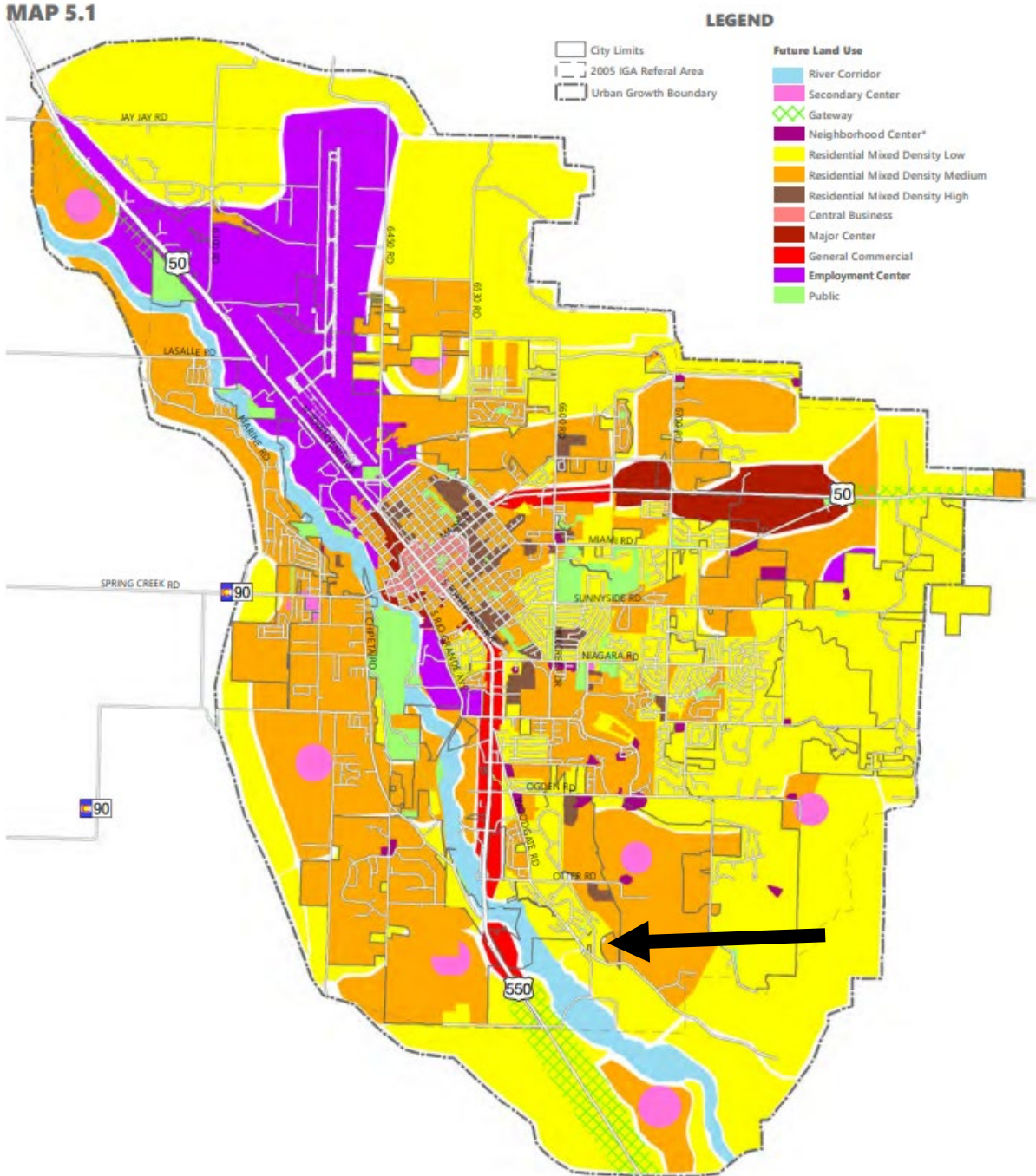
0 0.04 0.07 0.15 0.22 Miles



# Comprehensive Plan Future Land Use Map

## FUTURE LAND USE

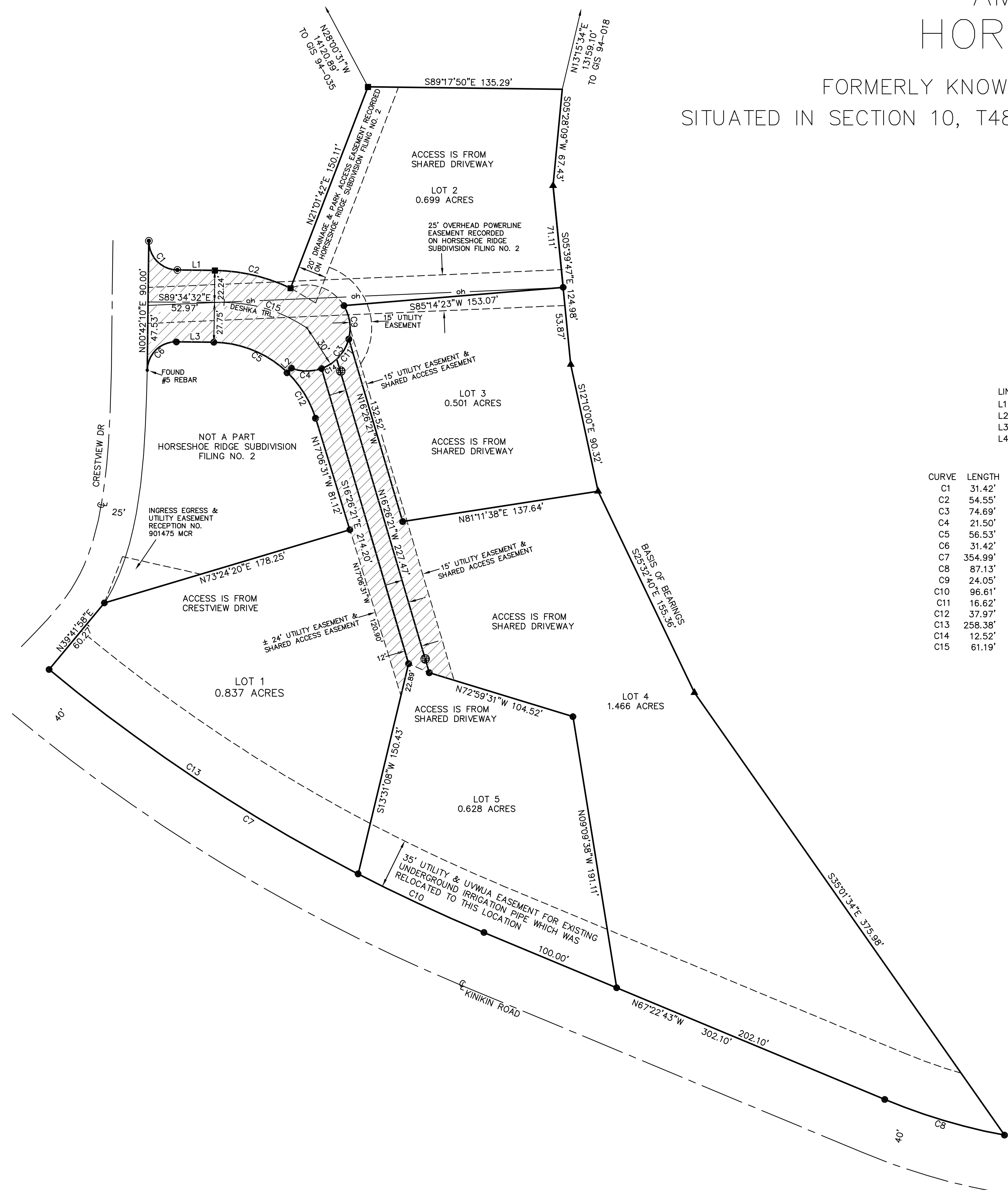
MAP 5.1



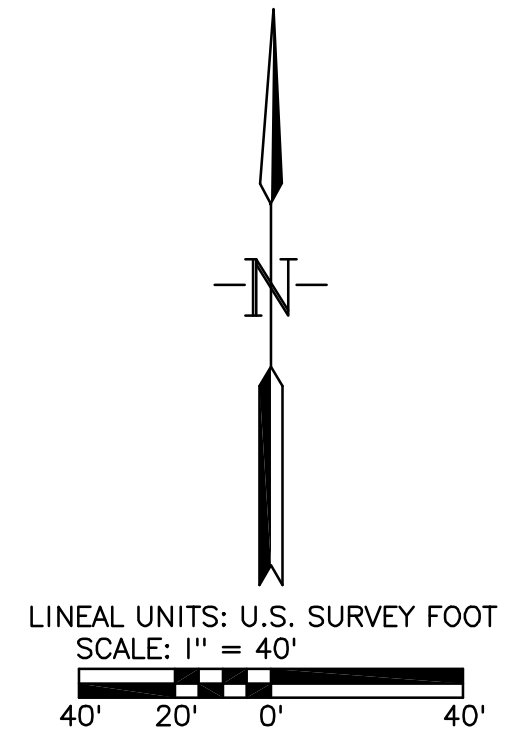


# AMENDMENT TO PRELIMINARY PLAT HORSESHOE RIDGE SUBDIVISION

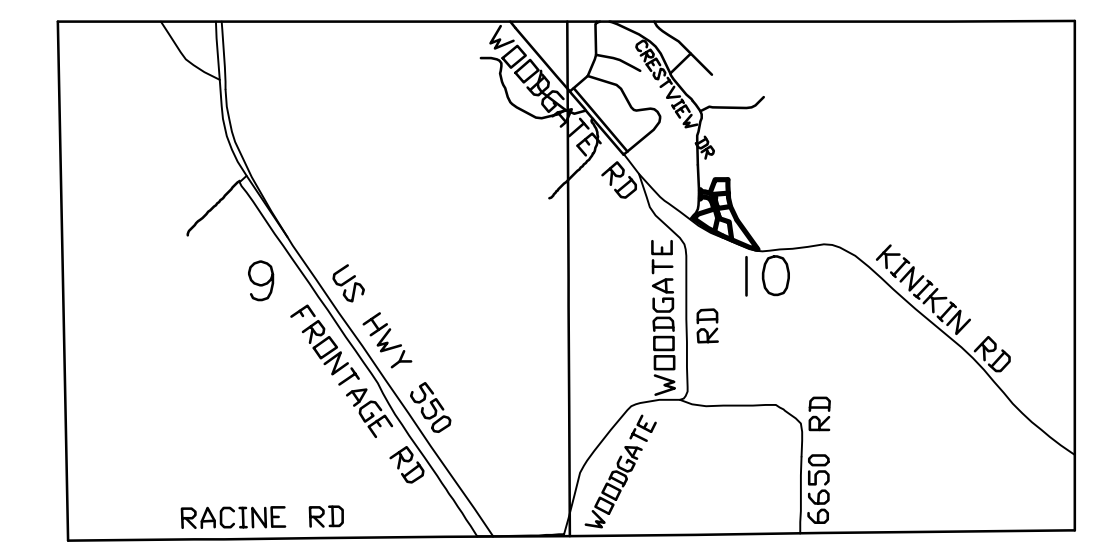
FORMERLY KNOWN AS OUTLOT B, HORSESHOE RIDGE SUBDIVISION FILING NO. 2  
SITUATED IN SECTION 10, T48N, R9W, N.M.P.M., CITY AND COUNTY OF MONTROSE, STATE OF COLORADO



LINE TABLE		CURVE TABLE				
LINE	COURSE	CURVE	LENGTH	RADIUS	DELTA	CHORD
L1	S89°17'50"E, 26.12'	C1	31.42'	20.00'	90°00'00"	S44°17'53"E 28.28'
L2	S43°37'45"W, 4.08'	C2	54.55'	125.00'	25°00'08"	N76°47'46"W 54.11'
L3	N89°17'50"W, 26.12'	C3	74.69'	30.00'	142°38'33"	S40°05'09"W 56.84'
L4	N73°24'19"E, 12.84'	C4	21.50'	30.00'	41°03'14"	S89°07'12"E 21.04'
		C5	56.53'	75.00'	43°11'03"	N67°42'19"W 55.20'
		C6	31.42'	20.00'	90°00'00"	S45°42'12"W 28.28'
		C7	354.99'	1191.00'	17°04'40"	S58°50'23"E 353.68'
		C8	87.13'	413.00'	12°05'16"	S73°25'21"E 86.97'
		C9	24.05'	30.00'	45°56'01"	N08°16'07"W 23.41'
		C10	96.61'	1191.00'	04°38'52"	N65°03'17"W 96.59'
		C11	16.62'	30.00'	31°44'10"	N30°33'58"E 16.41'
		C12	37.97'	75.00'	29°00'18"	N31°36'41"W 37.56'
		C13	258.38'	1191.00'	12°25'48"	N56°30'57"W 257.87'
		C14	12.52'	30.00'	23°55'08"	N58°23'37"E 12.43'
		C15	61.19'	105.00'	33°23'22"	S72°52'51"E 60.33'



- LEGEND**
- ▲ = FOUND REBAR AND SURVEY CAP LS #1760
  - = FOUND REBAR AND SURVEY CAP LS #15933
  - = FOUND REBAR AND SURVEY CAP LS #12180
  - ⊙ = SET REBAR AND SURVEY CAP LS #12180
  - ⊘ = MAN HOLE
  - ▨ = SHARED ACCESS & UTILITY EASEMENT



**\*NOTICE:** According to Colorado law you must commence any legal action based upon any defect in this survey within three 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 years from the date of the certification shown hereon.\*

CF: 25-36 HSR F3 Plot Scale: 1" = 40' Book: 791 Page: 1	AMENDMENT TO PRELIMINARY PLAT HORSESHOE RIDGE SUBDIVISION
DATE: 10/10/25 REVISIONS: 12/1/25 per review 1/21/26 3/9/26 per review 4/27/26	FORMERLY KNOWN AS OUTLOT B, HORSESHOE RIDGE SUBDIVISION FILING NO. 2 SITUATED IN SECTION 10, T48N, R9W, N.M.P.M., CITY AND COUNTY OF MONTROSE, STATE OF COLORADO
	FOR: DON & TERRY WALKER 66391 CRESTVIEW DR MONTROSE, CO 81403 970.596.6996
	<b>MESA SURVEYING INC.</b> P.O. Box 1287 Montrose, CO 81402 (970)-240-9994
Sheet: 2 of 2	File No. 25-36

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**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)

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**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

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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

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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

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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.*

- 
- (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)





CITY OF MONTROSE  
Planning Services

# MEMO

TO: Planning Commission  
FROM: William Reis, Senior Planner  
DATE: June 10, 2026  
RE: Elevated Eye Docs Variance

ATTACHMENTS:

- Exhibit A: Maps
- Exhibit B: Photos
- Exhibit C: Excerpt from Code - Variances
- Exhibit D: Excerpt from Code - Dimensional Requirements

---

***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 is reviewing a variance application for the front setback of the Elevated Eye Docs building, planned for Lot 2 of the Buchanan/Reed Boundary Line Adjustment, adjacent to East Main Street, which is within the Highway Corridor Overlay District. The Planning Commission shall approve or deny the variance application. The Planning Commission will consider all of the information in this memo in making a decision.

**Application Background:**

This project is a variance that would allow for a front setback of approximately 24 feet. The property is located in the "B-2" Highway Commercial District, and is within the Highway Corridor Overlay District. Buildings in the highway corridor have a front setback requirement of 50 feet.

**Applicant:** Christopher Buchanan, CAB, LLC

**Staff Analysis:**

1. The criteria for granting variances are listed below with comments regarding applicability and compliance in italics. Municipal Code, Section 4-4-28 (B). Variances shall be granted only if the following criteria are met:
  - a. The variance will not adversely affect the public health, safety and welfare.  
*The proposed variance has no known impacts on the public health, safety and welfare.*
  - b. Unusual physical circumstances shall exist, such as unusual lot size or shape, topography, or other physical conditions peculiar to the affected property, and violations of code shown by clear and convincing evidence that they were made in good faith, which make it unfeasible to develop or use the property in conformity with the provisions of this Chapter in question.  
*The standard 50 foot setback requirement is measured from the property line, which itself is set back approximately 90 feet from the actual highway. The property is approximately 165 feet deep on the western side, which makes much of the property unusable.*
  - c. The unusual circumstances have not been created as a result of the action or inaction of the applicants, other parties in interest with the applicant, or their or his predecessors in interest.  
*These circumstances were pre-existing, and have not been created as a result of the action or inaction of the applicants, other parties in interest with the applicant, or their or his predecessor in interest.*
  - d. The variance requested is the minimum variance that will afford relief and allow for reasonable use of the property.  
*A future addition is accounted for in the selected building placement. A 50 foot setback inhibits the future development of this property.*
  - e. The variance will not result in development incompatible with other property or buildings in the area, and will not affect or impair the value or use or development of other property.  
*Many of the surrounding properties are much closer than the required 50 foot setback. Some buildings are as close as 10 feet from the CDOT ROW line.*
2. The Variance does not appear to be adverse to the public health, safety and welfare, and is consistent with Municipal Code requirements and the City of Montrose Comprehensive Plan.

**Staff Recommendation:**

The staff finds that the criteria have been met, and recommend approval of the request.

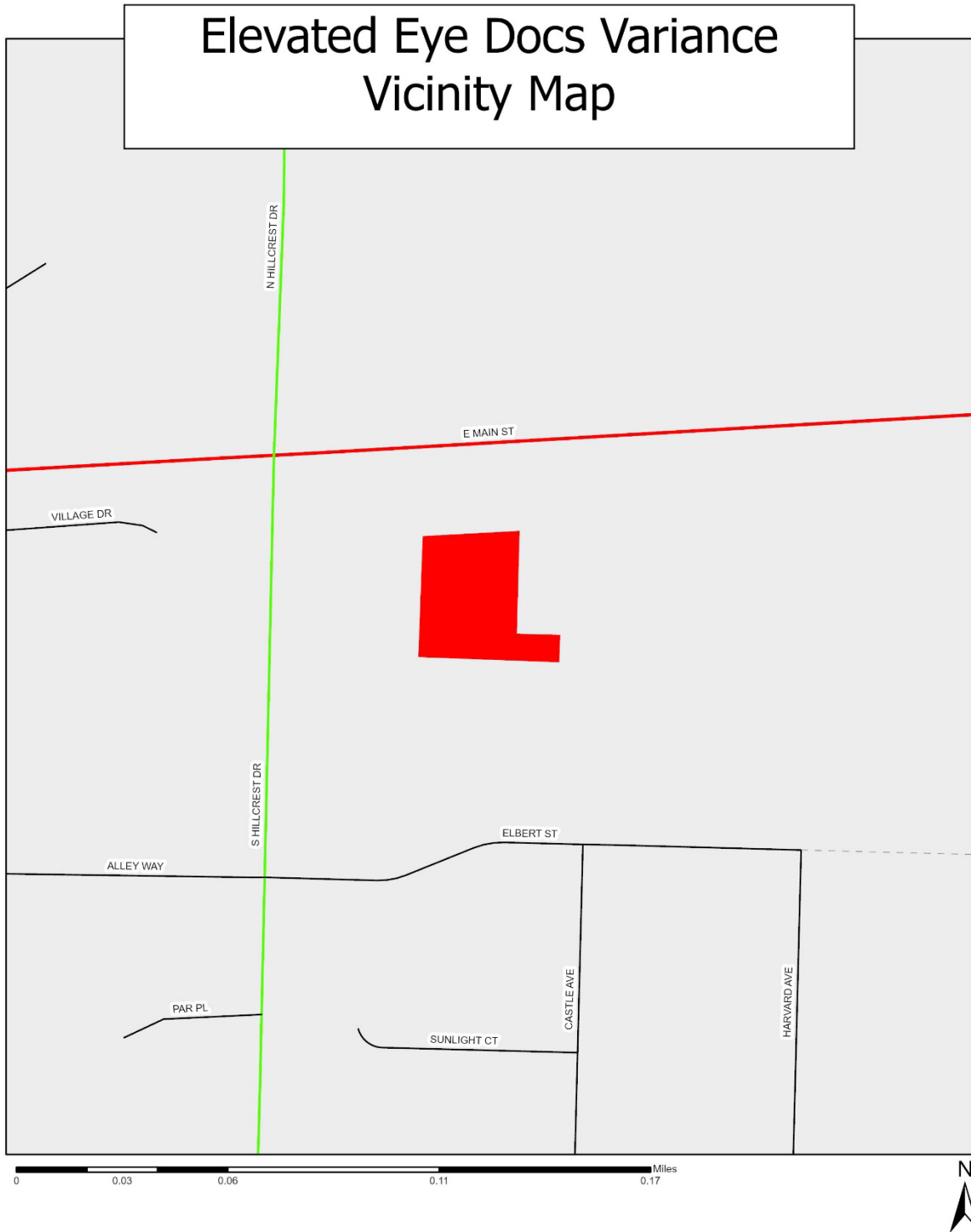
**Planning Commission Motion Alternatives:****Approval Motion Recommendation:**

"I hereby make a motion to approve the request to allow the variance for a 24' front setback on Lot 2 of the Buchanan/Reed Boundary Line Adjustment. The request meets the Code criteria and standards based on the evidence and testimony presented at this hearing and in the staff report."

Denial Motion Recommendation:

"I hereby make a motion to deny the request. The request does not meet the Code criteria based on the evidence and testimony presented at this hearing and in the staff report."

EXHIBIT A: Maps



# Elevated Eye Docs Variance Zoning Map



0 0.01 0.02 0.04 0.06 Miles





May 26, 2026

William Reis  
City of Montrose  
433 South 1st Street  
Montrose, CO 81401

SUBJECT: Elevated Eye Doctors (*DMC #26009*) - Variance Request

William,

This letter serves as a request for a variance from the Highway Corridor Overlay District setback requirement of 50' for the new Elevated Eye Doctors Office project located on East Main Street just east of the Scott's Automotive building. The subject property is zoned B-2 and is currently vacant and is being used for U-Haul trailer storage. The property is accessed off of the frontage road and does not have direct access to the highway from the site.

Through the site development process, it was brought up that this property is located within the Highway Corridor Overlay District which requires a 50' building set back from the CDOT ROW. In the case of this property, the ROW is the northern property boundary, which is approximately 90' from the actual highway. The subject property is approximately only 165' deep on the western side. A 50' setback makes much of the property unusable, which is why a variance from the requirement is being requested. The current proposed site plan has the building setback approximately 24' from the property line with landscaping along the frontage of the property. A future addition is also accounted for in the selected building placement.

The majority of the buildings in this area of the overlay district are much closer to the ROW than the required 50'. Some buildings are as close as 10'. This property also has the additional setback from the highway caused by the frontage road and driveway.

The requested variance is in line with the criteria listed in the code, will not adversely affect the public health, safety, or welfare, is the minimum variance required, and is in-line with the surrounding land uses and development.

If you have any questions or comments, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink that reads 'David Schieldt'.

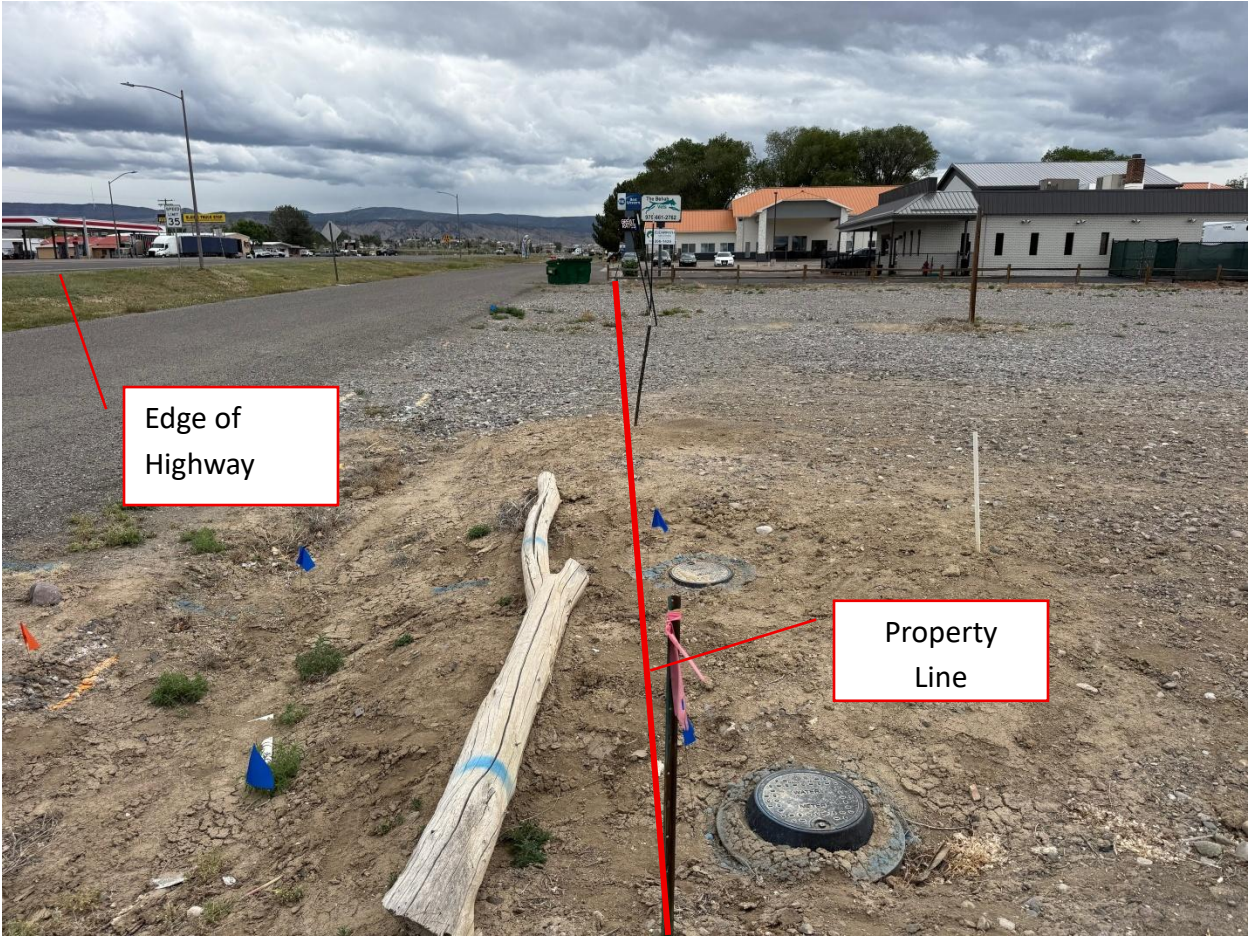
David Schieldt, PE  
President, Del-Mont Consultants, Inc.

# Elevated Eye Doctors – Site Photos

**Photo 1** – View from northwest property corner looking south east.

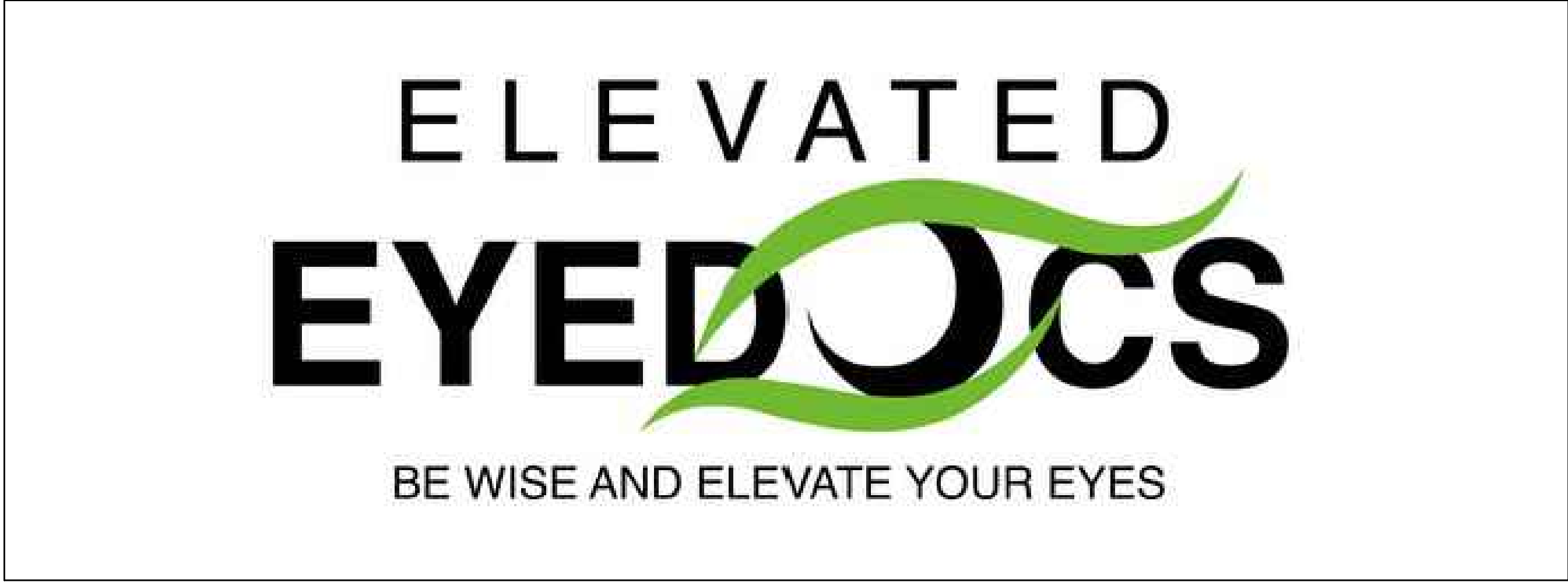


Photo 2 – View from northwest property corner looking east along highway corridor.



# ELEVATED EYE DOCS SITE DEVELOPMENT

## MONTROSE COLORADO



DRAWING INDEX

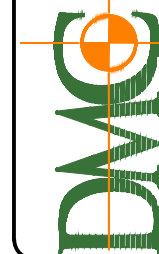
SHEET NO.	SHEET TITLE
C1-1	COVER SHEET
C1-2	CONSTRUCTION NOTES
C2-1	HORIZONTAL PLAN
C3-1	GRADING PLAN
C3-2	CIVIL DETAILS
C3-3	CIVIL DETAILS
C4-1	UTILITY PLAN
C4-2	SSWR PNP

Construction Plans proudly prepared by:



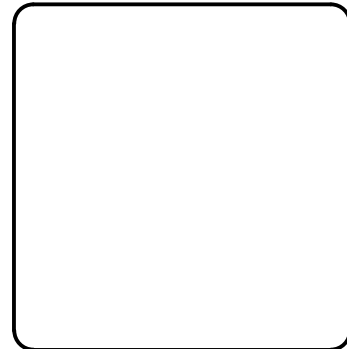
**DEL-MONT CONSULTANTS, INC.**  
 ENGINEERING ▼ SURVEYING  
 125 Colorado Ave. ▼ Montrose, CO 81401 ▼ (970) 249-2251  
 www.del-mont.com ▼ service@del-mont.com

NO	DATE	REVISIONS	BY



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DESIGNED BY JDM	CHECKED BY DWS
DATE ISSUED 2026-04-17	DATE PLOTTED
SCALE	PROJECT NAME
FILE NAME	PROJECT NUMBER



MERRITT CONTRACTING  
 ELEVATED EYE DOCS  
 MONTROSE, COLORADO

COVER SHEET

DMC JOB NO: 26009

SHEET NO: C1-1  
 8 SHEETS

**PRELIMINARY**

STREET & UTILITY SPECIFICATIONS

General

- 1. Safety Requirements: The Contractor shall have full and complete responsibility for jobsite safety, and shall perform all work in full conformance with all Federal, State, and local safety regulations.
2. City of Montrose Specifications and Standard Details: The streets, water, sewer, and storm drainage systems shall be constructed in accordance with current City of Montrose Standards and Specifications.
3. Stormwater Management Plan and Permit: The Contractor shall prepare a Stormwater Management Plan, shall apply for and obtain the requisite Permit from the State of Colorado, shall construct and maintain the requisite facilities necessary to implement the Plan, and shall comply with the requirements of the Permit during construction.
4. Contractor Investigation: The Contractor shall familiarize himself with local conditions and the specifications of the governing entities, evaluate the soils report, and examine the site, make such tests, and perform such explorations as he deems necessary to evaluate the surface and subsurface physical conditions of the site, in order to perform the work under the conditions that exist on the site, in accordance with the Contract Documents for the Contract Price.
5. Underground Utility Locates: The Contractor shall have full responsibility to identify, locate, and protect all existing utilities lines.
6. Hazardous Materials: In the event that the Contractor should encounter hazardous materials on the site (including but not limited to asbestos cement pipe), Contractor shall leave such materials undisturbed and shall contact the Owner for directions regarding disposal of said materials.
7. Notifications: Contractor shall notify the City of Montrose Public Works Department at least 48 hours prior to commencing construction to arrange for inspection by the City.
8. Connections: The Contractor shall coordinate and/or make the connections to existing water and sewer mains in conformance with City of Montrose requirements.
9. Topsoil: Contractor shall manage the work so that all topsoil is preserved for use in final landscaping.
10. Embankment shall be placed and compacted in accordance with CDOT Standard Specifications for Road and Bridge Construction (current edition) Section 203.
11. Extra Work: A Change Order signed by the Owner's Representative is required to qualify any extra work for extra payment.
12. Record Drawings: Contractor shall record precise locations of water and sewer fittings, and all variations from the design, on "as-built" drawings showing the locations and dimensions of any element of the utility system that is not installed as designed, and shall provide that information to the Owner prior to release of final payment.

Trenching:

- 1. Trench Compaction: Place all trench backfill in shallow lifts and compact to 95% of Modified Proctor, AASHTO T 180, at ±2% of optimum moisture in accordance with City of Montrose Specifications.
2. Moisture Conditioning of Backfill: Contractor shall thoroughly moisture condition (wetting or drying as required, and mixing thoroughly) all backfill materials prior to placement in the trenches.
3. Allowable Lift Depths will depend upon the type, weight, and power of the Contractor's compaction equipment, and are subject to the approval of the Engineer.
4. Density Testing will be provided by the Owner's testing agency.
5. Trench Subsidence: Contractor is responsible for the quality of the installation of all facilities within this project.
6. Trench Stabilization Rock: If unstable conditions are encountered in the bottom of trenches, 1 1/2" washed rock will be used to stabilize the bottom of the trench prior to installing pipelines.
7. Existing Wet Subgrade: Any trenches in the street subgrade that are wet and unstable at the time of trench backfill will be backfilled with select materials as directed by the Engineer.
8. Replacement Stakes: The Contractor shall be responsible to maintain the survey stakes for use in the work.
9. Grade Transfer: The Contractor is responsible to transfer grades from the stakes to the work.

Sewer Collection System

- 1. City of Montrose Sewer Specifications: The Contractor shall construct the sewer system in conformance with these plans and with the Standards and Specifications of the City of Montrose, current edition, except as modified or augmented herein.
2. Sewer Connection: The Contractor shall measure the actual elevation of the existing sewer main at the connection points, and confirm that the design elevations and minimum grades upstream can be met.
3. Sewer Survey Control: The Contractor shall provide one (1) set of stakes at manhole locations and sewer service locations.

- 4. Laser Grade Control: The Contractor shall install sewer and storm drain mains using laser grade control.
5. Adjustments to Grade: At each manhole, the Contractor shall check the actual elevation of the pipeline as installed, and, if necessary, re-calculate the grade to the next manhole to compensate for any error in the previous section.
6. Sewer Bedding: The Contractor shall bed all sewer mains and services in 3/4" washed rock, at least 6" all around the pipe.
7. Manhole Cover Tolerances: See Street Specifications, Note 10.
8. Sewer Services shall be installed as detailed, on straight lines and uniform grades, extended fully across the utility easement, capped, and marked with a 4x4 treated wooden post painted green.
9. Low Pressure Air Testing: The Contractor shall pressure test the sewer main and services in accordance with City of Montrose specifications.
10. Lamp Testing & Camera Testing in conformance with City Specifications will be performed by the City of Montrose.
11. Other Testing in accordance with the City Specifications may be performed at the discretion of the Engineer.
12. Locations for Record Drawings: Contractor shall measure and record the distance of each service elbow and clean out wye from the center of the tie in manhole, and shall include that information in the Record Drawings to be submitted to the Owner prior to release of the final payment.

Water Distribution System

- 1. City of Montrose Specifications: The Contractor shall construct the water system in conformance with these plans and with the Standards and Specifications of the City of Montrose.
2. Water System Survey Control: The Contractor shall provide one (1) set of stakes for water line construction designating water main alignment, valve locations, tees, service locations, meter pit locations and elevations, and fire hydrant locations and flange elevations.
3. Connection to Existing Water System will be made by City of Montrose and coordinated with the owner's representative.
4. Conflicts with Other Utilities: Contractor shall verify clearance between water mains and other buried utilities, including sewer and storm drain lines, and shall adjust the depth of the water main as needed to provide minimum required clearances from other utilities, and minimum required depth of cover on water mains.
5. Bedding Materials: Pipe shall be bedded per City Specifications.
6. Inspection by City of Montrose: The City will inspect the installation of the water system.
7. Valves shall be located as shown on the drawings, and are generally isolated "in line" valves.
8. Valve Box Tops: See Street Specifications, Note 11.
9. Water Services and meter pits shall be constructed in conformance with City of Montrose specifications.
10. Thrust Blocks shall be sized in accordance with the City of Montrose specifications.
11. Locations for Record Drawings: Contractor shall measure tap locations from the nearest downstream valve, fitting locations from the nearest downstream fitting or valve and shall include that information in the Record Drawings to be submitted to the Architect prior to release of the final payment.
12. Disinfection: The Contractor shall disinfect (chlorinate) and flush the pipelines in conformance with City of Montrose specifications.
13. Pressure Testing: The Contractor shall pressure test the water main in conformance with City of Montrose specifications.

Cable Utilities

- 1. Cable Utilities: The Contractor shall provide trenching, backfilling, and compaction for the installation of power, phone, and cable TV lines in conformance with utility company requirements.
2. Cable Utility Survey Control: The Contractor shall provide one (1) set of stakes to locate power, gas, phone, and CCTV utilities.
3. Cable Installation: After the utility companies have placed their cables, the Contractor shall be responsible to ensure that all cables and conduits are arranged in a neat, uniform, straight, untangled, uncrossed manner.
4. Cable Backfill & Compaction: No cable utilities shall be backfilled until the installation has been observed by the Engineer for compliance with this specification.

Natural Gas

- 1. Natural Gas pipelines will be installed by Black Hills Energy. Contractor shall provide the trenches, coordinate the work with Black Hills Energy, and backfill and compact the trenches.
Trenches on lots shall be compacted to 90% Modified Proctor density at ±2% of optimum moisture. Trenches across streets shall be compacted to 95% Modified Proctor density at ±2% of optimum moisture.

Streets

- 1. City of Montrose Specifications: All street construction work shall be performed in conformance with these Plans and with City of Montrose Standards and Specifications, supplemented as needed by CDOT Standard Specifications for Roads and Bridges, latest edition.
2. Survey Control: The Contractor shall provide one (1) set of cut / fill stakes at 50' intervals, plus PC's, PT's, and grade breaks, at offsets designated by the Contractor, for street excavation and subgrade preparation.
3. Subgrade Preparation: Scarify the subgrade to 12" deep, moisture condition, and compact to 95% of Standard Proctor, AASHTO T 99 at ±2% of optimum moisture, prior to placement of base course gravel, unless otherwise directed by the Engineer.
4. Subsurface Soil Conditions: Existing native soil conditions at subgrade elevation may not be satisfactory for road construction without remedial measures at some locations within the project.

- 5. Proof Roll Observation by the Engineer: Contractor shall proof roll the base course gravel to demonstrate the stability, uniformity, and compaction of the base material.
6. Base Course Gravel, if required, shall conform to CDOT Class 2 Specifications, compacted to 95% Modified Proctor, AASHTO T 180, at +/- 2% of optimum moisture.
7. Subbase Gravel, if required, shall conform to CDOT Class 2 Specifications, compacted to 95% Modified Proctor, AASHTO T 180, at +/- 2% of optimum moisture.
8. Base Course Gravel shall conform to CDOT Class 6 Specifications, compacted to 95% Modified Proctor, AASHTO T 180, at +/- 2% of optimum moisture.
9. Proof Roll Observation by the Engineer: Contractor shall proof roll the base course prior to placement of pavement or concrete to demonstrate to the Engineer the stability, uniformity, and compaction of the base.
10. Manhole Covers shall be installed flush to 1/2" below finish grade of the base course gravel.

- 11. Water Valve Boxes shall be installed vertical, with the tops set 1" to 2" below top of gravel, and marked with steel fence posts pending completion of street construction.

- 12. Concrete Survey Control: The Contractor shall provide one (1) set of cut/fill stakes at 50' intervals, plus BCR's, ECR's, grade breaks, and radius points, on both sides of each street, to construct the curb, gutter, and sidewalks.
13. Concrete shall conform to City of Montrose Specifications.
14. Concrete Ponding Tolerance: All concrete surfaces shall be finished to drain.
15. Tolerances for Paving Preparation: base course gravel shall be finished to match curb or pan at a depth of 2 1/2" below the lip of the gutter prior to paving.

- 16. Asphalt Pavement: Paving shall conform to City of Montrose Specifications. The hot bituminous pavement mixture shall be a mix currently being used on CDOT work in this area, and shall conform to the tolerances specified in Table 401-1, CDOT Standards for Road & Bridge Construction, current edition.

- 17. Pavement shall be finished off 1/4" to 1/2" above the lip of catch gutter, 1/2" above the lip of all cross pans, and flush with the lip of spill gutter.

Table with 2 columns: NO, DATE, REVISIONS, BY

DMC DEL-MONT CONSULTANTS, INC. ENGINEERING & SURVEYING 125 Colorado Ave. Montrose, CO 81401 (970) 249-2251 www.delmont.com service@delmont.com

MERRITT CONTRACTING ELEVATED EYE DOCS MONTROSE, COLORADO

CONSTRUCTION NOTES

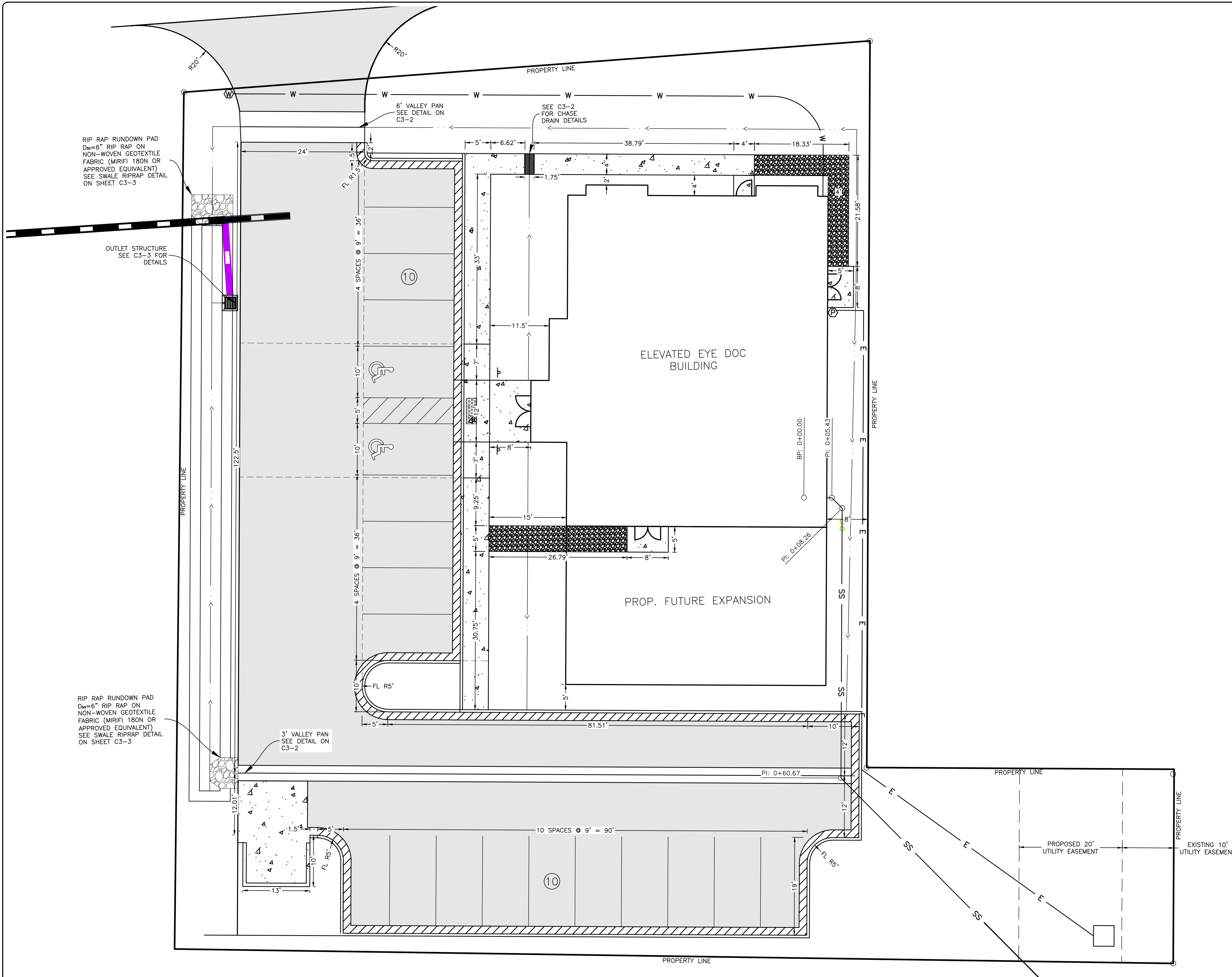
26009

C1-2 8 SHEETS

PRELIMINARY

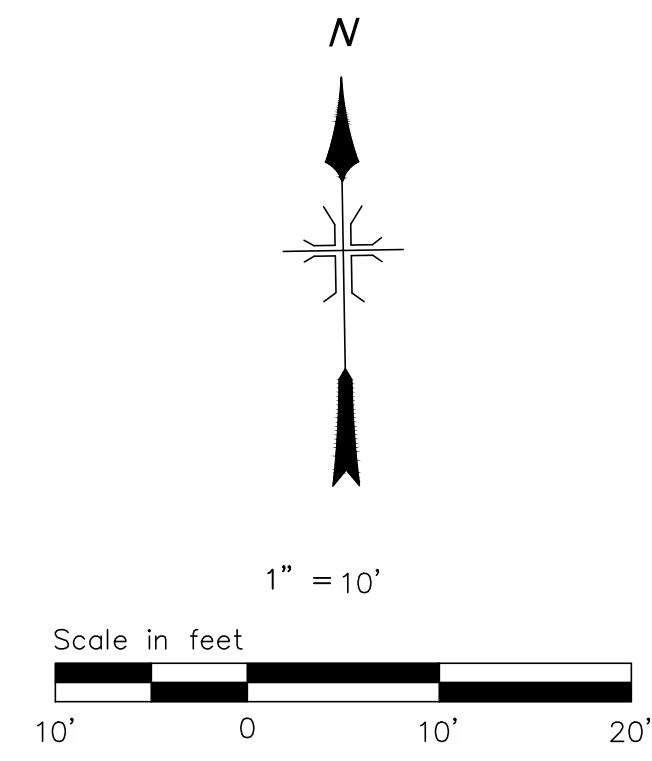
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PARKING CALCULATIONS	
STANDARD	18 SPACES
HANDICAP	2 SPACES
TOTAL PARKING:	20 SPACES
REQUIRED PARKING:	12 SPACES

ZONING:  
SETBACKS: FRONT = 15'  
REAR = NA  
SIDES = NA



**LEGEND**

	EXISTING DRAINAGE FLOWLINE
	EXISTING PROPERTY LINE
	PROPOSED GRADE BREAK
	PROPOSED SPILL CURB & GUTTER
	PROPOSED CONCRETE
	PROPOSED ASPHALT
	PROPOSED GRAVEL

NO	DATE	REVISIONS	BY

**DMC**  
DEL-MONT CONSULTANTS, INC.  
ENGINEERING & SURVEYING  
125 Colorado Ave • Montrose, CO 81401 • (970) 249-2251  
www.delmont.com • service@delmont.com

DESIGNED BY: JDM  
CHECKED BY: JDM  
SCALE: 1/8" = 1'-0"  
DATE ISSUED: 2026-04-17

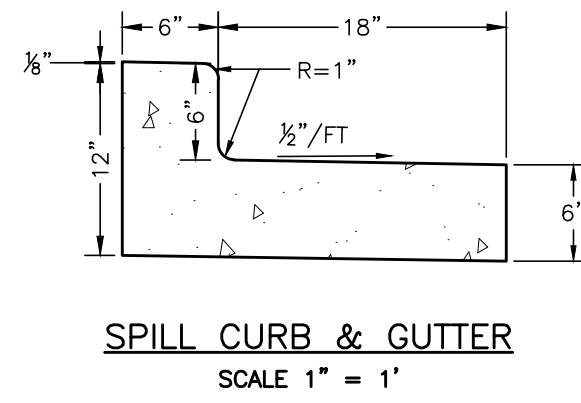
MERRITT CONTRACTING  
ELEVATED EYE DOCS  
MONTROSE, COLORADO

# HORIZONTAL OVERVIEW

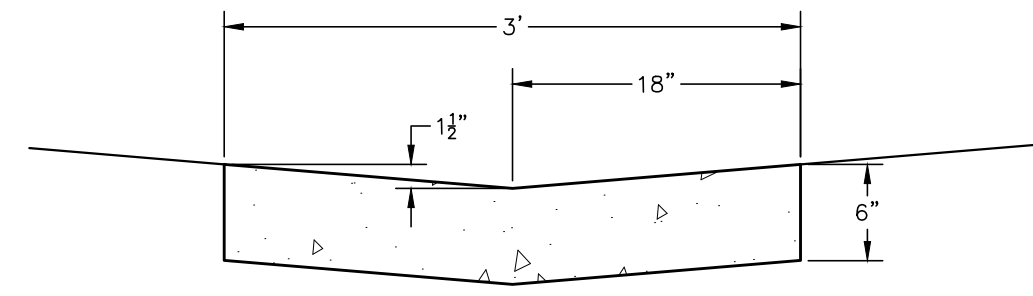
DMC JOB NO: 26009  
SHEET NO: C2-1  
OF 8 SHEETS

**PRELIMINARY**

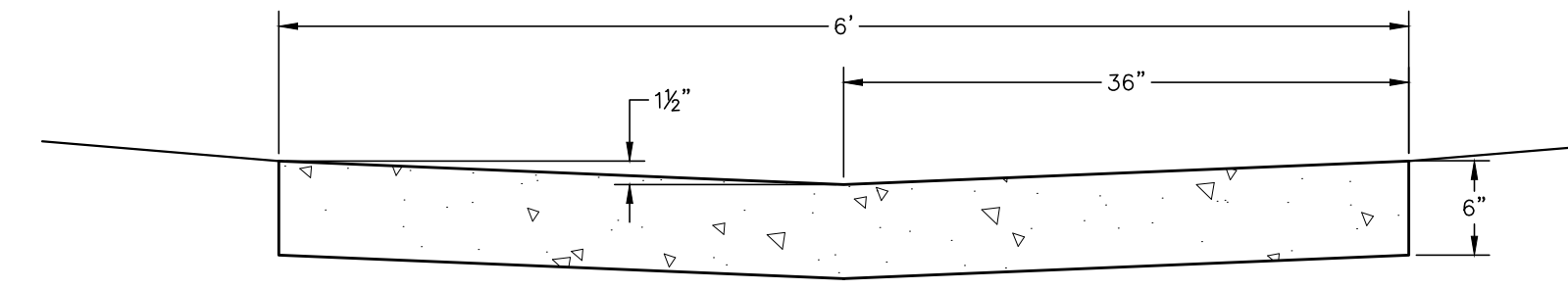




**TYPICAL CURB & GUTTER DETAILS**  
N.T.S.

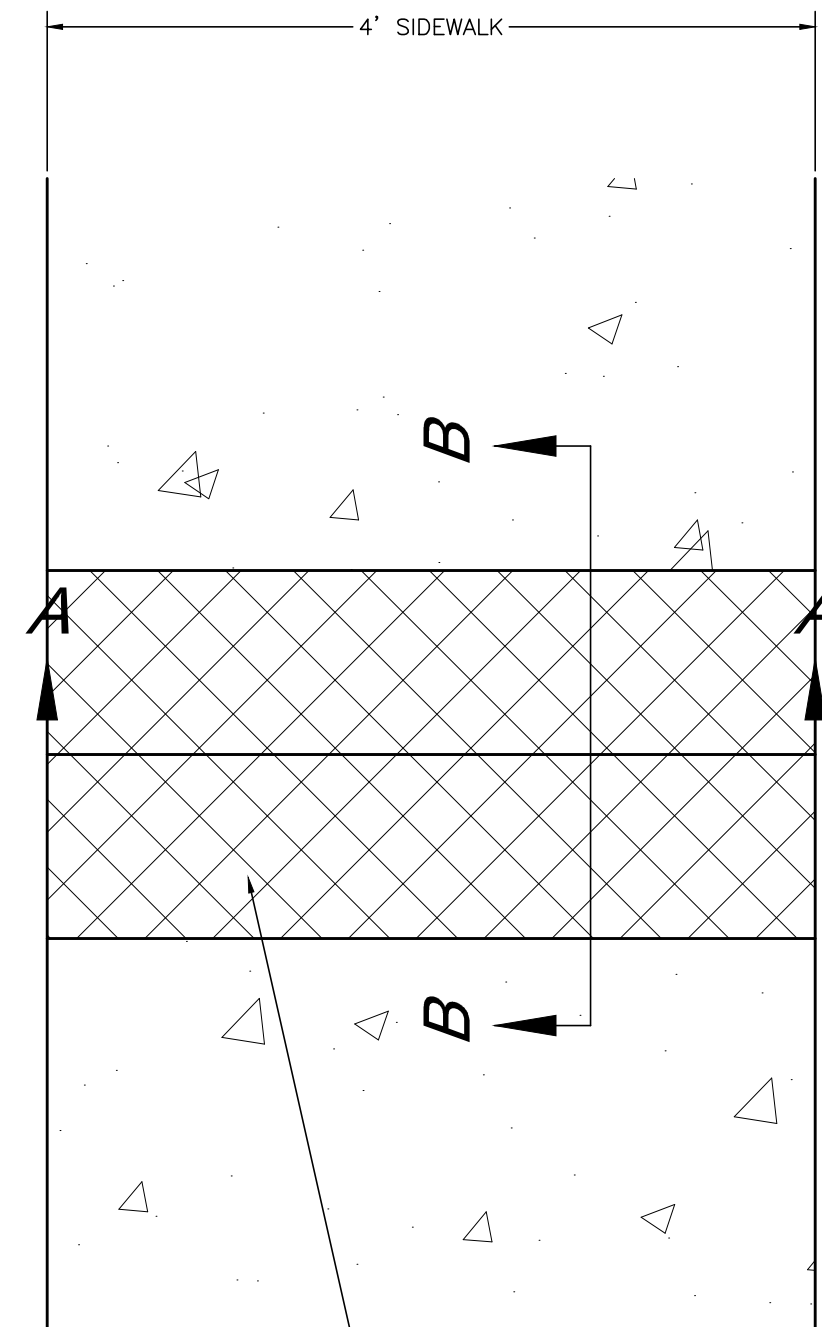


**3' VALLEY PAN**  
N.T.S.



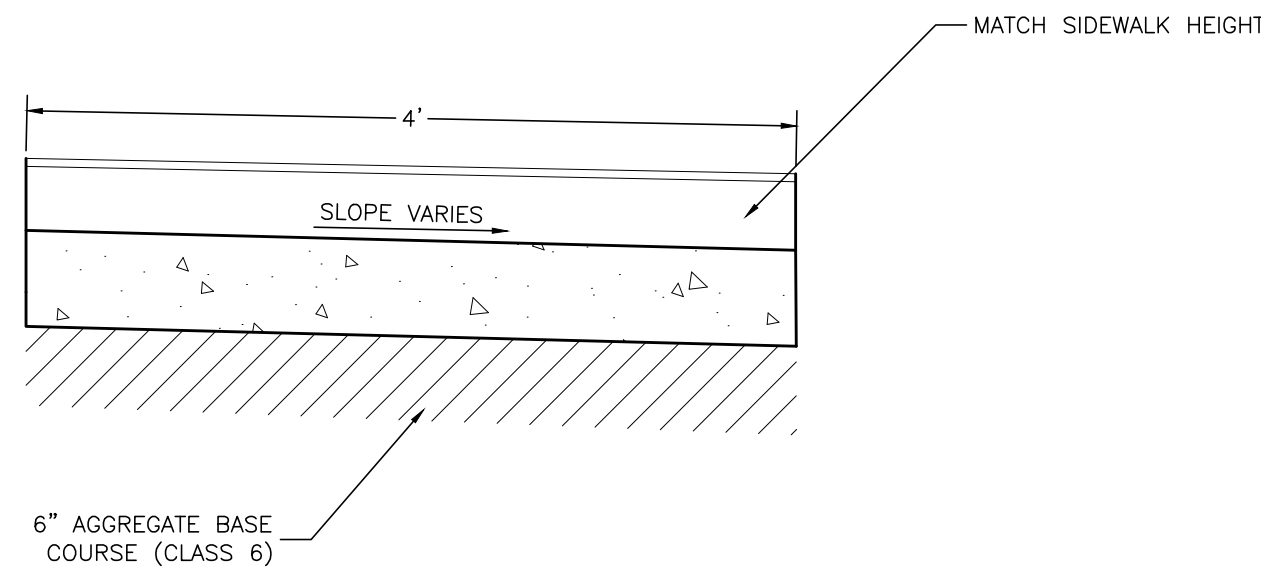
**6' VALLEY PAN**  
N.T.S.

REINFORCEMENT PER CITY OF MONTROSE STANDARDS



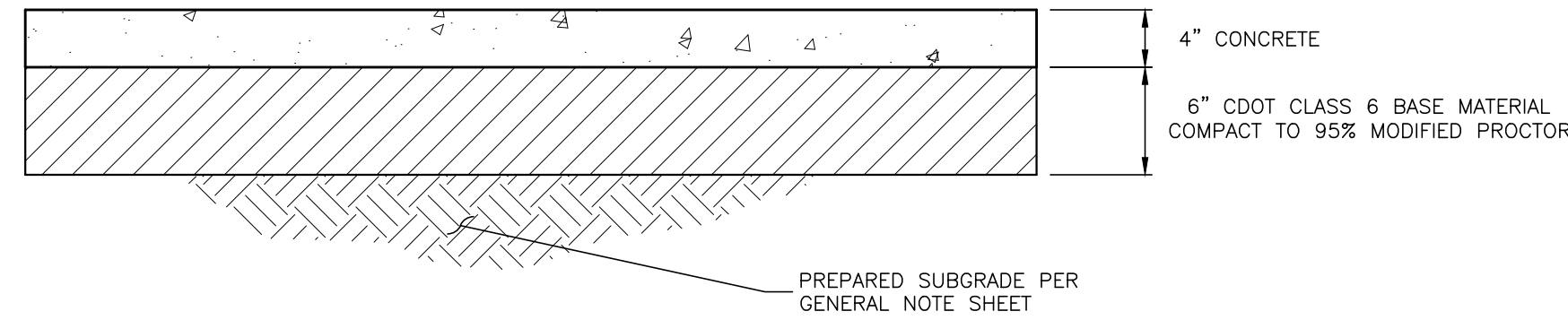
**PLAN**

NEENAH R-4990 TYPE D SOLID TOP TEXTURED COVER AND FRAME OR APPROVED EQUAL. INSTALL PER MANUFACTURER'S SPECIFICATIONS

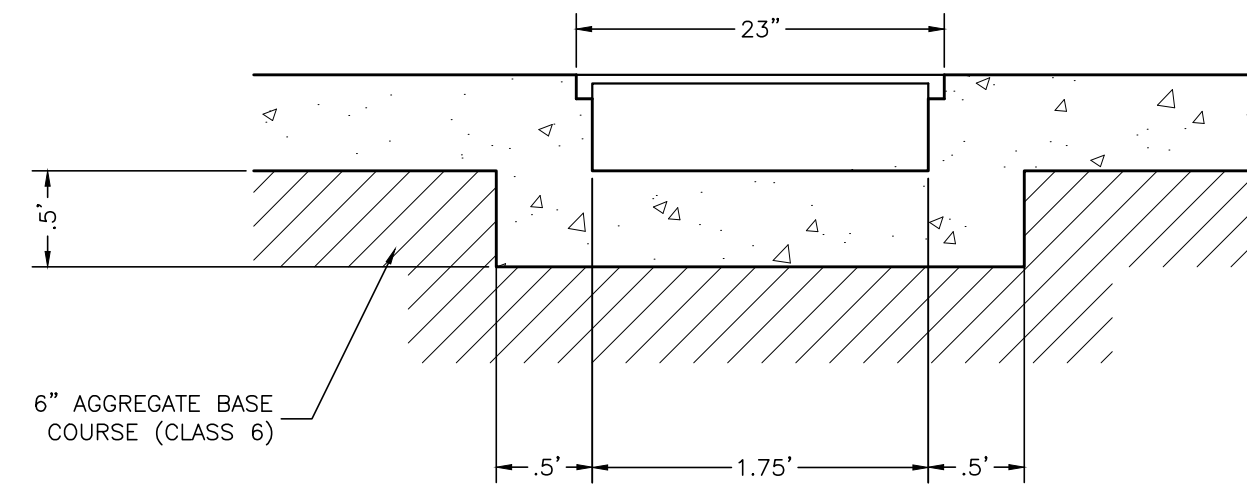


**SECTION A-A**

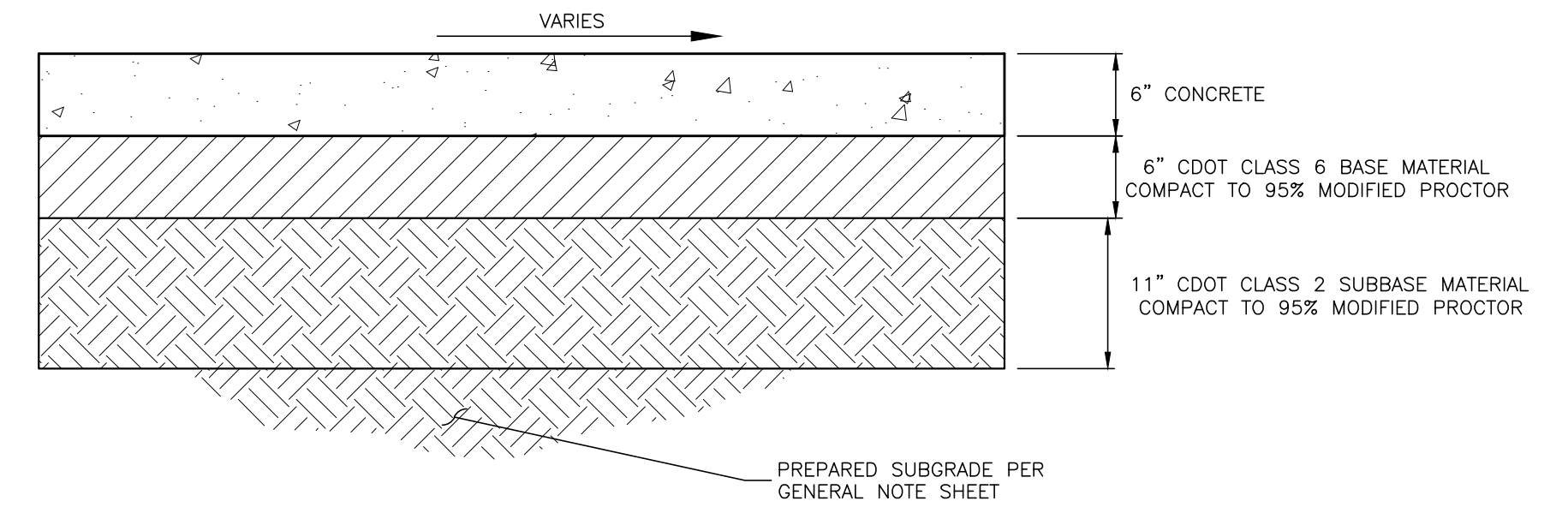
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N.T.S.



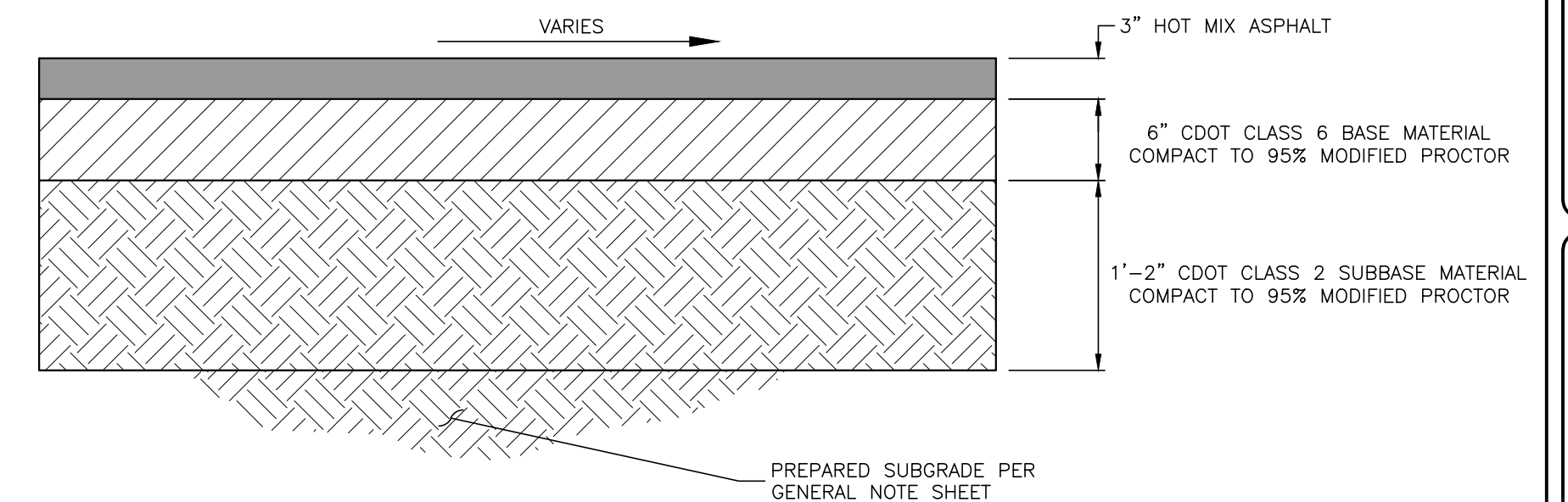
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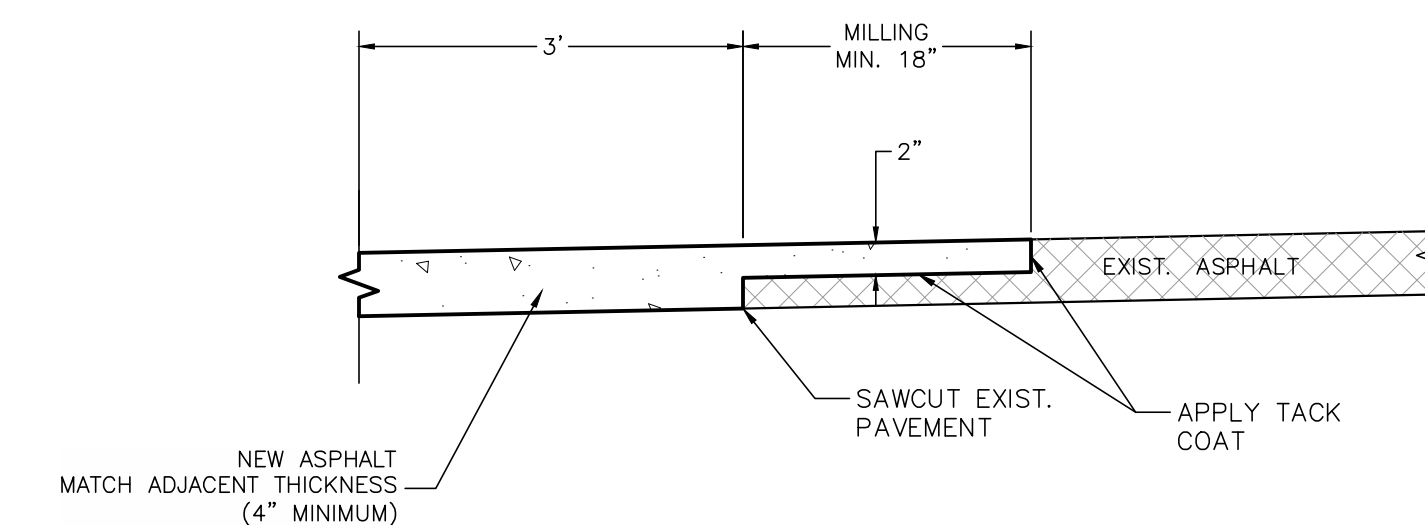
**SECTION B-B**



**TYPICAL RIGID PAVEMENT SECTION**  
N.T.S.



**TYPICAL PAVEMENT SECTION**  
N.T.S.



**T-TOP DETAIL**  
N.T.S.

NO	DATE	REVISIONS	BY

	DEL-MONT CONSULTANTS, INC. ENGINEERING & SURVEYING 125 Colorado Ave. Montrose, CO 81401 (970) 249-2251 www.delmont.com service@delmont.com	CHECKED BY: DWS DATE ISSUED: 2026-04-17
	DRAWN BY: JDM FILE NAME: 26009_CND.DWG	SCALE: JDM DATE: JDM

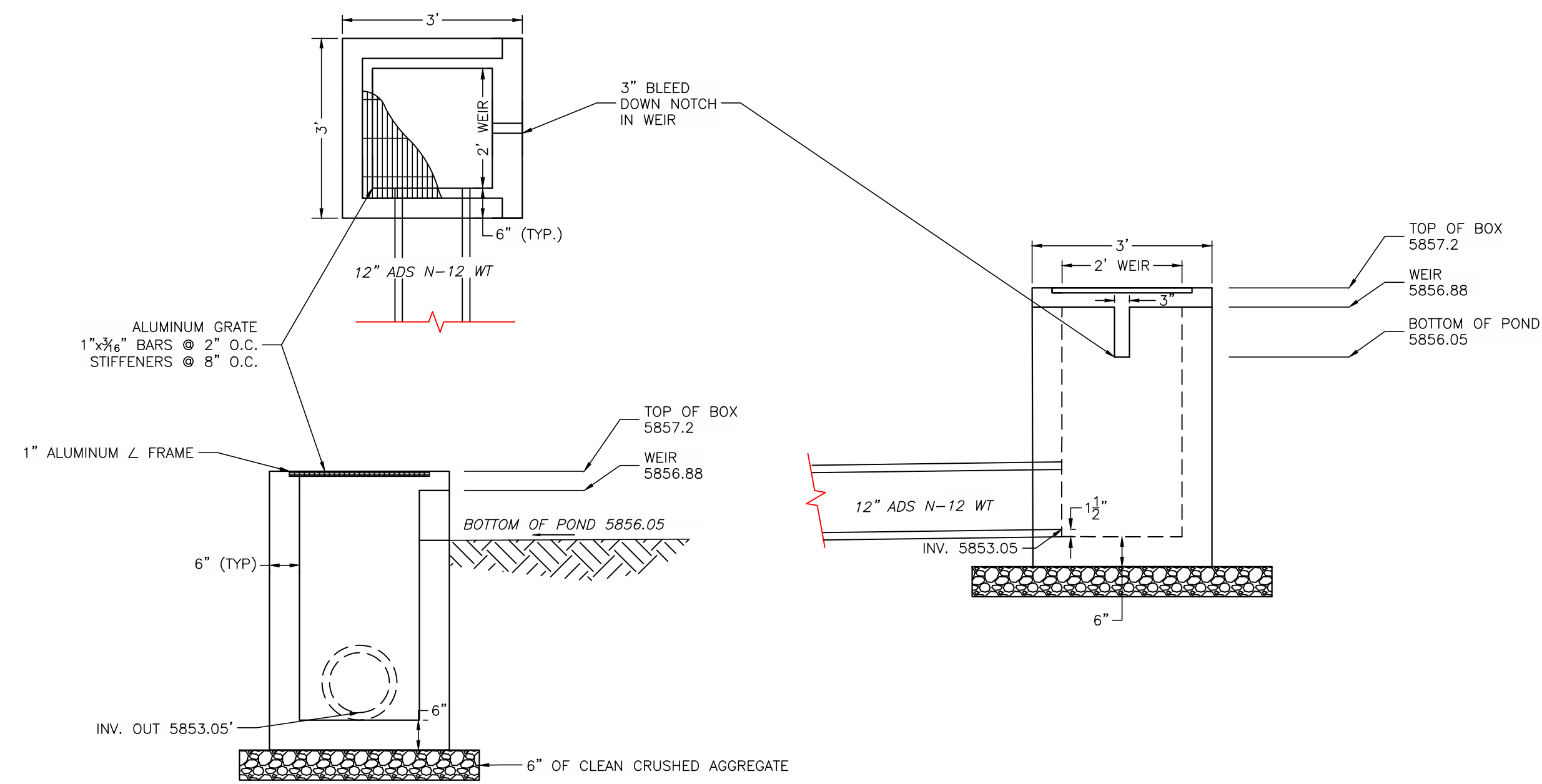
MERRITT CONTRACTING ELEVATED EYE DOCS MONTROSE, COLORADO
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<b>CIVIL DETAILS</b>
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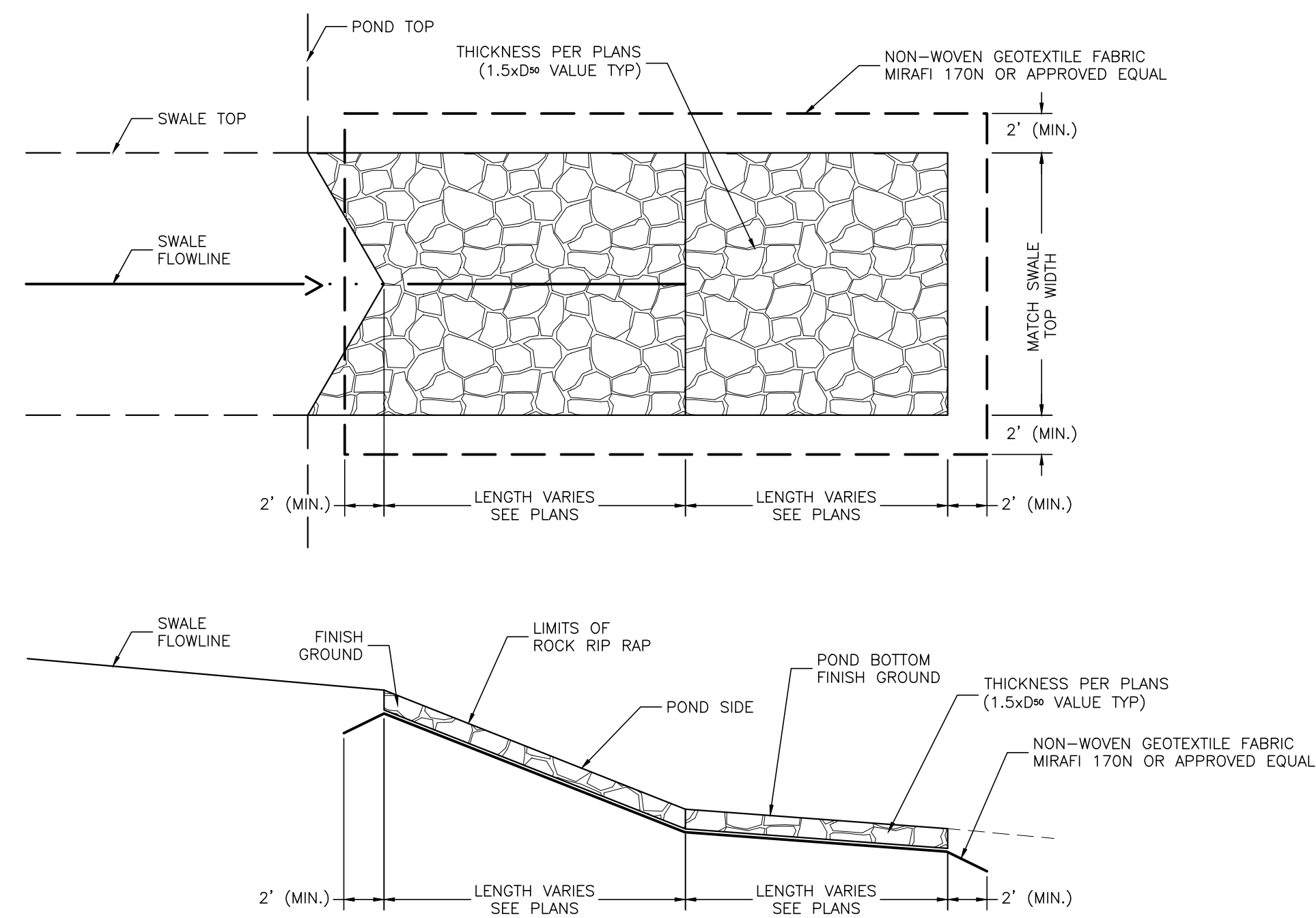
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SHEET NO: C3-2 OF 8 SHEETS
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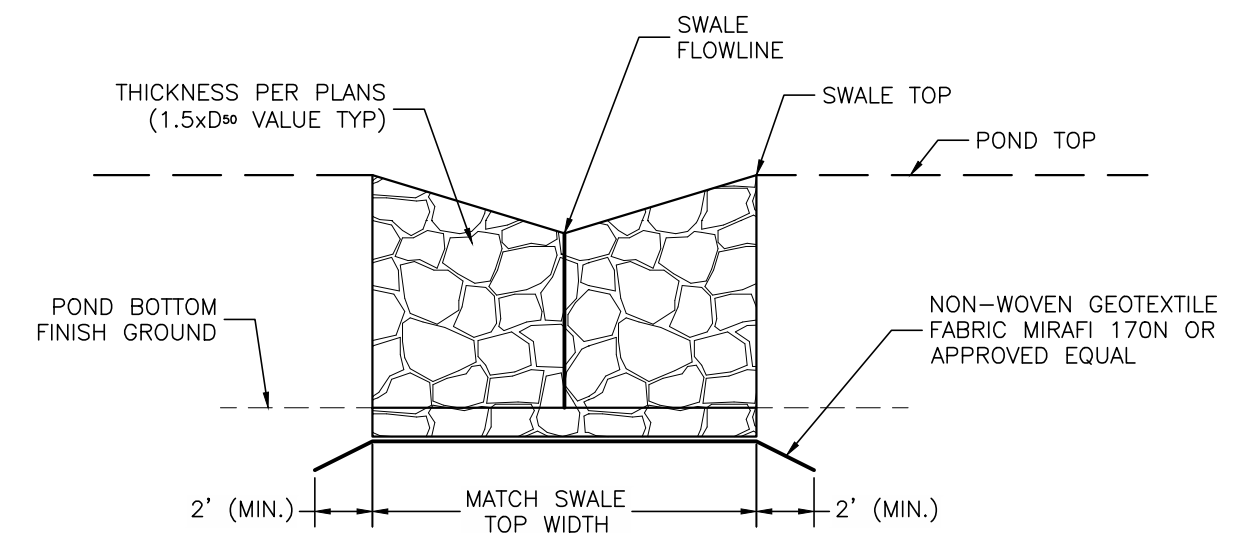
**PRELIMINARY**



**DETENTION POND OUTLET STRUCTURE**  
N.T.S.



**SWALE RIPRAP RUNDOWN DETAIL**  
N.T.S.



PLOTTED BY JDMILLER, FILE PATH & NAME = \DMS14\PROJECTS\ACTIVE PROJECTS\2026\26009-ELEVATED EYE DOCS SDA\C3\3SHEETS\26009C\_CND.DWG, PLOT DATE = 4/17/2026 10:18 AM

NO	DATE	REVISIONS	BY

**DMC** DEL-MONT CONSULTANTS, INC.  
ENGINEERING & SURVEYING  
125 Colorado Ave. Montrose, CO 81401 (970) 249-2251  
www.demont.com service@demont.com

DESIGNED BY: JDM  
CHECKED BY: JDM  
SCALE: 1/4" = 1'-0"  
DATE ISSUED: 2026-04-17

MERRITT CONTRACTING  
ELEVATED EYE DOCS  
MONTROSE, COLORADO

CIVIL DETAILS

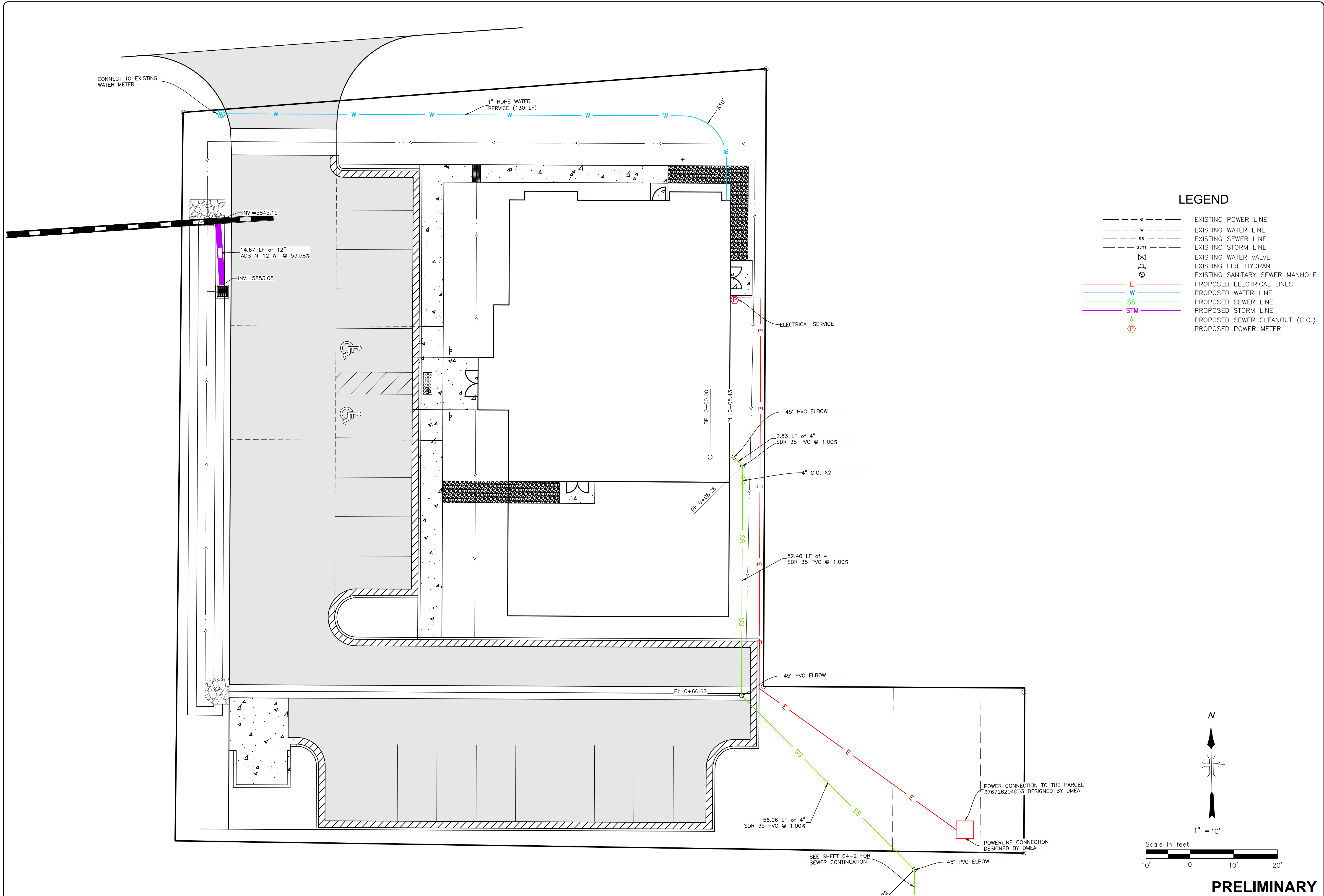
DMC JOB NO: 26009

SHEET NO: C3-3

8 SHEETS

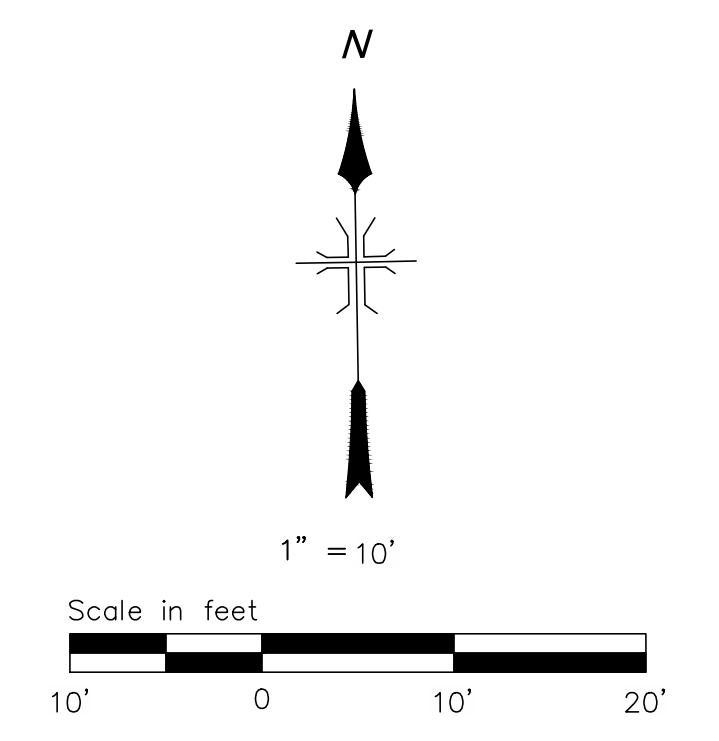
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**LEGEND**

---	e	---	EXISTING POWER LINE
---	w	---	EXISTING WATER LINE
---	ss	---	EXISTING SEWER LINE
---	stm	---	EXISTING STORM LINE
⊗		⊗	EXISTING WATER VALVE
⊗		⊗	EXISTING FIRE HYDRANT
⊗		⊗	EXISTING SANITARY SEWER MANHOLE
---	E	---	PROPOSED ELECTRICAL LINES
---	W	---	PROPOSED WATER LINE
---	SS	---	PROPOSED SEWER LINE
---	STM	---	PROPOSED STORM LINE
⊗		⊗	PROPOSED SEWER CLEANOUT (C.O.)
⊗		⊗	PROPOSED POWER METER



NO	DATE	REVISIONS	BY

**DMC**  
**DEL-MONT CONSULTANTS, INC.**  
 ENGINEERING & SURVEYING  
 125 Colorado Ave • Montrose, CO 81401 • (970) 249-2251  
 www.delmont.com • service@delmont.com

DESIGNED BY	JDM	SCALE	AS SHOWN
CHECKED BY	JDM	DATE ISSUED	2026-04-17
DATE			

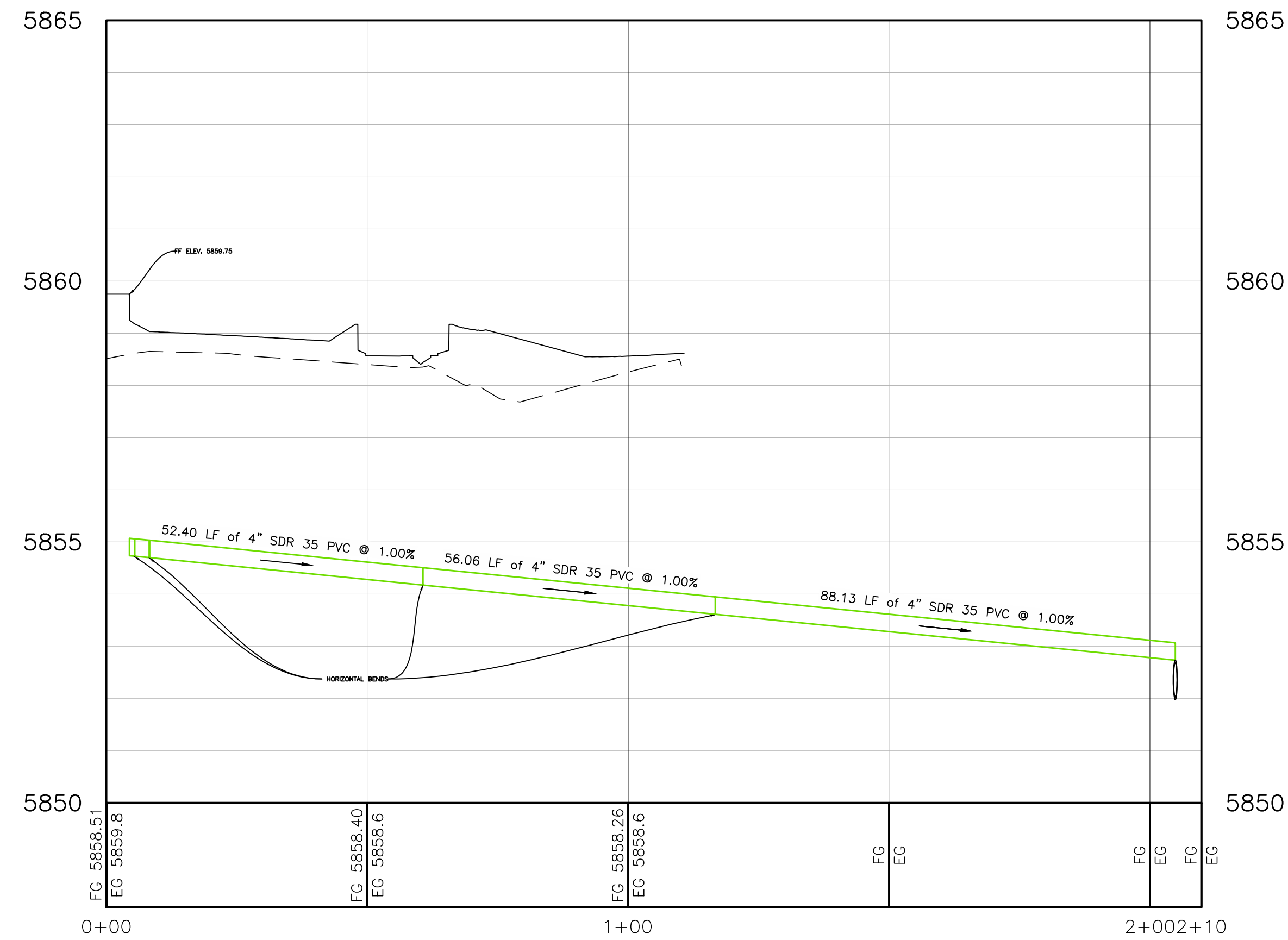
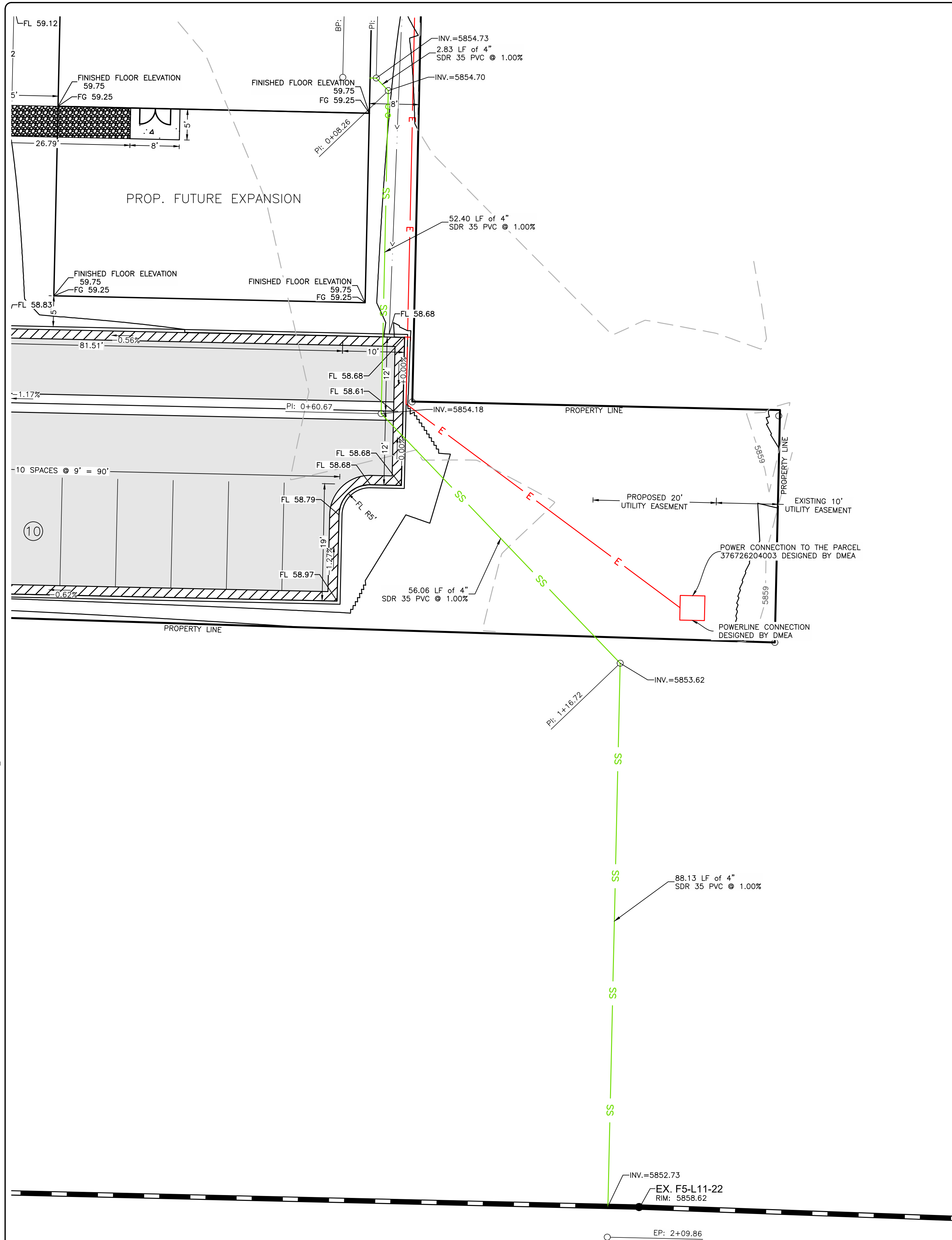
MERRITT CONTRACTING  
 ELEVATED EYE DOCS  
 MONTROSE, COLORADO

UTILITY PLAN

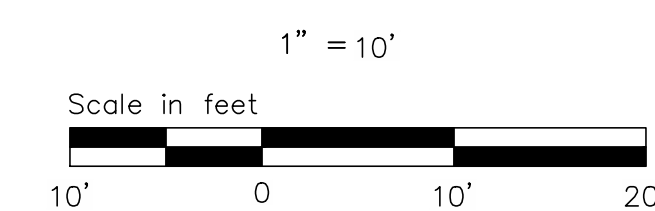
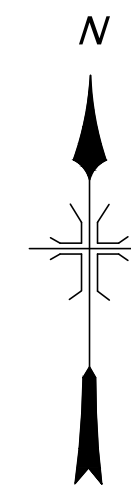
DMC JOB NO. 26009  
 SHEET NO. C4-1  
 OF 8 SHEETS

**PRELIMINARY**

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PROFILE VIEW: SSWR SCALE: Horz=10, Vert=1  
STATION RANGE: 0+00.00 TO 2+09.86  
DATUM: 5850.00



**PRELIMINARY**

NO	DATE	REVISIONS	BY

**DMC** DEL-MONT CONSULTANTS, INC.  
ENGINEERING & SURVEYING  
125 Colorado Ave Montrose, CO 81401 (970) 249-2251  
www.delmont.com service@delmont.com

DESIGNED BY: JDM  
CHECKED BY: JDM  
DATE ISSUED: 2026-04-17

MERRITT CONTRACTING  
ELEVATED EYE DOCS  
MONTROSE, COLORADO

SSWR PNP

DMC JOB NO: 26009  
SHEET NO: C4-2  
8 SHEETS

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### **Sec. 11-7-13. Variances.**

- (A) The Planning Commission may grant a variance from the requirements set out in this Chapter, if it determines, following the review procedures of Chapter 11-4 of this Title, that the criteria of this Section will be met. Provided, however, no variance shall be granted from provisions restricting uses by right, accessory and conditional uses within any zoning district.
- (B) Variances shall be granted only if all the following criteria are met:
  - (1) The variance will not adversely affect the public health, safety and welfare.
  - (2) Unusual physical circumstances shall exist, such as unusual lot size or shape, topography, or other physical conditions peculiar to the affected property, and violations of code shown by clear and convincing evidence that they were made in good faith, which make it unfeasible to develop or use the property in conformity with the provisions of this Chapter in question.
  - (3) The unusual circumstances have not been created as a result of the action or inaction of the applicants, other parties in interest with the applicant, or their or his predecessors in interest.
  - (4) The variance requested is the minimum variance that will afford relief and allow for reasonable use of the property.
  - (5) The variance will not result in development incompatible with other property or buildings in the area, and will not affect or impair the value or use or development of other property.
- (C) The burden shall be on the applicant to show that these criteria have been met.
- (D) Variances shall be granted for sign regulations only if all of the following criteria are met, in lieu of the criteria of Subsection (B) of this Section.
  - (1) The variance will not adversely affect the public health, safety and welfare.
  - (2) The variance requested is the minimum variance that will afford relief.
  - (3) The variance will not result in signage incompatible with other properties in the area and will not affect or impair the value, use of development of such properties.
  - (4) Strict compliance with the regulation presents practical difficulties or unnecessary hardships, and the variance sought falls within the spirit of the sign regulations (Chapter 10 of this Title) as a whole.

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

**Sec. 11-7-7. District standards.**

(A) Tabulated requirements for principal uses by right are as follows (all dimensions in feet or square feet unless otherwise noted):

District	Use <sup>2,3</sup>	Maximum Density	Minimum Lot Size <sup>4</sup>	Minimum Setbacks				Maximum Building Height
				Front	Rear	Side	Corner Lot	
RL	Dwelling, Single Household Detached	TBD - see footnote #4	<sup>5</sup>	25	20	10	20	35
R-1	Dwelling, Single Household Detached	1 dwelling unit/acre	1 acre	25	20	10	20	35
R-1A	Dwelling, Single Household Detached	2 dwelling units/acre	½ acre	25	20	10	20	35
R-1B	Dwelling, Single Household Detached	3 dwelling units/acre	½ acre	25	20	10	20	35
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
R-3	Single-household detached	7 dwelling units/acre	6,250	15	20	5	15	35
	Duplex	9.3 dwelling units/acre	9,375	15	20	5	15	35
	Single-household attached	9.3 dwelling units/acre	4,700/dwelling unit	15	20; 5 w/rear-loaded garage	10 to bldg. lot line	15	35
	Triplex or Fourplex	9.3 dwelling units/acre	4,700/dwelling unit	15	20; 10 w/alley	15 to bldg. lot line	20	35
	Multi-household	15 dwelling units/acre	2,900/dwelling unit	15	20	10	15	40
R-3A	Single-household detached	8.7 dwelling units/acre	5,000	15	20	5	15	35
	Duplex	9.3 dwelling units/acre	9375	15	20	5	15	35

Created: 2026-05-06 08:31:23 [EST]

(Supp. No. 13, Update 1)

	Single-household attached	15 dwelling units/acre	2,900/dwelling unit	15	20; 5 w/ rear-loaded garage	10 to bldg. lot line	15	35
	Triplex or Fourplex	15 dwelling units/acre	2,900/dwelling unit	15	20; 10 w/alley	15 to bldg. lot line	20	35
	Multi-household	15 dwelling units/acre	2,900/dwelling unit	15	20	10	15	40
R-4	Single-household detached	17.4 dwelling units/acre	2,500	15	20; 5 w/ rear-loaded garage	5	10	35
	Duplex	17.4 dwelling units/acre	5,000	15	20	5	15	35
	Single-household attached	18.9 dwelling units/acre	2,300/dwelling unit	15	20; 5 w/ rear-loaded garage	10 to bldg. lot line	15	35
	Triplex or Fourplex	18.9 dwelling units/acre	2,300/dwelling unit	15	20; 10 w/alley	15 to bldg. lot line	20	35
	Multi-household	24 dwelling units/acre	1,815/dwelling unit	15	20	10	15	40
R-5	Single-household detached	3.6 dwelling units/acre	12,000	25	20	5	20	35
	Duplex	7.2 dwelling units/acre	12,000	25	20	5	20	35
	Manufactured Home	3.6 dwelling units/acre	12,000	25	20	10	20	35
R-6	Single-household detached	5.8 dwelling units/acre	7,500	25	20	5	15	35
	Duplex	9.3 dwelling units/acre	9,375	15	20	5	15	35
	Single-household attached	9.3 dwelling units/acre	4,700/dwelling unit	25	20; 5 w/ rear-loaded garage	10 to bldg. lot line	20	35
	Triplex or Fourplex	9.3 dwelling units/acre	4,700/dwelling unit	15	20; 10 w/alley	15 to bldg. lot line	20	35
	Multi-household	15 dwelling units/acre	2,900/dwelling unit	15	20	10	15	40
	Manufactured Home	5.8 dwelling units/acre	7,500	25	20	5	20	35

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	Tiny Home	5.8 dwelling units/acre	7,500	15	20	5	15	35
MHR	Manufactured Homes except MH Parks <sup>6</sup>	14.5 dwelling units/acre	3,000	5	10	10	10	35
	Dwelling, Single Household Detached	14 dwelling units/acre	3,125	5	10	10	10	35
	Tiny Home except Tiny Home Communities <sup>7</sup>	14.5 dwelling units/acre	3,000	5	10	10	10	35
OR	All Non-Residential		6,250	15	15	5	15	35
P <sup>8</sup>	All Non-Residential		N/A	15	N/A	N/A	15	N/A
B-1	No Req.		No Req., except for fueling stations	No Req.	No Req.	No Req.	No Req.	No Req.
B-2	All Non-Residential		N/A	15	N/A	N/A	15	N/A
B-2A	All Non-Residential		N/A	25	N/A	N/A	25	35
B-3	All Non-Residential		N/A	25	N/A	N/A	25	35
B-4	All Non-Residential		N/A	25	N/A	N/A	25	35
I-1	All Non-Residential		½ acre	25	N/A	N/A	25	N/A
I-2	All Non-Residential		½ acre	25	N/A	N/A	25	N/A

<sup>2</sup> Residential uses in the OR, P, B-2, B-2A, B-3, B-4, I-1 and I-2 zone districts shall comply with the applicable dimensional requirements as set out for the R-3A zone. Residential uses in the B-1 District are not required to comply with the dimensional or density standards.

<sup>3</sup> Commercial and institutional uses in the RL, R-1, R-1A, R-1B, R-2, R-3, R-3A, R-4, R-5, R-6 and MHR zone districts shall comply with the applicable dimensional requirements as set out for the "OR" zone.

<sup>4</sup> Applies per lot; not per primary dwelling unit. Where specified as square footage per dwelling unit for multiple unit dwelling types does not imply a minimum dwelling unit size; there is no minimum dwelling unit size.

<sup>5</sup> A minimum lot size shall be determined as a condition of initial zoning of property as "RL." Such lot size shall be designed to limit overall residential units per acre to no more than allowed by Montrose County in comparable areas in the County where sewer is available, and to implement the City Comprehensive Plan as feasible while remaining economically competitive with allowed County densities.

<sup>6</sup> Dimensional requirements for manufactured home parks are controlled by Chapter 11-13-5 of this Title.

<sup>7</sup> Dimensional requirements for tiny home communities are controlled by Chapter 11-13-12 of this Title.

<sup>8</sup> City facilities are exempt from these standards.

**(B) Additional Dimensional Requirements.**

- (1) Accessory use structures or buildings in residential districts may be located on those rear and side property lines which do not abut a street, if the structure is at least ten feet to the rear of the building line of the principal structure and does not occupy more than 30 percent of the rear yard area. In all other situations, accessory structure setbacks are the same as principal structure setbacks.

- 
- (2) In a block where a setback line has been established by existing structures 50 percent or more of the block, the average setback of the existing buildings may be used as the minimum setback.
  - (3) Garage doors which face an alley require a five-foot minimum setback.
  - (4) In zone districts where residential front setbacks are 15 feet or less, the garage setback shall be a minimum of 20 feet.
  - (5) Accessory structures shall not be located in the front yard of a principal structure, except for minor and commonplace accessory structures such as public utility installations, mail boxes, lamp posts and structures of a like nature.
  - (6) Lot depth and width is determined through the subdivision process in Section 11-5-13(b)(3) of these regulations.
  - (7) Other permitted exceptions and encroachments into required setbacks and height limits are specified in Section 11-8-10 of this title.

(Ord. No. 2677, § 1(exh. A), 12-17-2024; Ord. No. 2683, §§ 1, 2, 8-5-2025)



CITY OF MONTROSE  
Planning Services

# MEMO

TO: Planning Commission  
FROM: William Reis, Senior Planner  
DATE: June 10, 2026  
RE: El Chapin Addition Annexation  
ATTACHMENTS:

- Exhibit A: Maps
- Exhibit B: Zoning Code Excerpt

---

### Planning Commission Consideration:

Planning Commission is considering the initial zoning of the El Chapin Addition annexation application. Planning Commission shall consider all of the information in this memo in making a decision.

### Proposed schedule:

May 18: Council Work Session Overview  
June 2: Council Resolution to set a hearing date  
June 10: Planning Commission zoning hearing  
July 7: City Council Annexation hearing, 1st reading of annexation ordinance, and 1st reading of zoning ordinance  
July 21: 2nd reading of annexation and zoning ordinances

### Application Background:

The El Chapin Addition is a proposed annexation approximately 12.28 acres in size. The annexation consists of Parcel #376723210005, adjacent to 6600 Road. It is within the City's Urban Growth Boundary, the City of Montrose Sewer Service Area, and the City of Montrose Water Service Area.

### Proposed Zoning: "R-3" Medium Density District



**Applicant:** Selvin Sandoval, El Chapin Investment Group, LLC

**Staff Analysis:**

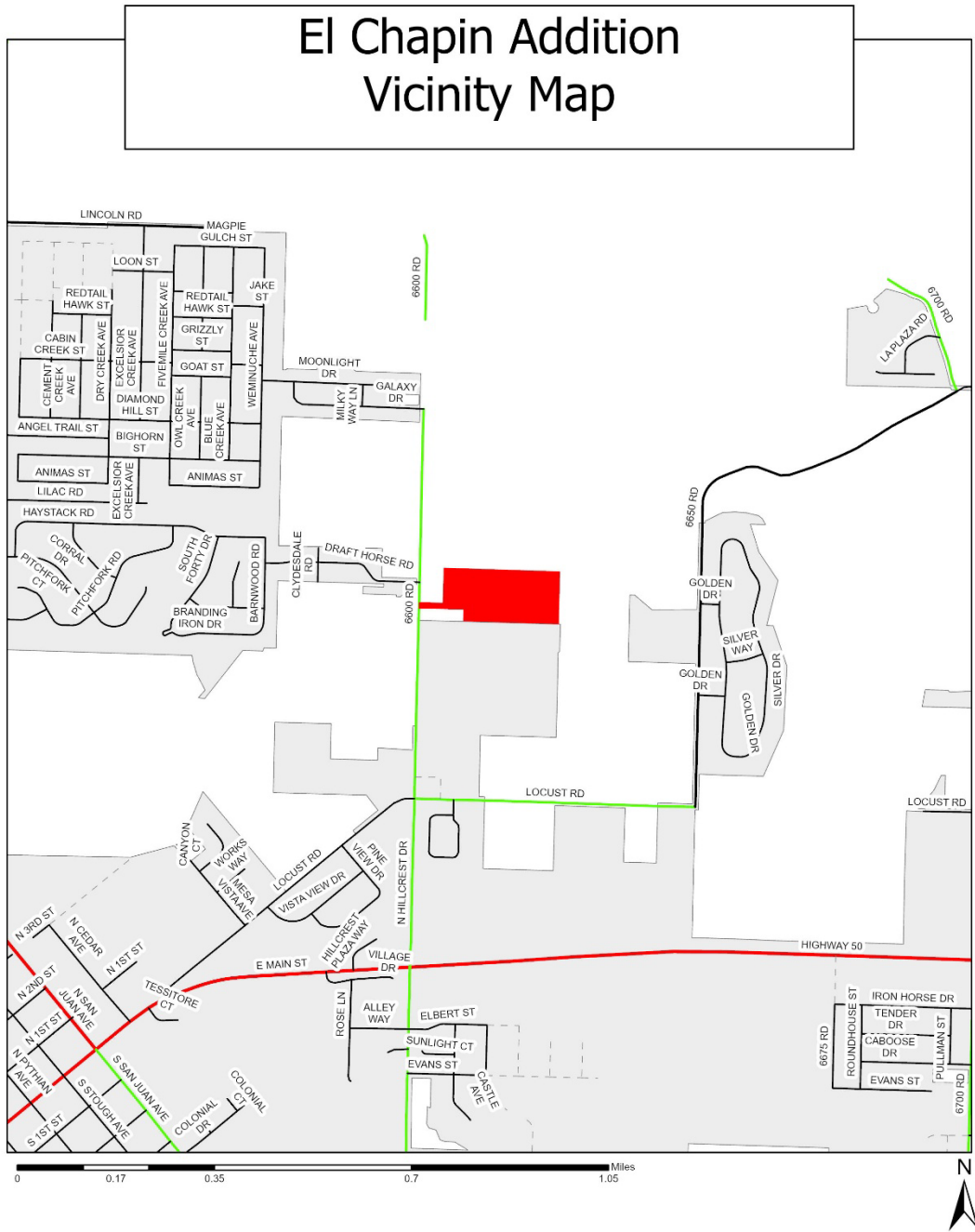
1. The City-County IGA gives the City the option to annex properties within the IGA. The area is urbanizing and more than 1/6 of the perimeter is contiguous to the city limits. These factors support annexation.
2. An annexation agreement is required as a condition of this annexation.
3. Zoning Regulations
  - a. Municipal Code, Section, 11-7-12 (B), Zoning of Additions. "The zoning of additions for all property annexed to the City not previously subject to City zoning may be requested or initiated by the City Manager or the owner of any legal interest in the property or such owner's representative. Proceedings concerning the zoning of property to be annexed may commence at any time prior to the effective date of the annexation ordinance, or thereafter as allowed by law. The Planning Commission shall either recommend approval or denial of the requested zoning to the City Council, which can either ratify the Planning Commission's decision, or reverse it. The zoning of additions shall be subject to the review procedures of Chapter 11-4 and standards of Section 11-7-4 of this Title, and shall be allowed only upon findings as follows:
    - i. The amendment is not averse to the public health, safety and welfare; and
    - ii. The amendment is in substantial conformity with the Comprehensive Plan, or such zoning is compatible with conditions in the area, which have changed materially since the Comprehensive Plan was last updated."
  - b. Municipal Code, Section 11-7-5: The "R-3" Medium Density District is intended to provide for an area which is suitable primarily for single-household detached, attached and duplex dwellings, along with certain other compatible land uses.
  - c. The proposed zoning is compatible with existing zoning and general conditions in the area. The property is adjacent to properties that are zoned "R-3A" Medium High Density District and properties outside of City limits.
4. The Comprehensive Plan Future Land Use Map designates the area of the Black Jack Addition as 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 dwellings 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.



5. The property is located within Growth Area 2. According to the Comprehensive Plan, Growth Area 2 contains an area that has some level of, or moderate proximity to, existing infrastructure.
6. The “R-3” zoning does not appear to be averse to the public health, safety and welfare.



EXHIBIT A: Maps



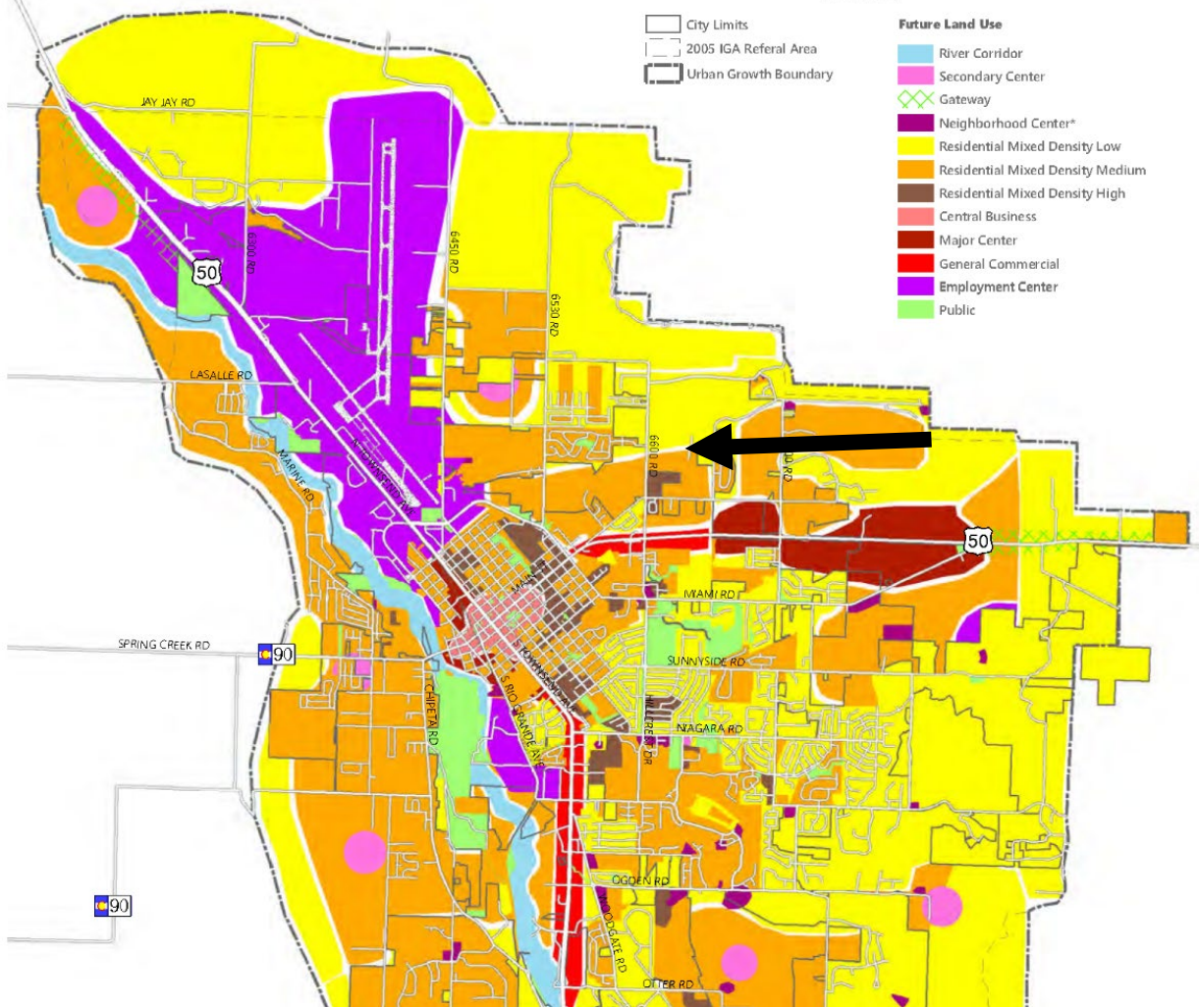
# El Chapin Addition Proposed Zoning: "R-3"



# Comprehensive Plan Future Land Use Map

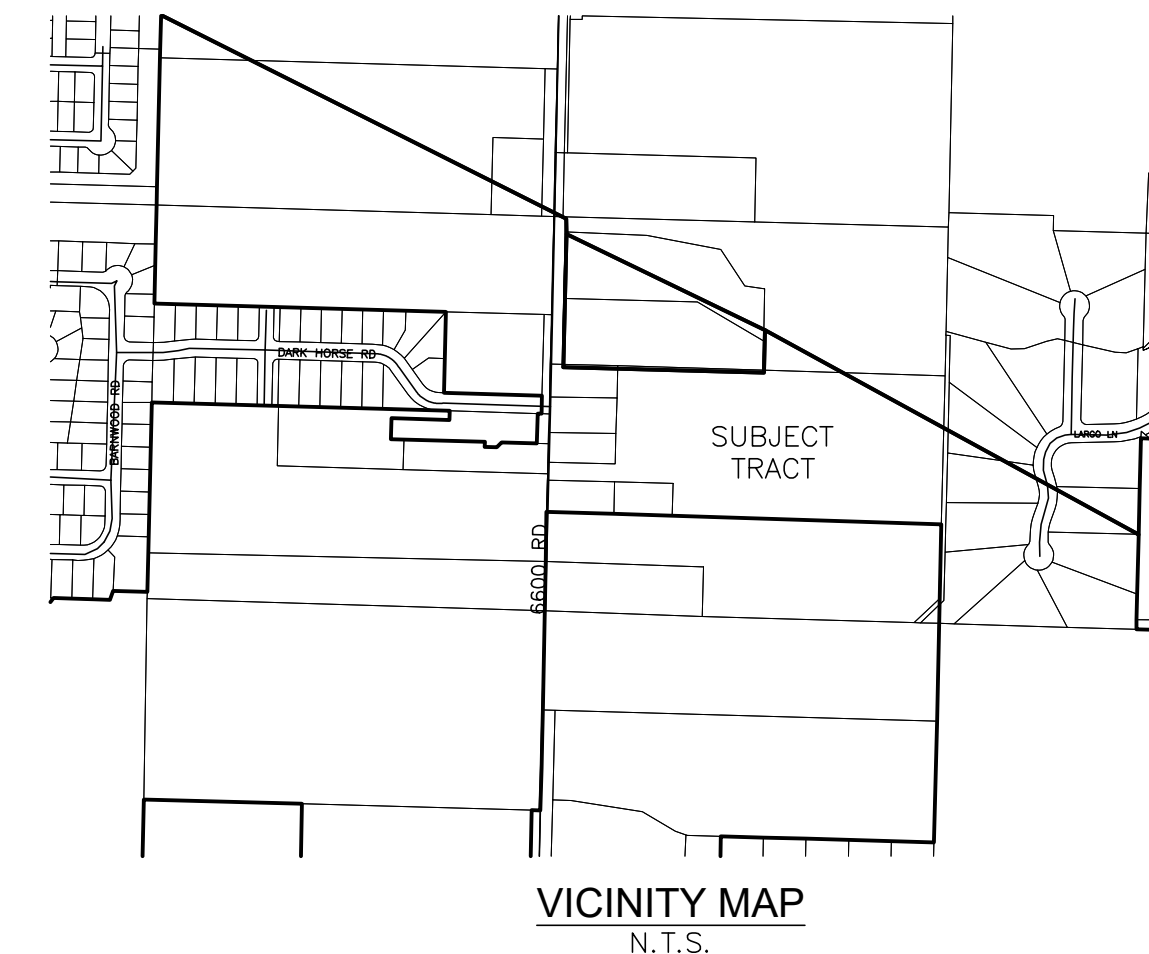
## FUTURE LAND USE

MAP 5.1



# EL CHAPIN ADDITION

SITUATED IN SW1/4NW1/4 SECTION 23, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN  
COUNTY OF MONTROSE, STATE OF COLORADO



## LEGEND

////// = CITY LIMITS  
———— = PROPERTY BOUNDARY / LIMITS OF ANNEXATION

## CITY LIMITS

TOTAL PERIMETER = 3630.71'  
PERIMETER CONTIGUOUS TO CITY LIMITS 899.57'

## NOTE:

THIS PLAT DOES NOT CONSTITUTE A BOUNDARY SURVEY.  
IT IS A COMPILATION OF EXISTING RECORDS FOR THE  
PURPOSE OF ANNEXATION.

## PROPERTY DESCRIPTION:

A TRACT OF LAND SITUATED IN THE S1/2 N3/4 SW1/4 NW1/4 OF SECTION 23, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN MONTROSE COUNTY, COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE S1/2 N3/4 SW1/4 NW1/4 SECTION 23; THENCE SOUTH 00°00'54" EAST, 495.84 FEET TO THE SOUTHEAST CORNER OF SAID S1/2 N3/4 SW1/4 NW1/4; THENCE NORTH 89°38'19" WEST ALONG THE SOUTH LINE OF SAID S1/2 N3/4 SW1/4 NW1/4, A DISTANCE OF 899.57 FEET; THENCE LEAVING SAID SOUTH LINE, NORTH, 108.19 FEET; THENCE WEST, 419.52 FEET TO A POINT ON THE WEST LINE OF SAID S1/2 N3/4 SW1/4 NW1/4; THENCE NORTH ALONG SAID WEST LINE S1/2 N3/4 SW1/4 NW1/4, A DISTANCE OF 60 FEET; THENCE LEAVING SAID WEST LINE EAST, 224.76 FEET; THENCE NORTH, 328.63 FEET TO A POINT ON THE NORTH LINE OF SAID S1/2 N3/4 SW1/4 NW1/4; THENCE SOUTH 89°39'06" EAST ALONG SAID NORTH LINE A DISTANCE OF 1094.20 FEET TO THE POINT OF BEGINNING, AS SHOWN AS TRACT NO. 1 ON PLAT OF SURVEY RECORDED FEBRUARY 10, 2022 UNDER RECEPTION NO. 946776, COUNTY OF MONTROSE, STATE OF COLORADO.

## SURVEYORS CERTIFICATE:

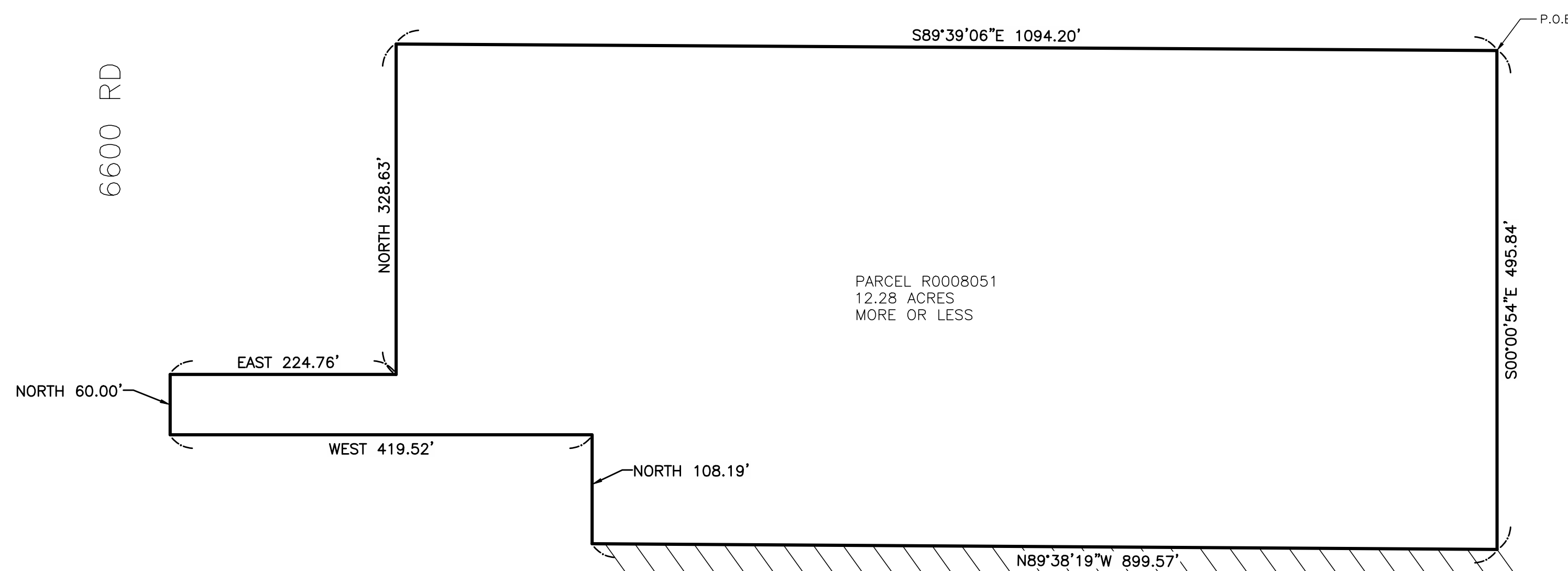
I, Frederick Ballard, a Professional Land Surveyor in the State of Colorado, do hereby certify Sandoval Addition Annexation Map prepared under my direct supervision.

## FOR REVIEW

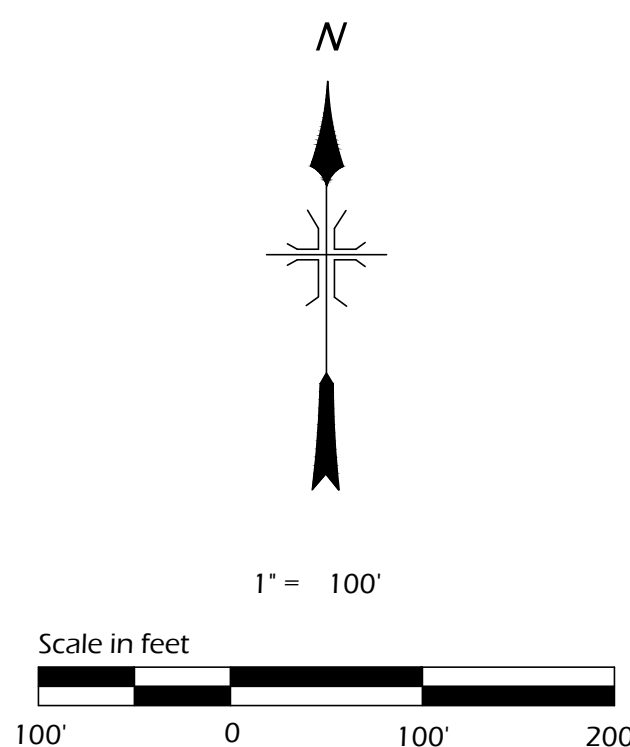
Frederick A. Ballard P.L.S. 37690

## RECORDER'S CERTIFICATE:

This plat was filed for record in the office of the Clerk and Recorder of Montrose County at \_\_\_\_\_  
m. on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. Reception No. \_\_\_\_\_  
County Clerk & Recorder by \_\_\_\_\_ Deputy



SUNSET VILLAGE ADDITION  
RECEPTION NO. 963700



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.  
\\DMS14\PROJECTS\ACTIVE\_PROJECTS\2025\25186-SANDOVAL\_6600\_ROAD\_SUBDIVISION\C3D\25186V\_ANNX.DWG

		<b>DEL-MONT CONSULTANTS, INC.</b> ENGINEERING & SURVEYING 125 Colorado Ave. Montrose, CO 81401 (970) 248-2251 www.del-mont.com service@del-mont.com		CLIENT: EL CHAPIN INVESTMENT GROUP LLC
FIELD BOOK:	DRAWN BY: TRS	DATE: 2026-02-04	ADDRESS & PHONE: PO BOX 3538 MONTROSE, CO 970-240-1808	TITLE: EL CHAPIN ADDITION
SHEET: 1 of 1	FILE: 25186V_ANNX	JOB NO.: 25186	TYPE: ANNEX	

## EXHIBIT B: Zoning Code Excerpt

### Sec. 11-7-6. District uses.

- (A) *Permitted uses.* Those uses designated as permitted uses on the schedule of uses in Subsections 11-7-6(G) and 11-7-6(H) are allowed as a matter of right subject to approval of a site development plan per Section 11-8-1 of this Title.
- (B) *Conditional uses.* Uses listed as conditional uses on the schedule of uses in Subsections 11-7-6(G) and 11-7-6(H) shall be allowed only if the Planning Commission determines, following review pursuant to Chapter 11-4 of this Title, that the following criteria are substantially met with respect to the type of use and its dimensions:
- (1) The use will not be contrary to the public health, safety, or welfare.
  - (2) The use is not materially adverse to the City's Comprehensive Plan.
  - (3) Streets, pedestrian facilities, and bikeways in the area are adequate to handle traffic generated by the use with safety and convenience.
  - (4) The use is compatible with existing uses in the area and other allowed uses in the district.
  - (5) The use will not have an adverse effect upon other property values.
  - (6) Adequate off-street parking will be provided for the use.
  - (7) The location of curb cuts and access to the premises will not create traffic hazards.
  - (8) The use will not generate light, noise, odor, vibration, or other effects which would unreasonably interfere with the reasonable enjoyment of adjacent property.
  - (9) Landscaping of the grounds and the architecture of any buildings will be reasonably compatible with that existing in the neighborhood.
- (C) *Principal uses.* The primary use of a lot is referred to as a principal use which may be a land use or a structure. Only one principal use per lot is allowed except where a mix of residential and nonresidential uses may be permitted in a specified zone district.
- (D) *Accessory uses.* Accessory uses shall comply with all requirements for the principal use, except where specifically modified by this Chapter, and shall also comply with the following limitations:
- (1) An accessory use shall be clearly incidental, customary to and commonly associated with the operation of the permitted use.
  - (2) An accessory use shall be operated and maintained under the same ownership as the permitted use.
  - (3) An accessory use shall be located on the same lot as a principal use.
- (E) *Temporary Use Permits.*
- (1) The City Manager or his designee may issue a permit authorizing a temporary use of premises in a district for a use which is otherwise not allowed in such a district for a period of up to one year in accordance with this Subsection.
  - (2) The temporary use permit may be issued by the City Manager only after it determines that unusual circumstances exist, not created by the applicant, such as damage, destruction or delay in construction



of applicant's permanent premises, which results in significant hardship, and that the temporary use will not unreasonably interfere with the use of other property, or result in any permanent adverse effects to other property, or create a safety or health hazard.

- (3) The City Manager or his designee shall hold such hearings concerning the application and provide such notice thereof as the circumstances merit in his opinion. The permit may be granted subject to conditions appropriate to ensure compliance with this Subsection.
- (4) *Temporary Construction or Sales Office.* A building within a subdivision may be utilized as a temporary construction or sales office for a period up to one year by the developer of that subdivision during the period of the construction and initial sales respectively of the building and improvements within the area encompassed by the preliminary plat for each subdivision. The City Manager may authorize additional one-year periods for use as a construction office if construction is continuing in the area after the preceding year, or as a sales office if not all of the houses in the area have been sold during the year preceding.

(F) *Uses Not Listed.*

- (1) Uses not listed in a zone district are prohibited except that such uses may be approved by the City Manager provided such uses are found to be similar to a permitted use.
- (2) Any person aggrieved by a decision of the City Manager pursuant to this Subsection may appeal that decision to the City Council under the following procedure:
  - (a) The appeal must be made in writing and filed within 30 days of the decision being appealed.
  - (b) The City Council shall consider the appeal at a public hearing held within 30 days of receipt of the written appeal, notice of which shall be given to the appellant by US mail at least 15 days prior to the hearing.
  - (c) The City Council shall approve or deny the appeal.
  - (d) The decision of the City Council shall be the final decision of the City on the matter, appealable only to the district court.

(G) *Schedule of Residential Zone District Uses.*

Land Use	RL	R-1	R-1A/B	R-2	R-3	R-3A	R-4	R-5	R-6	MHR
Bed and breakfast (See Sec. 11-11-1)					C		C		C	
Farms and ranches, excluding commercial greenhouses, and commercial feedlots, fur farms, fish farms, poultry houses, hog farms, dairies and similar operations with a high density of animals.	P									



Rental storage units with a maximum rental unit size of 200 square feet.										C
Short-term rentals	P	P	P	P	P	P	P	P	P	P
Assisted living facilities					C	C	C		C	C
Childcare facilities	C	C	C	C	C	C	C	C	C	C
Family childcare home	P	P	P	P	P	P	P	P	P	P
Government buildings and facilities	P	P	P	P	P	P	P	P	P	P
Religious assembly	C	C	C	C	P	P	P	C	C	P
Schools	C	C	C	C	C	C	C	C	C	C
Golf courses	P									
Parks, open space and recreation facilities	P	P	P	P		P	P	P	P	P
Duplex					P	P	P		P	
Group homes—handicapped/disabled 8 persons or less (see Sec. 11-11-2)	P	P	P	P	P	P	P	P	P	P
Group homes—handicapped/disabled > 9 persons (see Sec. 11-11-2)	C	C	C	C	C	C	C	C	C	C
Group homes, other (see Sec. 11-11-2)	C	C	C	C	C	C	C	C	C	C
Home occupation (See Sec. 11-11-3)	A	A	A	A	A	A	A	A	A	A
Manufactured housing				1				P	P	P
Mobile homes (See Sec. 11-13)										P
Mobile home parks (See Sec. 11-13)										P
Modular housing								P	P	P
Multi-family dwelling					C	P	P		C	
Single-family dwelling	P	P	P	P	P	P	P	P	P	P
Antennas (See Sec. 11-14-6)	C	C	C	C	C	C	C	C	C	C
Public utility service facilities	P	P	P	P	P	P	P	P	P	P
Towers (See Sec. 11-14-5)	C	C	C	C	C	C	C	C	C	C



Accessory uses (See Sec. 11-7-6(D))	A	A	A	A	A	A	A	A	A	A
Temporary use (See Sec. 11-7-6(E)(1-3))	T	T	T	T	T	T	T	T	T	T
Temporary Construction or Sales Office (See Sec. 11-7-6(E)(4))	T	T	T	T	T	T	T	T	T	T
Travel home (See Sec. 11-13-6(2))		T	T	T	T	T	T	T	T	T

<sup>1</sup> Manufactured housing is prohibited except for the following subdivision which was under development on July 1, 1998: Rainbow Meadows Subdivision.

(H) *Schedule of Mixed Use, Commercial and Industrial Zone District Uses.*

Land Use	OR	P	B-1	B-2	B-2A	B-3	B-4	I-1	I-2
Automobile and vehicle sales, repair or service establishments			C	C	P	P			
Automobile body shops			C	C	P	P			
Bed and breakfast (See Sec. 11-11-1)	P								
Building materials businesses			C	P	P	P			
Car washes				P	P	P	C		
Commercial businesses		C							
Commercial uses other than the uses by right in this zone district which comply with the performance standards of Chapter 11-11-4 and are consistent with Sec. 11-7-5(D)(1).								C	
Farm implement sales or service establishments					P	P			
Fueling stations or other retail uses having fuel pumps which comply with the following criteria: (a) All fuel storage, except propane, shall be located underground. (b) All fuel pumps, lubrication and service facilities shall be located at			P	P	P	P	C		



least 20 feet from any street right-of-way line.									
Funeral homes			C	C	C	C			
Hotels and motels			P	P	P	P			
Laundry facilities, self-service				P	P	P	P		
Mobile and travel home sales or service establishments					P	P			
Offices for medically related and professional service providers including doctors, dentists, chiropractors, lawyers, engineers, surveyors, accountants, bookkeepers, secretarial services, title companies, social service providers and other similar professional service providers.	P								
Offices not allowed as a use by right.	C								
Travel home parks and campgrounds (See Sec. 11-13)				C	C	C			
Rental businesses					P	P			
Restaurants			P	P	P	P	P		P
Restaurants, drive-in or drive-through			C	C	C	C	C		
Retail sales and services establishments which cater to the general shopping public	C								
Retail stores, business and professional offices, and service establishments which cater to the general shopping public.			P	P	P	P	P		P
Retail stores, business and service establishments serving the general public but which also involve				C	C	C			



limited manufacturing of the products supplied									
Sexually oriented business (See Sec. 11-12-1)									P
Short-term rentals	P		P	P	P	P	P	P	P
Taverns			P	P	P	P	C		
Theaters			P	P	P	P			
Veterinary clinics or hospitals for small animals				P	P	P			
Veterinary clinics or hospitals for large animals					P	P			
Above ground storage facilities for hazardous fuels						P			P
Aircraft support services, including, but not limited to, aircraft maintenance and passenger and crew services.								P	P
Construction and contractor's office and equipment storage facilities						P			P
Feed storage and sales establishments						P			P
Manufacturing and non-manufacturing uses including: food processing; metal finishing and fabrication; paper, plastic and wood manufacturing (excluding processing of any raw materials), fabric manufacturing and similar activities. (See Sec. 11-11-4)					C	C		P	P
Other industrial uses									P
Storage facilities, indoor			C	P	P	P	C		P
Storage facilities, outdoor					C	P		P	P
Warehouse and wholesale distribution operations			C	C	C	C		P	P
Airport								P	P
Assisted living facilities	C			P	P	P			
Childcare facilities	P	C	P	P	P	P	P	P	P
College or other place of adult education			P	P	P	P			



Daytime social service activities by a social service provider, to include food storage; food distribution without monetary remuneration as a food pantry and/or food service without monetary remuneration as a soup kitchen; laundry facilities not for profit; showers; and counseling to include alcohol and/or substance abuse counseling. This use by right expressly excludes the overnight sheltering of people. For the purposes of this use by right authorization, "daytime" shall mean from 6:00 a.m. to 6:00 p.m. Mountain Standard Time. "Night" shall mean from 6:00 p.m. to 6:00 a.m. Mountain Standard Time.			P	P	P	P			
Family child care home	P	C	P	P	P	P	P	P	P
Government buildings and facilities	P	P	P	P	P	P	P	P	P
Hospitals	P								
Libraries		P	P	P	P	P			
Museums and visitor centers		P	P	P	P	P			
Parking facilities	P	P	P	P	P	P			
Private and fraternal clubs			P	P	P	P	C		
Public transportation facilities			P	P	P	P			
Religious assembly	P	P	P	P	P	P	P		
Schools	C	P	C	C	C	C	C		
Golf courses		C							
Parks, open space and recreation facilities	P	P	P	P	P	P	P	P	P
Private recreation facilities		P							
Duplex	P		P	P	P	P	P	P	P



Group homes— handicapped/disabled 8 persons or less (see Sec. 11- 11-2)	P		P	P	P	P	P	P	P
Group homes— handicapped/disabled > 8 persons (see Sec. 11-11-2)	C		C	C	C	C	C	C	C
Group homes, other (See Sec. 11-11-2)	C		C	C	C	C	C	C	C
Home occupation (See Sec. 11-11-3)	A		A	A	A	A	A	A	A
Multifamily dwelling	C	C	P	P	P	P	P	P	P
Single-family dwelling	P	C	P	P	P	P	P	P	P
Supportive housing	C					C		C	
Antennas (See Sec. 11-14-6)	C	C	C	C	C	C	C	C	C
Public utility service facilities	P	P	P	P	P	P	P	P	P
Towers (See Sec. 11-14-5)	C	C	C	C	C	C	C	C	C
Accessory uses (See Sec. 11-7-6(D))	A	A	A	A	A	A	A	A	A
Temporary use (See Sec. 11- 7-6(E)(1—3))	T	T	T	T	T	T	T	T	T
Temporary Construction or Sales Office (See Sec. 11-7- 6(E)(4))	T	T	T	T	T	T	T	T	T
Travel home (See Sec. 11- 13-6(2))	T		T	T	T	T	T	T	T

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





CITY OF MONTROSE  
Planning Services

**MEMO**

TO: Planning Commission  
FROM: William Reis, Senior Planner  
DATE: June 10, 2026  
RE: Odelle Road Montrose Subdivision Sketch Plan

**ATTACHMENTS**

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

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***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:** Odelle Land Holdings, LLC

**Application Background:**

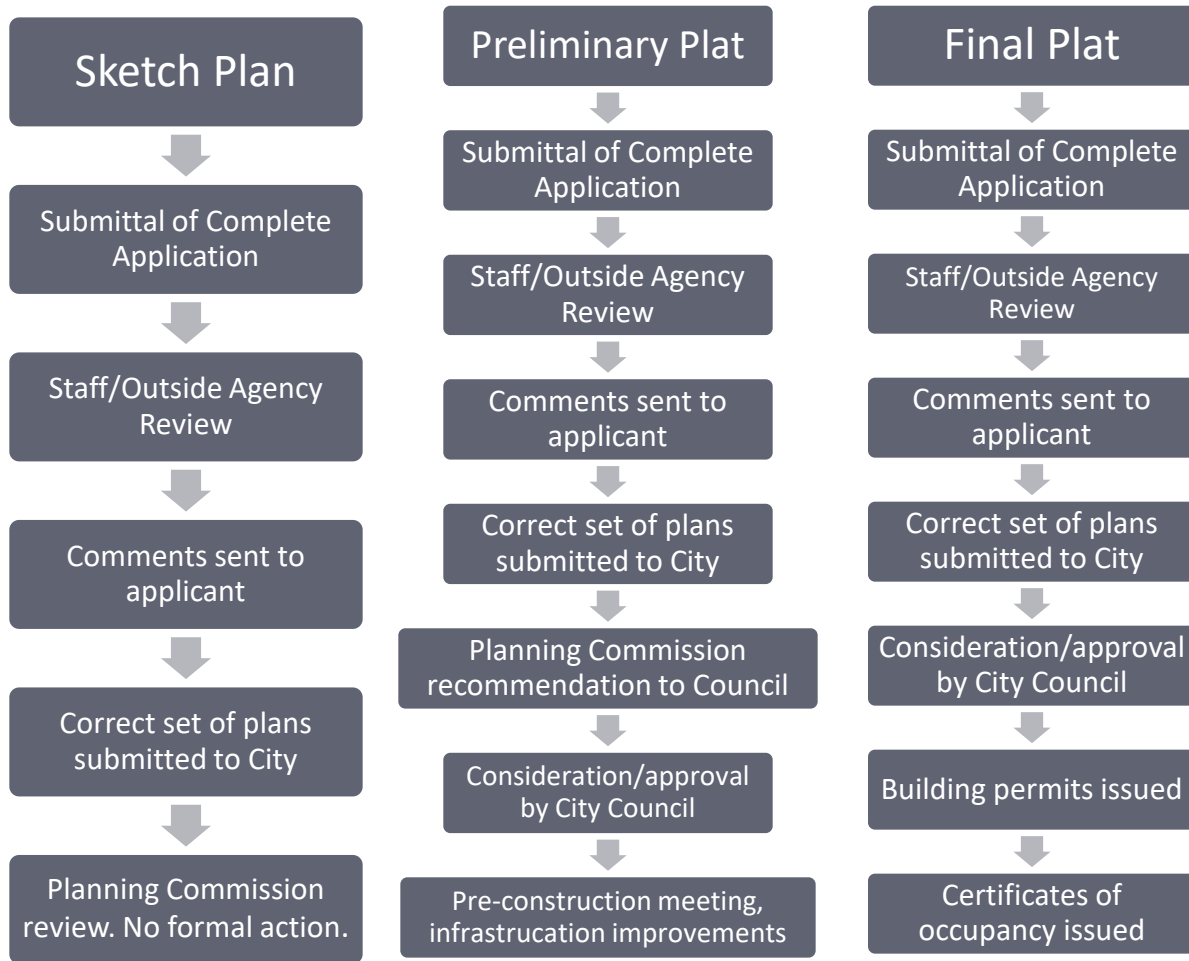
The Odelle Road Montrose Subdivision Sketch Plan proposal is located on Lot 2 of the Woodgate Trails Minor Subdivision, adjacent to Odelle Road. This property was annexed into City limits as part of the Roberts Addition in 1996. The proposal consists of townhome, duplex, and triplex development. The property is zoned "R-3" Medium 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)(5): The "R-3" Medium Density District is intended to provide for an area which is suitable primarily for single-household detached, attached and duplex dwellings, along with certain other compatible land uses.
  - b. The proposed uses are compatible with general conditions in the area. The property is adjacent to properties that are zoned "R-1B" Small Estate District, "R-2" Low Density District, and "R-3" Medium Density District, and "P" Public District.



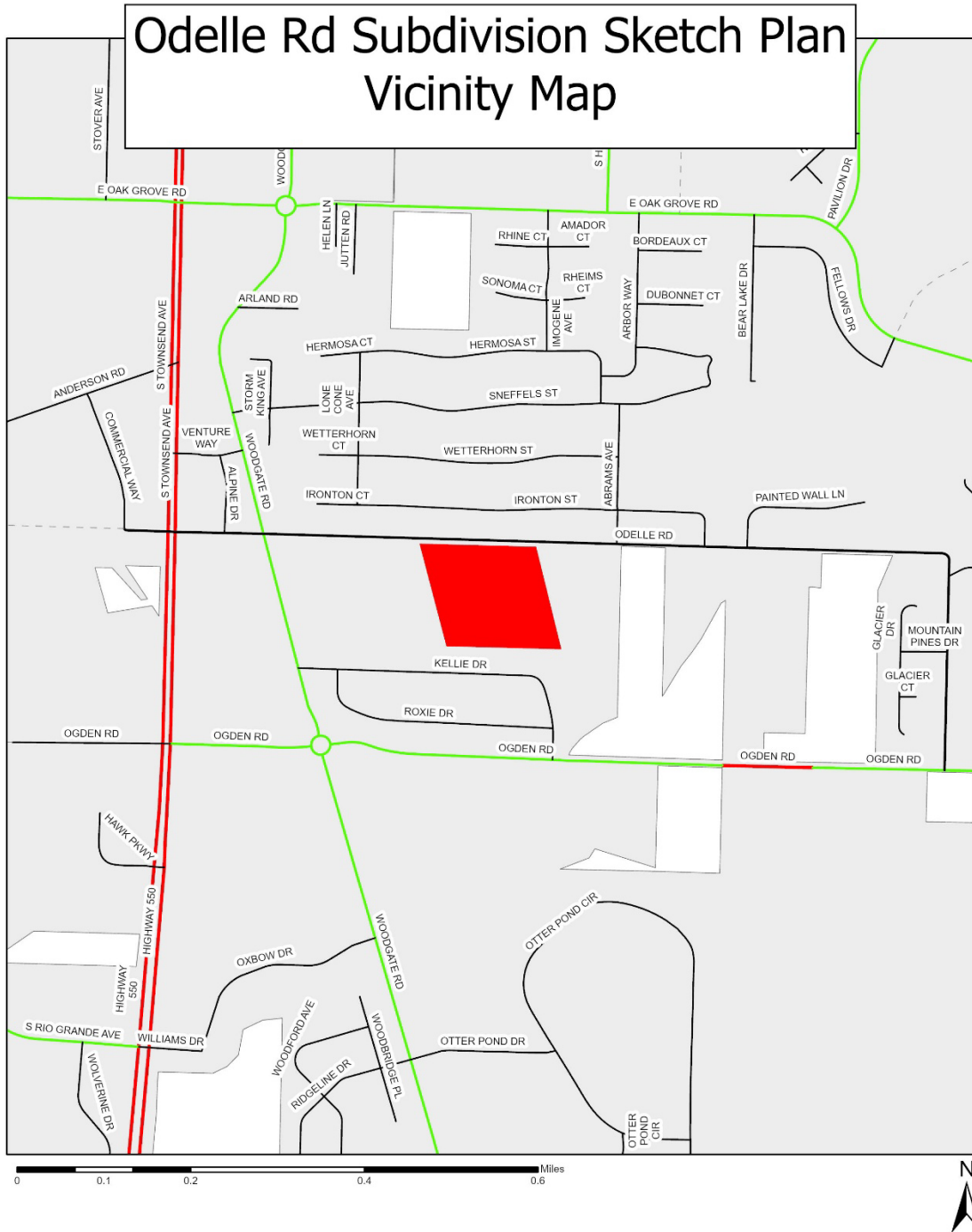
**Staff Guidance to Planning Commission:**

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.

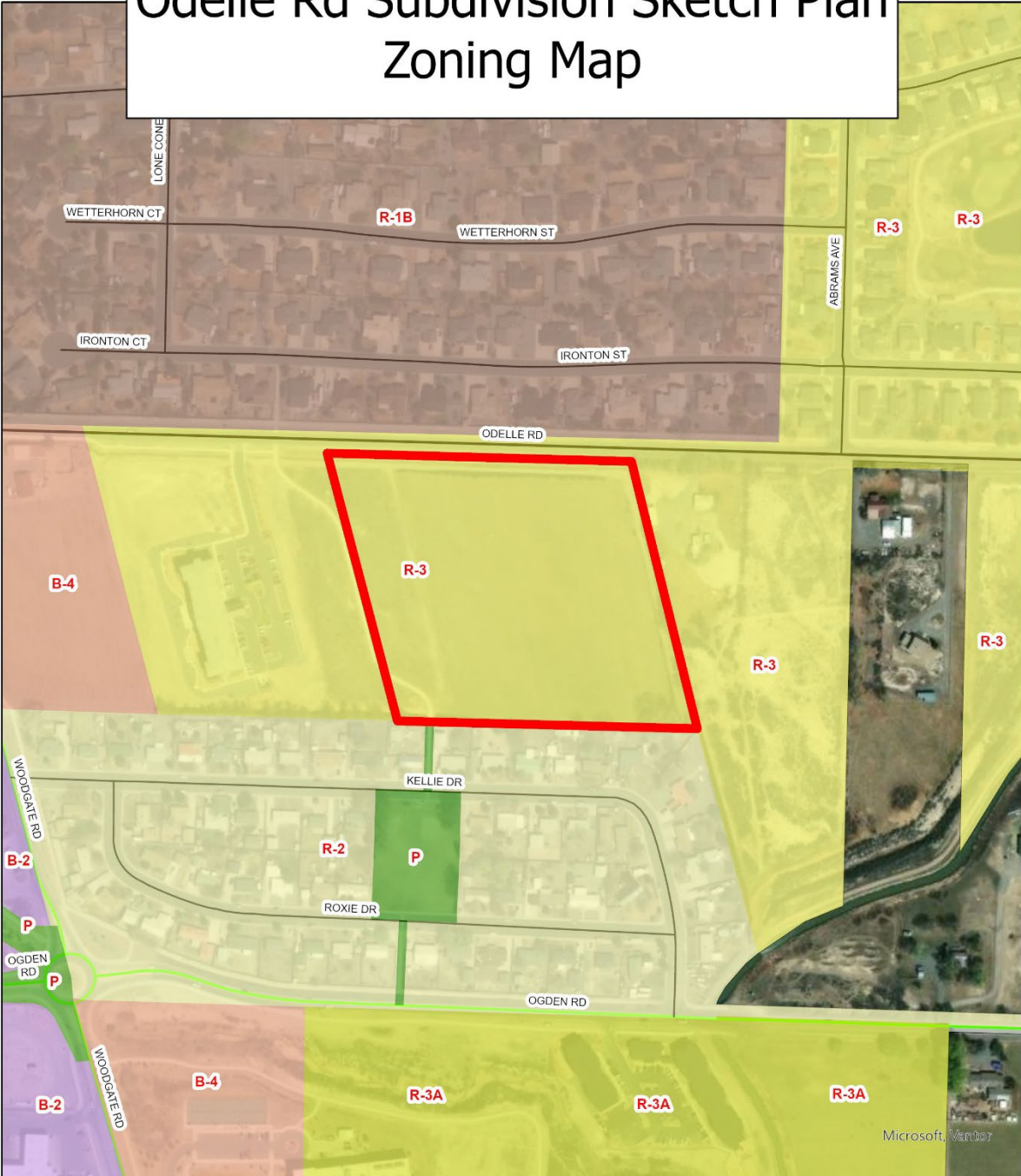
Staff recommends that the Planning Commission share feedback with the applicant, so that the applicant may consider the feedback and incorporate proposed changes into their future Preliminary Plat application.



EXHIBIT A: Area Maps



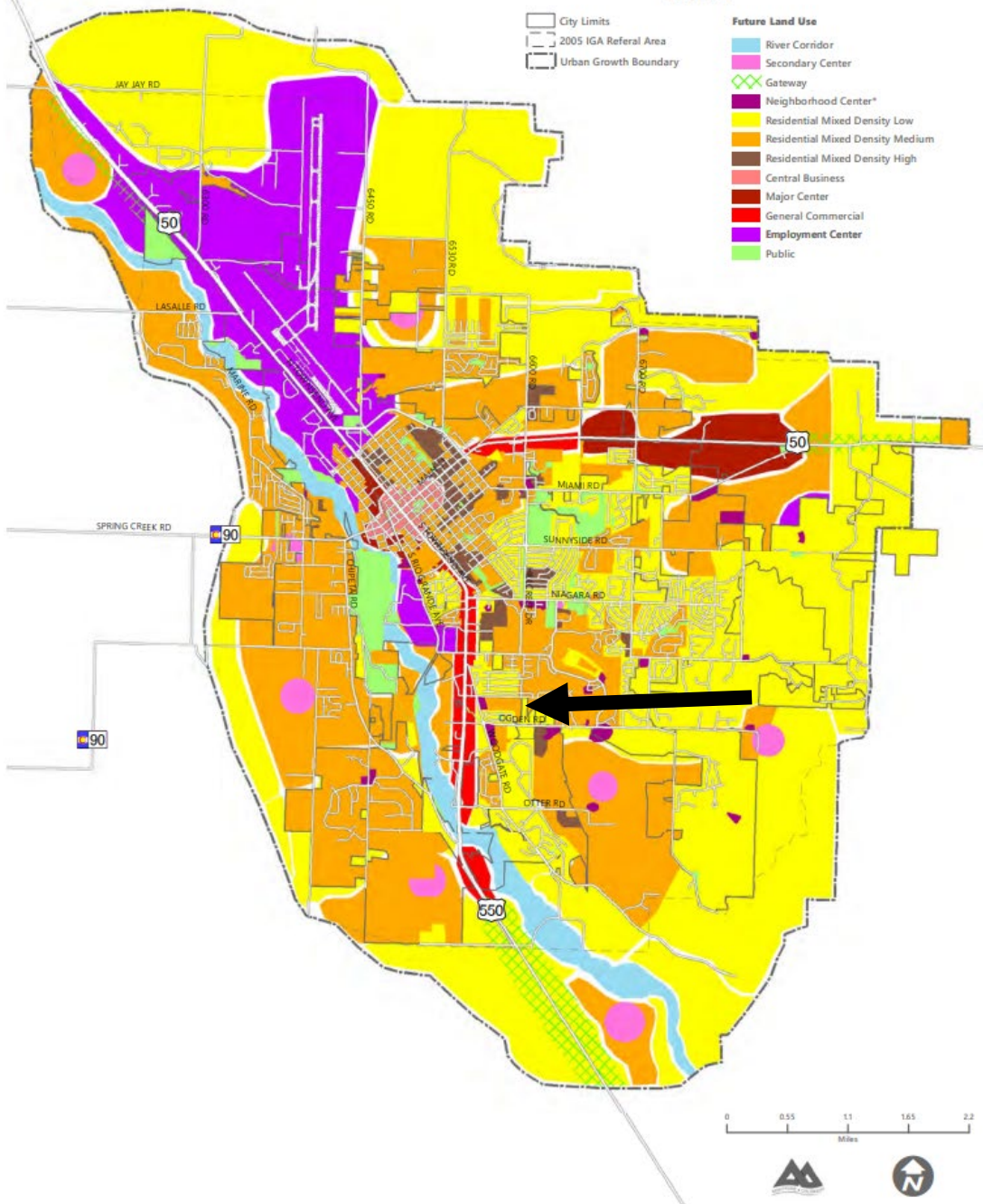
# Odelle Rd Subdivision Sketch Plan Zoning Map



# Comprehensive Plan Future Land Use Map

## FUTURE LAND USE

MAP 5.1



**ODELLE ROAD - MONTROSE SUBDIVISION  
HOUSING DEVELOPMENT  
SKETCH PLAN NARRATIVE**

May 5, 2026

**Owner:**  
**Odelle Land Holdings LLC**  
**210 University Blvd, Suite 460**  
**Denver, CO 80206**

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



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## General

The Odelle Road - Montrose Subdivision Housing Development is a proposed residential single family attached development on 10 acres in the southern area of Montrose, CO. The site is roughly a parallelogram shaped parcel bordered on the south by the Rainbow Meadows Subdivision (single family detached homes), to the west by the Woodgate Trails apartment complex, on the north by Odelle Road and the Vista San Juan Village Subdivision (single family detached homes), on the east by vacant land currently in the process of being subdivided into residential single family attached homes (Odelle Road Subdivision).

The property was annexed into the City of Montrose in 1996. The zoning for this parcel is R-3 (Medium High Density). Please see the existing conditions and zoning exhibit of the Sketch Map drawing package (sheet 1 of 3) for more details on neighboring property zoning.

The following information is based on the preliminary conceptual layout and is subject to change as the utilities, public roads, and housing layout are designed to meet City standards. Following the Sketch submittal, the developer will prepare and submit a separate Preliminary Plat package (including public infrastructure engineering) for the entire development.

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

## Water

The project will be served by the City of Montrose water system. There is an existing 8" main water line running east/west along the northern edge of Odelle Road and another 8" main in the southwest corner of the parcel. The new residential subdivision will connect in three locations to create an internal 8" loop line generally running in the planned internal public streets.

Please see the attached sketch (Sheet 2 of 3) showing the conceptual water infrastructure backbone layout and connectivity to the existing City of Montrose water system. The existing 8" City water main infrastructure in the vicinity of this development provides more than adequate pressure and volume to support the planned residential buildout for the entire property. A fire flow test will be scheduled to provide current fire flow capacity, but given the size of the surrounding infrastructure, no problems are anticipated. Anticipated water demands are estimated based on City requirements and are as follows:

Anticipated Land Use	Water Usage (gallons per day per acre)	Total Acres	Anticipated Water Demand (gallons/day)
High Density (Single-family Attached)	2,500	10	25,000



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Formal engineering plans with water system design will be submitted with the Preliminary Plat.

### **Sanitary Sewer**

The project is served by City sewer. All of the development on the property will be a classic gravity sewer system with a network of City owned 8" main lines and manholes. The sewer mains will generally flow north and connect to the existing main line in Odelle Road.

The point of connection will be a new manhole between manholes 88 and 89 in Odelle Road. Existing flows were analyzed at manholes H5-P10-63 and H5-O10-75. According to the City of Montrose Sewer Master Plan H5-P10-63 is operating at less than 10% capacity in the existing system and will be operating at less than 15% with the anticipated Odelle Road development. Manhole H5-O10-75 is operating at 65% capacity in the existing system. The Master Plan shows capacity for an additional 195 single family units, which provides ample capacity for the anticipated 90 units in the Odelle Road - Montrose Subdivision development.

Please see the attached sketch (Sheet 2 of 3) showing the conceptual sewer system. Anticipated sewage generation is as follows:

Anticipated Land Use	Quantity of Sewage (gallons per day per acre)	Total Acres	Anticipated Sewage (gallons/day)
High Density (Single-family Attached)	2,500	10	25,000

Formal engineering plans with sewer system design will be submitted with the Preliminary Plat.

### **Availability of other utilities**

Electric, natural gas, telephone, cable tv, and fiber are all available for the development. Please see the accompanying conceptual utility layout for locations (overhead and buried) of the dry utilities. In general, gas/power/fiber are available to the north and south of the property.

Specific dry utility designs will be done by the utility providers as formal site plans are completed. Other Montrose area telecom, TV, and fiber providers will be afforded the opportunity to service the development during the design phase.

### **Drainage**

The property is well suited for development, sloping from south to north at about an average 1% natural grade. Unfortunately, drainage along the entire northern edge of the property is blocked by a Bureau of Reclamation (BOR) Ditch Lateral (D1.58). This BOR lateral prevents surface water discharge at historical rates and location, necessitating a retention/infiltration pond solution.



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Proposed drainage patterns will follow the natural topography with stormwater routed to the northwest corner of the property into a new retention/infiltration pond. The stormwater pond will be designed to contain the 100-year (1%) storm event, with an emergency spillway for any storms exceeding that volume.

### **Access to property**

There are two access points planned for this development. These entrances will be to the north connecting to Odelle Road. Please see the attached sketch showing the planned layout for more detail on these intersections.

### **Parking**

The development proposes that public streets are built according to City Residential Street Standards and individual lots will provide parking within standard private driveways.

### **Mailboxes**

Residential gang mailboxes will be located near the western connection to Odelle Road.

### **Total number of proposed dwelling units**

The development is planned to have 90 total units (multi-plex townhome buildings).

### **Compatibility with Natural Features**

The development will be laid out to fit the natural topography, with a generous open space and common areas throughout.

### **Permits**

The following is a list of known permits that will be required for The Odelle Road development.

- a. A CDPHE General Permit for Stormwater Discharge Associated with Construction Activity will be required prior to construction of site improvements/infrastructure.
- b. The City of Montrose will issue building permits for the individual structures.
- c. A Bureau of Reclamation (BOR) permit for crossing the D1.58 Ditch Lateral in two locations with access roads and utilities will be required.
- d. No wetland permits are required since no jurisdictional aquatic features on the property will be disturbed.



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**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 know public concerns about this project.



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# ODELLE ROAD - MONTROSE

BEING LOT 2 OF THE WOODGATE MEADOWS SUBDIVISION

SITUATED IN U.S. GOVERNMENT LOTS 9 AND 10 OF SECTION 4, TOWNSHIP 48 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN  
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO

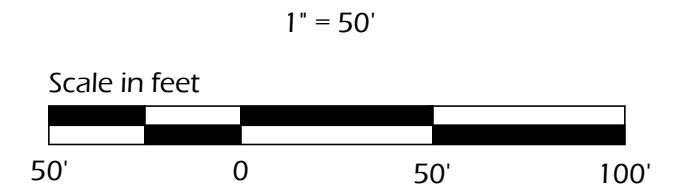
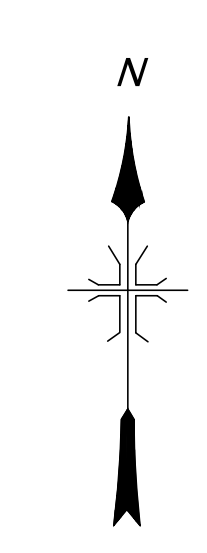


VICINITY MAP  
1"=1000'



**LEGEND**

---	EXISTING WATER LINE
- - - -	EXISTING IRRIGATION LINE
- - - -	EXISTING OVERHEAD FIBER-OPTIC LINE
- - - -	EXISTING OVERHEAD ELECTRIC LINE
- - - -	EXISTING SEWER LINE
- - - -	EXISTING PROPERTY LINE
- - - -	EXISTING FENCE
- - - -	EXISTING CULVERT
- - - -	EXISTING GROUND MAJOR CONTOUR
- - - -	EXISTING GROUND MINOR CONTOUR
- - - -	EXISTING SANITARY SEWER MANHOLE
- - - -	EXISTING TELEPHONE PEDESTAL
- - - -	EXISTING GAS VALVE
- - - -	EXISTING WATER METER
- - - -	EXISTING WATER VALVE
- - - -	EXISTING YARD HYDRANT
- - - -	EXISTING UTILITY POLE
- - - -	EXISTING GUY ANCHOR



**PRELIMINARY**

<b>DMC</b> 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: ODELE LAND HOLDINGS, LLC ADDRESS & PHONE: 210 UNIVERSITY BLDV., SUITE 460 DENVER, CO 80206
FIELD BOOK:	DRAWN BY: RDD	DATE: 2026-05-15
SHEET: 1 OF 3	FILE: 26002V_SKTCH	JOB NO.: 26002
		TYPE: SKETCH

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.

# ODELLE ROAD - MONTROSE

BEING LOT 2 OF THE WOODGATE MEADOWS SUBDIVISION

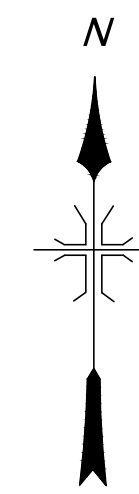
SITUATED IN U.S. GOVERNMENT LOTS 9 AND 10 OF SECTION 4, TOWNSHIP 48 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN

CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO

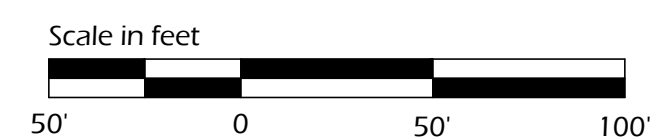


## LEGEND

- EXISTING WATER LINE
- EXISTING IRRIGATION LINE
- EXISTING OVERHEAD FIBER-OPTIC LINE
- EXISTING OVERHEAD ELECTRIC LINE
- EXISTING SEWER LINE
- EXISTING SANITARY SEWER MANHOLE
- EXISTING SANITARY SEWER MANHOLE
- PROPOSED UTILITY CORRIDOR - ELECTRIC/GAS/COMMS
- PROPOSED WATER LINE
- PROPOSED SANITARY SEWER LINE
- PROPOSED STORM DRAIN LINE
- PROPOSED SANITARY SEWER MANHOLE
- PROPOSED STORM DRAIN MANHOLE
- PROPOSED FIRE HYDRANT
- FIRE HYDRANT COVERAGE (250' LENGTH)
- FIRE HOSE PULL (150' LENGTH)



1" = 50'



**PRELIMINARY**

TITLE ODELLE ROAD - MONTROSE SKETCH PLAN	
CLIENT ODELLE LAND HOLDINGS, LLC	ADDRESS & PHONE 210 UNIVERSITY BLVD., SUITE 460 DENVER, CO 80206

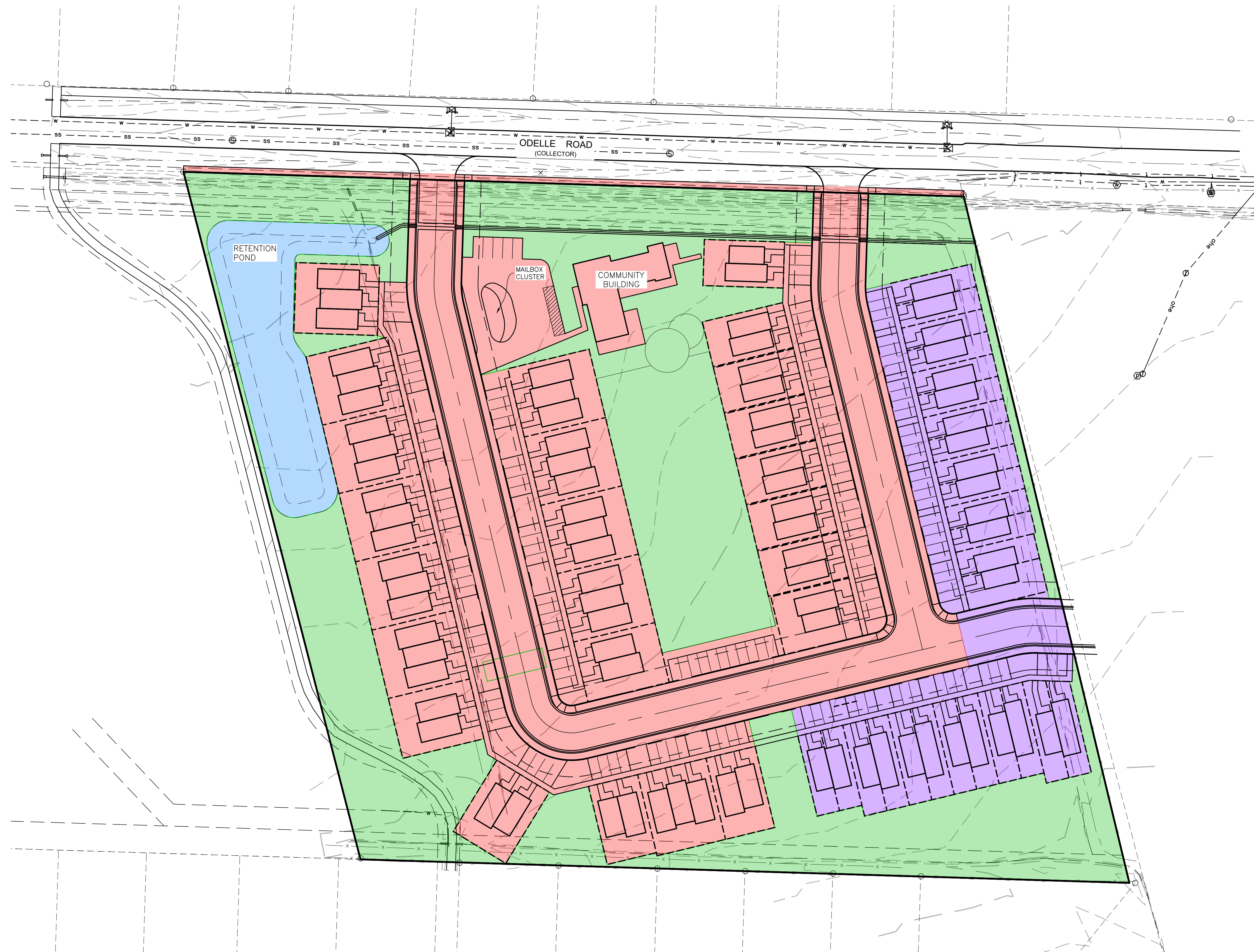
DMC DEL-MONT CONSULTANTS, INC. ENGINEERING & SURVEYING 125 Colorado Ave. Montrose, CO 81401 (970) 248-2251 www.del-mont.com service@del-mont.com	
FIELD BOOK	DATE 2026-05-15
DRAWN BY RDD	JOB NO. 26002
SHEET 2 of 3	TYPE SKETCH

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.

# ODELLE ROAD - MONTROSE

BEING LOT 2 OF THE WOODGATE MEADOWS SUBDIVISION

SITUATED IN U.S. GOVERNMENT LOTS 9 AND 10 OF SECTION 4, TOWNSHIP 48 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN  
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO

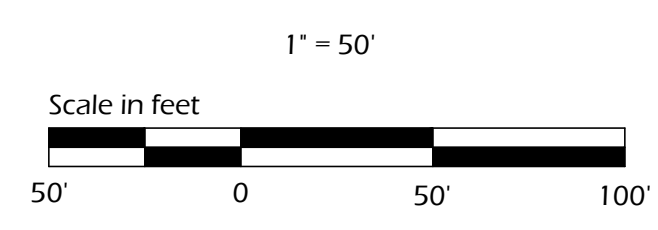
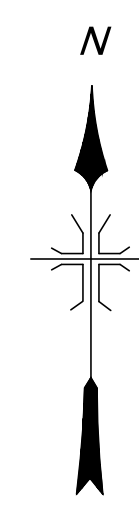


ULYSSES ODELLE ROAD SUB. LAND SUMMARY			
TOTAL ACREAGE	TOTAL OPEN SPACE	TOTAL RIGHT-OF-WAY DEDICATION	TOTAL MULTIFAMILY DEVELOPMENT
10.04 AC.	5.14 AC. 51.2%	1.61 AC. 16.0%	3.29 AC. 32.8%

PLANNED USAGE IS 90 TOWNHOMES  
(ALLOWABLE UNITS PER ZONE: 93)

### PHASING

- PHASE 1: SINGLE FAMILY ATTACHED: 2.27 ACRES; (8)2 UNIT TOWNHOMES, (16)3 UNIT TOWNHOMES, 64 UNITS TOTAL.
- PHASE 2: SINGLE FAMILY ATTACHED: 1.01 ACRES; (13)2 UNIT TOWNHOMES, 26 UNITS TOTAL.
- OPEN SPACE
- RETENTION POND



**PRELIMINARY**

TITLE	ODELLE ROAD - MONTROSE SKETCH PLAN
CLIENT	ODELLE LAND HOLDINGS, LLC
ADDRESS & PHONE	210 UNIVERSITY BLVD., SUITE 460 DENVER, CO 80206
TYPE	SKETCH

<b>DMC</b> DEL-MONT CONSULTANTS, INC. ENGINEERING & SURVEYING 125 Colorado Ave. Montrose, CO 81401 (970) 248-2251 www.del-mont.com service@del-mont.com	
FIELD BOOK:	DATE: 2026-05-15
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\\DMS14\PROJECTS\ACTIVE PROJECTS\2026\26002-ULYSSES ODELLE ROAD SUB\C3D\26002V\_SKTCH.DWG

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## **CHAPTER 11-5. SUBDIVISION REGULATIONS**

### **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.

### **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.
- (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.

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**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).

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- (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.

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**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.

**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;

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- (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
  - (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.

**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:

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- (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.

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- (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.

**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.

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- (B) A Letter of Substantial Completion or a Preliminary Letter of Infrastructure Completion shall evidence City inspection and approval.

**Sec. 11-5-9. Land dedication and Fees in Lieu.**

(A) *Purpose & 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;
  - (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.

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- (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.
- (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

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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.

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- (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:
    - (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 Sec. 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.

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(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
  - (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

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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).

**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;
  - (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.

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- (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.

**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.

**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

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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

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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

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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.

**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,

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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 10 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 US Access Board Public Right of Way Accessibility Guidelines (PROWAG).
  - (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

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(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

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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. 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.

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- (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.
- (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 Statues, 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 CRS 37-99-101, et. seq.

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**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.