



REGULAR PLANNING COMMISSION MEETING AGENDA
Wednesday, August 12, 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 July 8, 2026 Planning Commission meeting
- 4) Additions or Deletions
- 5) **LOCUST ROAD ADDITION INITIAL ZONING** This is a hearing for the initial zoning of the Locust Road Addition, a pending annexation of 1815 Locust Road, as well as a portion of the Locust Road right of way. The applicant has requested the "R-2" Low Density District zoning designation. The applicant is Gustavo Martinez.
- 6) **STAR COURT LOT 8 TOWNHOMES SUBDIVISION PRELIMINARY PLAT** This is a hearing for a



proposed subdivision located on Lot 8 of the Miami Business Park Subdivision Filing No. 2, also addressed as 739-749 East Star Court. This application subdivides the townhomes, which are under construction, into 6 individually conveyable units. The applicant is Justin Tanner with Forza Red, LLC.

- 7) **CHELSEI LANE & TOWNHOMES AMENDED PD PLAN** This is a hearing for a proposed amendment to the Chelsi Replat Amended PD Plan and Preliminary Plat. The previously approved PD plan from 1992 approved 24 units in this portion of the property. This PD amendment reduces the number to 23. There are no further changes to the PD plan. The applicant is Selvin Sandoval with El Chapin Investment Group, LLC.
- 8) **CHELSEI LANE & TOWNHOMES PRELIMINARY PLAT** This is a hearing for a proposed subdivision located on a property accessed off of Margot Court. This plat renews the undeveloped portion of the Chelsi Replat Subdivision, and proposes 23 individually conveyable townhome lots. The applicant is Selvin Sandoval with El Chapin Investment Group, LLC.
- 9) Other Business
- 10) Next Meeting will be September 9, 2026
- 11) Motion to Adjourn



City of Montrose Planning Commission

July 8, 2026

The Montrose City Planning Commission held a meeting on July 8, 2026 at 5:00 p.m. in the City Hall Buckhorn Conference Room. The meeting agenda was posted in accordance with the Colorado Open Meetings Act (C.R.S. §24-6-401, et.seq.).

Planning Commissioners Present: David Fishing (Chair), Chad Huffman (Vice-Chair), Delphine Jadot, Richard Rogers, Phoebe Benziger, Steve Ball and Ronald L. Cairns. Absent: None

Staff Members Present: William Reis (Senior Planner), Chris Dowsey (City Attorney), Jace Hochwalt (Community Development Director), Briceida Ortega (Senior Deputy City Clerk), Kathi Kinkel (Deputy City Clerk).

There was 1 member 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 June 24, 2026 meeting as submitted. Ronald Cairns seconded, and the motion carried.

Additions or Deletions

None.

Planning Commission Workshop

City Attorney Chris Dowsey gave a presentation on defensible decision, ethics and liabilities.

The Commission discussed the topic of defensible decisions.

Jace Hochwalt mentioned they will be working on a land use map similar to the growth area map.

Jace Hochwalt gave a presentation on practical tips and reviewed bylaws. He mentioned that the following would be added under attendance policy, "Three consecutive unexcused absences will result in declaring the position vacant".

The Commission decided that it should be changed to, "Two consecutive unexcused absences will result in declaring the position vacant."

Jace Hochwalt will give each commissioner an American Planning Association membership.

Other Business

None.

Next Meeting

The next Planning Commission meeting is scheduled for August 12, 2026.

Public Comment

None.

Adjournment

Chad Huffman moved to adjourn the meeting. Delphine Jadot seconded and the meeting ended at 7:02 p.m.

Chairperson

Attest

MEMO



To: Planning Commission
From: William Reis, Senior Planner
Date: August 12, 2026
Re: Locust Road Addition Initial Zoning
Attachments:

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

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 recommending the initial zoning for the Locust Road Addition, a proposed annexation to the city limits of Montrose. The Planning Commission will consider all of the information in this memo in making a decision.

Background

The Locust Road Addition is a proposed annexation approximately 4.2 acres in size. The annexation consists of 1815 Locust Road, as well as a portion of the Locust Road right of way. It is within the City's Urban Growth Boundary, City of Montrose Sewer Service Area, and City of Montrose Water Service Area. An Annexation Agreement is required.

Fiscal Impact

The proposed annexation is not anticipated to have a significant immediate fiscal impact on the City. The property will become eligible for City services in accordance with the City's adopted service plans and development standards. Any future infrastructure improvements or service demands associated with development of the property will be evaluated through the development review process and addressed in accordance with applicable City regulations and development agreements, as appropriate.

Proposed schedule:

July 20:	Council Work Session Overview
August 4:	Council Resolution to set a hearing date
August 12:	Planning Commission zoning hearing
September 15:	City Council Annexation hearing, 1st reading of annexation ordinance, and 1st reading of zoning ordinance
October 6:	2nd reading of annexation and zoning ordinances

Proposed Zoning: "R-2" Low Density District

Applicant: Gustavo Martinez

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-2" Low Density District is intended to provide primarily for development of single-household detached 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-2" Low Density District, "R-3" Medium Density District, and properties outside of City limits.
4. The Comprehensive Plan Future Land Use Map designates the area of the Locust Road Addition as Residential Mixed Density Medium. 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-2" zoning does not appear to be averse to the public health, safety and welfare.

Staff Recommendation:

Staff finds that the initial zoning request is in compliance with the Comprehensive Plan; it is compatible with existing uses in the surrounding area; and therefore, recommends approval of the "R-2" Low District.

Planning Commission Recommendation Alternatives:

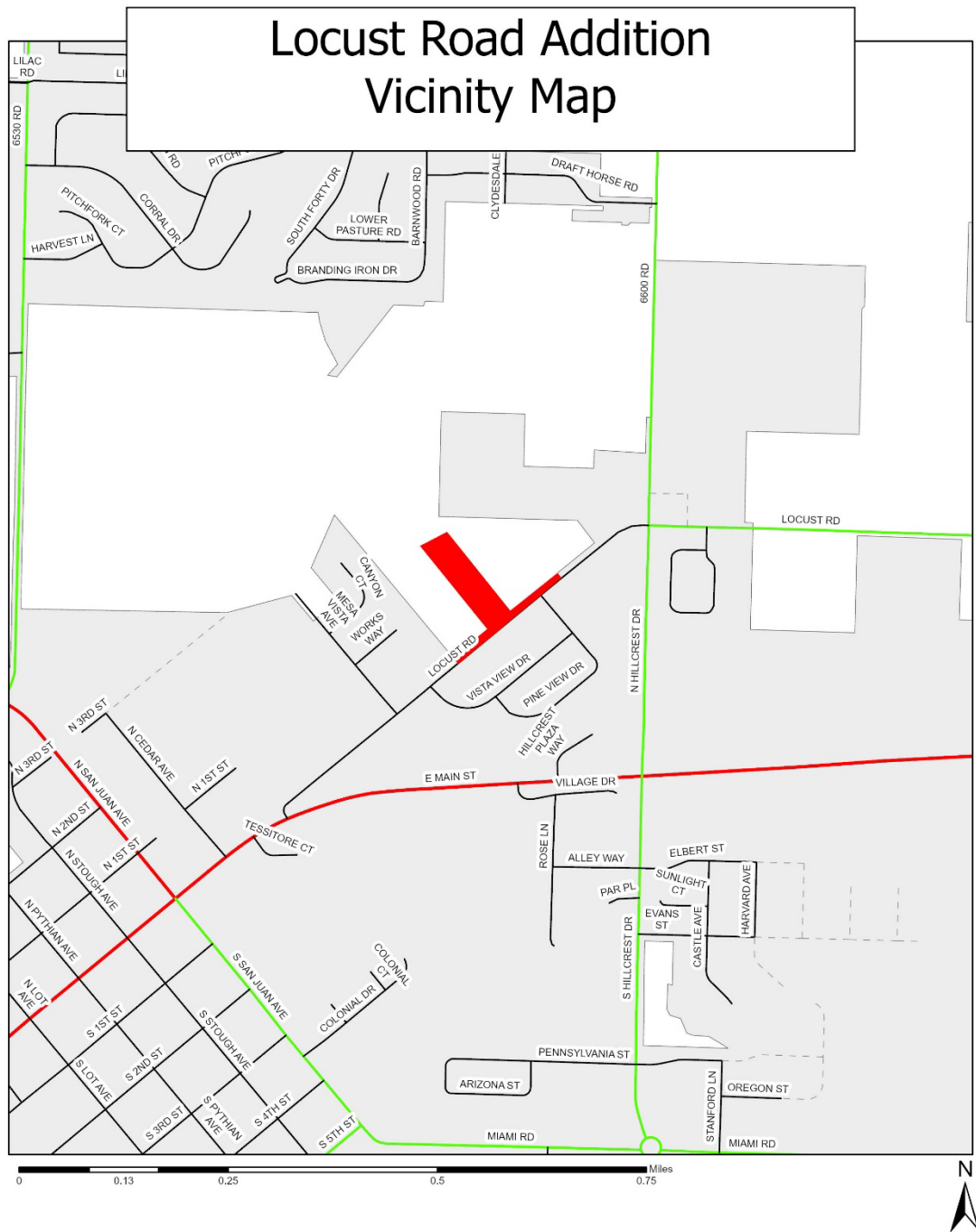
Approval Motion Recommendation:

"I hereby make a motion to recommend approval of the initial zoning request of "R-2" Low District. The request meets the Code criteria based on the evidence and testimony presented at this hearing and in the staff report."

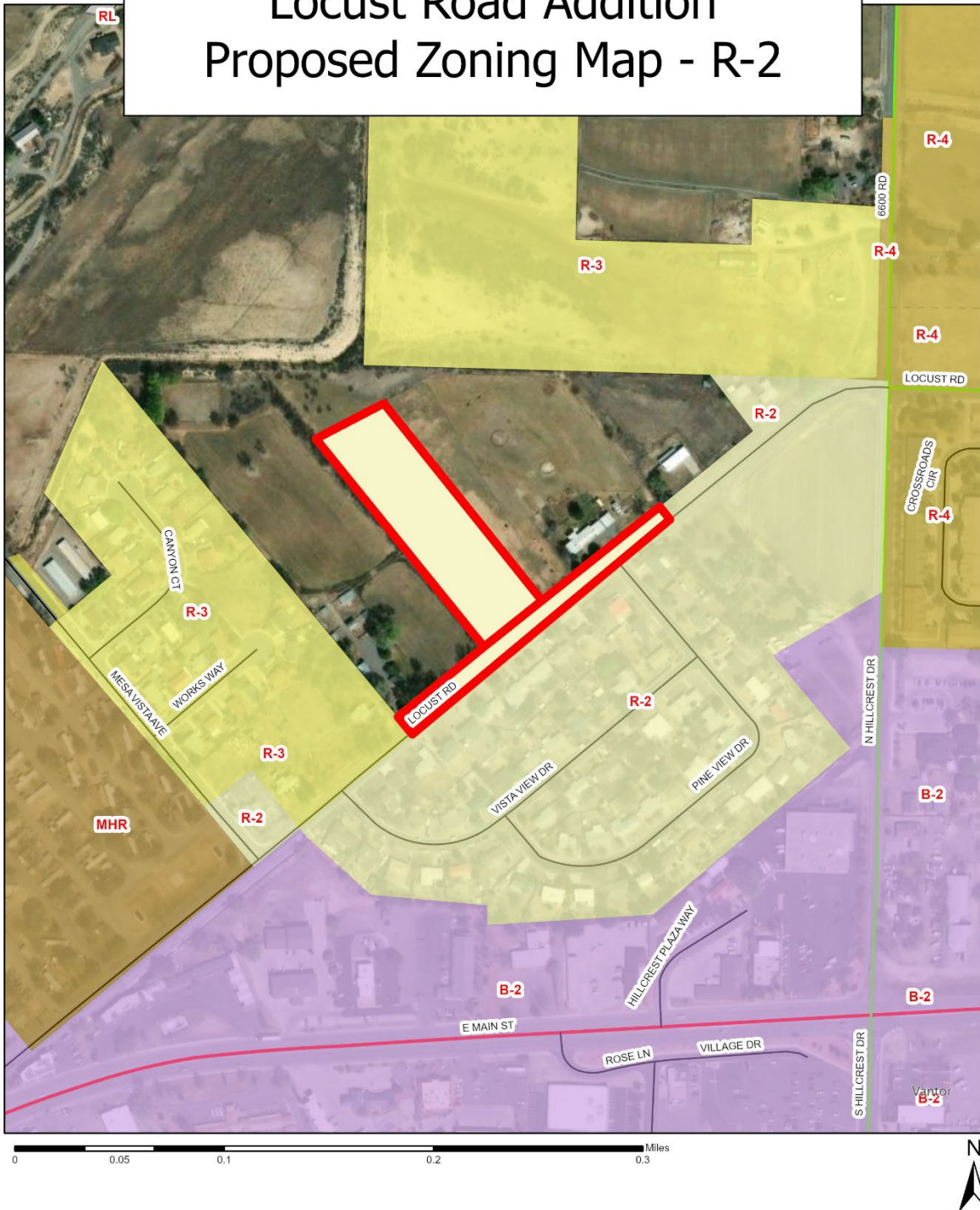
Denial/No Action Motion Recommendation:

"I hereby make a motion to recommend denial of 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



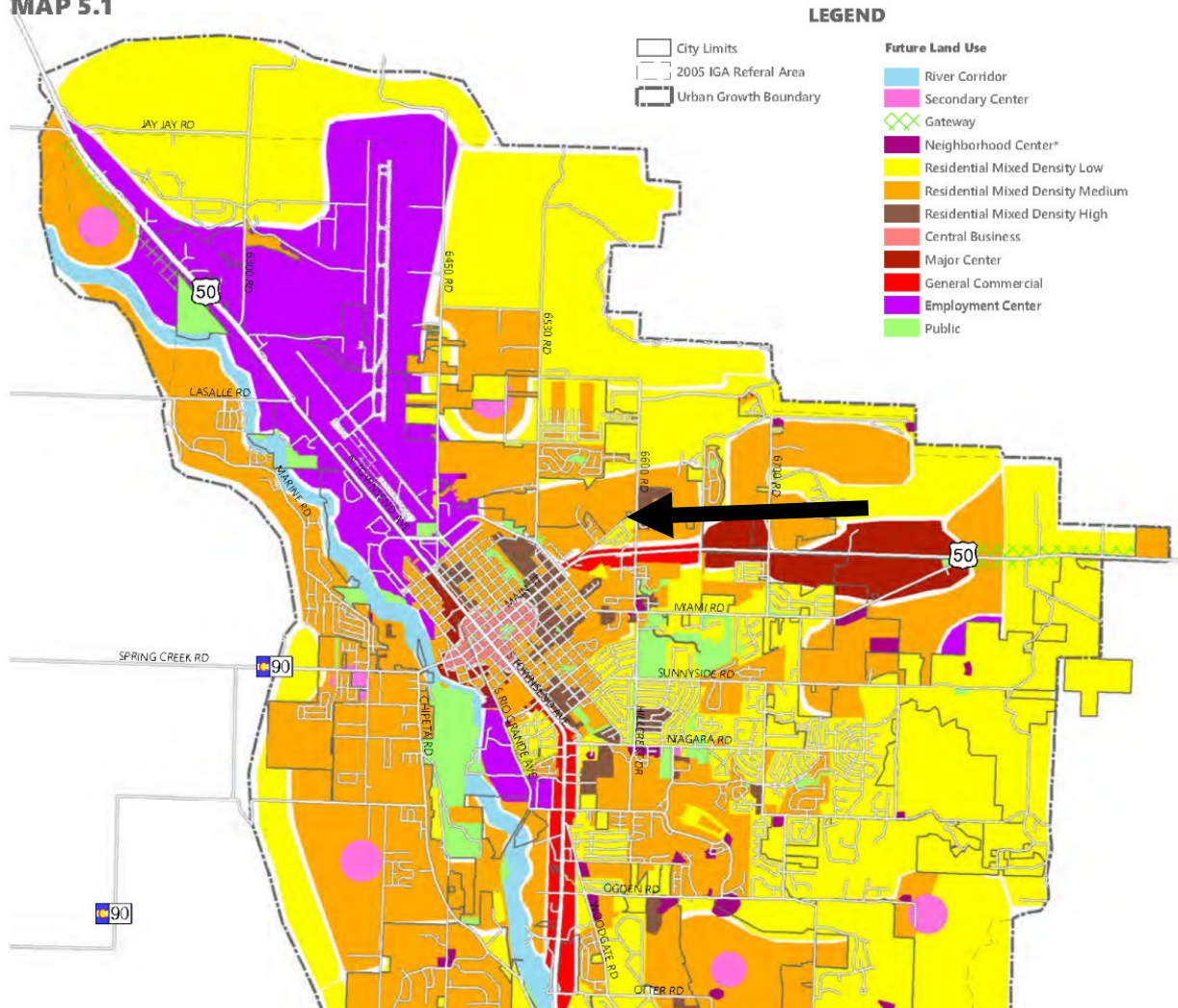
Locust Road Addition Proposed Zoning Map - R-2



Comprehensive Plan Future Land Use Map

FUTURE LAND USE

MAP 5.1



F:\SURVEY\2025\25-111-SUR 1815 Locust Rd Annexation Plot - Gustavo Martinez\70Survey\Draw\25-111 1815 Locust rd ANNEX PLAT.dwg PLOT DATE 2026-03-17 10:22 SAVED DATE 2026-03-17 10:22 USER: ewhilder

1815 LOCUST ROAD, MONTROSE CO 81401
ADDITION TO THE CITY OF MONTROSE

SITUATED IN THE $S\frac{1}{2}$ S.E. $\frac{1}{4}$ SECTION 22
T.49N., R.9W., N.M.P.M., MONTROSE COUNTY, COLORADO

PROPERTY DESCRIPTION

A PARCEL OF LAND SITUATED IN THE $S\frac{1}{2}$ S.E. $\frac{1}{4}$ SECTION 22 TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN, MONTROSE COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEING PARCEL 2, A PORTION OF LOTS 3 & 4 AND A PORTION OF E. THIRD STREET BELVEDERE HEIGHTS SUBDIVISION BEGINNING AT THE NORTH EAST CORNER OF LOT 3; THENCE N $39^{\circ}24'05''$ W 637.37 FEET; THENCE S $61^{\circ}48'44''$ W 193.27 FEET; THENCE S $39^{\circ}37'13''$ E 675.44 FEET; THENCE S $50^{\circ}27'06''$ W 280 FEET; THENCE S $39^{\circ}32'54''$ E 70 FEET; THENCE N $50^{\circ}27'06''$ E 847 FEET; THENCE N $39^{\circ}32'49''$ W 70 FEET; THENCE S $50^{\circ}27'06''$ W 380 FEET TO THE POINT OF BEGINNING. CONTAINING 4.2 ACRES MORE OR LESS.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR OF THE STATE OF COLORADO, THAT THIS ANNEXATION MAP OF 1815 LOCUST ROAD, MONTROSE CO 81401 ADDITION TO THE CITY OF MONTROSE, CONSISTING OF 1 SHEET WAS PREPARED UNDER MY DIRECTION AND SUPERVISION.

JOSEPH R. REASE DATE
L.S. 36067

MAYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THE CITY OF MONTROSE, A MUNICIPAL CORPORATION IN THE COUNTY OF MONTROSE, STATE OF COLORADO HAS BY ITS ORDINANCE NO. _____ ADOPTED ON THIS _____ DAY OF _____ 2026 A.D., ANNEXED THE PROPERTY DESCRIBED HEREON TO THE CITY OF MONTROSE

CITY OF MONTROSE

MAYOR

RECORDERS CERTIFICATE

THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE CLERK AND RECORDER OF MONTROSE COUNTY AT _____ ON THE _____ DAY OF _____, 2026 RECEPTION NO. _____

COUNTY CLERK AND RECORDER

DEPUTY

CITY LIMITS

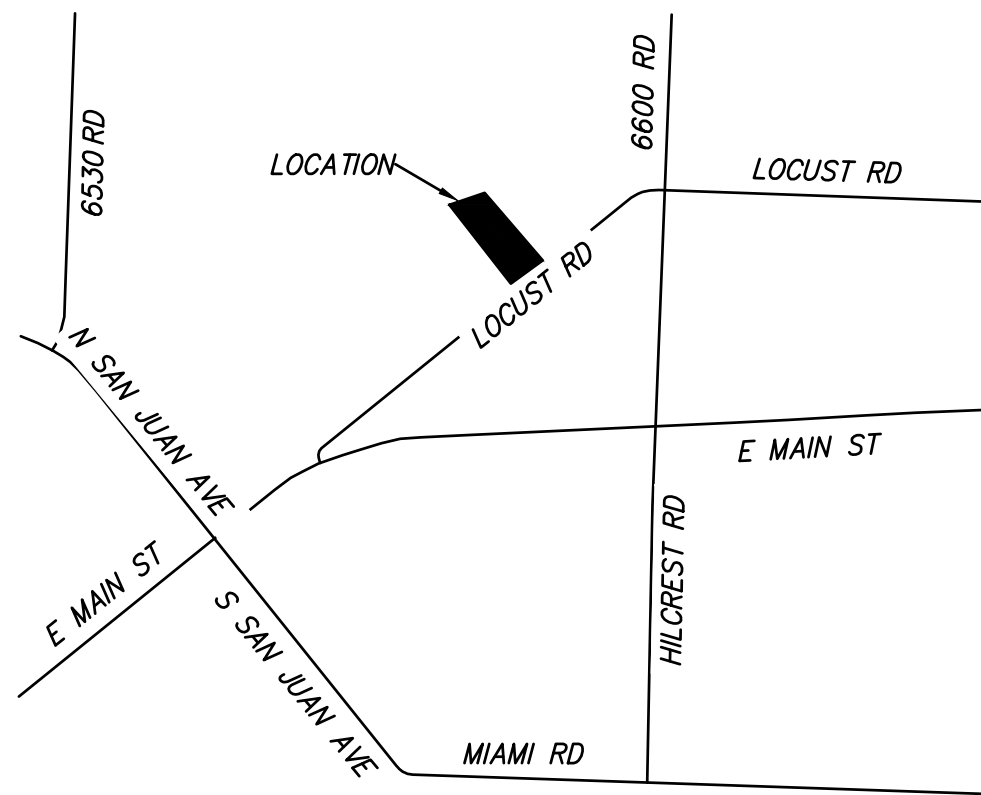
TOTAL PERIMETER = 3153.08'
PERIMETER CONTIGUOUS TO CITY LIMITS = 987'

BELVEDERE SUBDIVISION BOOK 0 PAGE 1

IMPROVEMENT SURVEY PLAT REC. NO. 947208

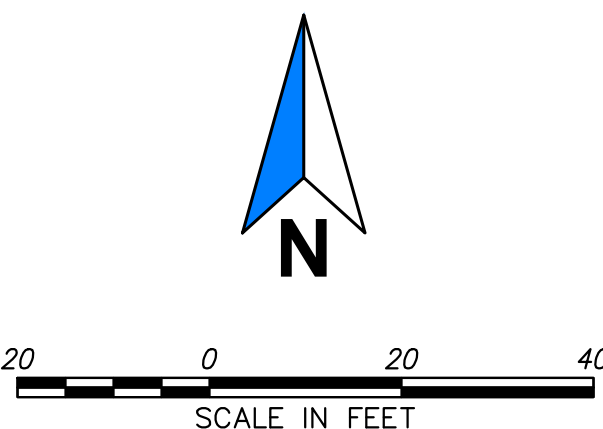
NOTE: THIS PLAT DOES NOT CONSTITUTE A BOUNDARY SURVEY. IT IS A COMPILATION OF EXISTING RECORDS FOR THE PURPOSE OF ANNEXATION.

VICINITY MAP



LEGEND

- PROPERTY LINE
- ROAD CENTERLINE
- EDGE OF ASPHALT
- CITY LIMITS
- ADJACENT PROPERTY



CLIENT:
GUSTAVO MARTINEZ
1815 LOCUST RD.
MONTROSE, CO 81403
DIAZSTAVO@GMAIL.COM

SURVEYOR:
Joseph S. Rease, PLS 36067
DOWIL, 222 S. Park Avenue
Montrose, CO 81401
jrease@buckhornengineering.com

BUCKHORN
ENGINEERING

222 South Park Avenue
Montrose, Colorado 81401
970-249-6828

1815 LOCUST ROAD, MONTROSE CO 81401
ADDITION TO THE CITY OF MONTROSE
ANNEXATION MAP

PROJECT 25-111-SUR
DATE 3/17/26
DRAFTER EJW
CHECKED JR
FIELD CREW EJW
FIELD DATE SEP/2025

V-1
1 OF 1

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

¹ 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 least 20 feet from any street right-of-way line.			P	P	P	P	C		
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 limited manufacturing of the products supplied				C	C	C			
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;					C	C		P	P

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)									
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)

MEMO



To: Planning Commission
From: William Reis, Senior Planner
Date: August 12, 2026
Re: Star Court Lot 8 Townhomes Subdivision Preliminary Plat
Attachments:

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

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 Star Court Lot 8 Townhomes Subdivision Preliminary Plat. The Planning Commission will consider all of the information in this memo in making a decision.

Application Background:

The Star Court Lot 8 Townhomes Subdivision Preliminary Plat is located on Lot 8 of the Miami Business Park Subdivision Filing No. 2, also addressed as 739-749 East Star Court. This preliminary plat consists of 6 townhome lots subdividing a building currently under construction. The property is zoned "R-4" High Density District.

The meeting before City Council to approve or deny the Preliminary Plat is tentatively scheduled for September 15, 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)).

Fiscal Impact

The proposed subdivision is not anticipated to have a significant immediate fiscal impact on the City. Review and permitting activities associated with future development will generate applicable fees, and any required public infrastructure improvements will be constructed or financed by the developer in accordance with the City's subdivision regulations and development standards. Future maintenance responsibilities for any public improvements accepted by the City will be incorporated into the City's ongoing operational responsibilities.

Applicant: Justin Tanner, Forza Red, LLC

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 Residential Mixed Density Medium. The Residential Mixed Density Medium district provides for a variety of residential types, mixed within a neighborhood, including single-family homes, townhomes, duplexes and triplexes. The majority of the mixed-density medium residential land uses are designated in areas that are not yet developed.
- 3. Zoning Regulations:
 - Municipal Code, Section 11-7-5 (A)(7): The “R-4” High Density District is intended to provide primarily for high density multi-household dwellings and to allow variety in higher density single household and duplex dwellings and other forms of innovative housing development types.
 - The proposed use is a use-by-right in the “R-4” High Density District, The property is adjacent to properties that are zoned “R-4” Density District.
- 4. The Star Court Lot 8 Townhomes 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:

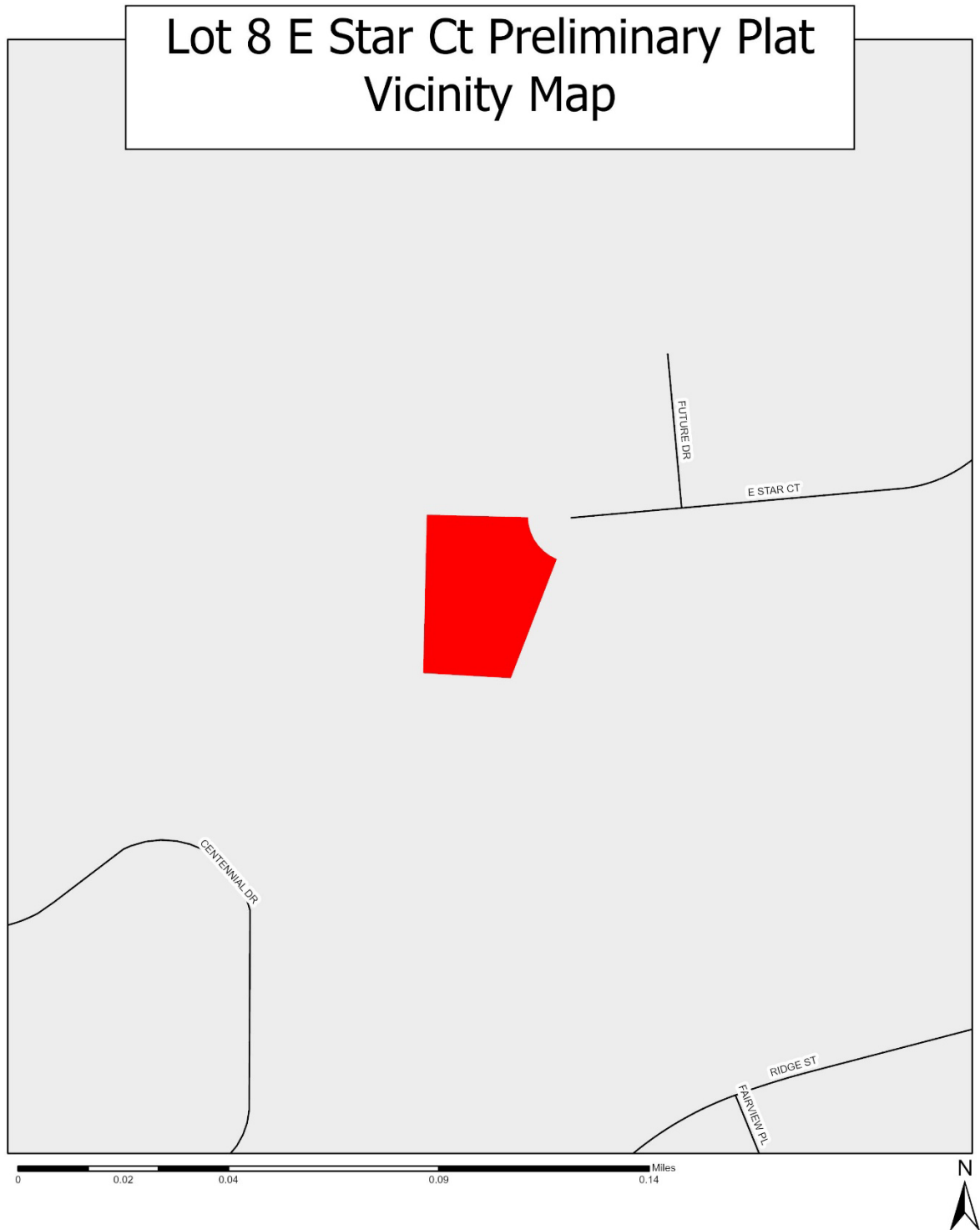
The Planning Commission shall make a recommendation to City Council to approve, deny, or approve with conditions the Star Court Lot 8 Townhomes Preliminary Plat. The Planning Commission may also continue the item. Proposed motions for Planning Commission consideration are included below.

Planning Commission Recommendation Alternatives for Preliminary Plat:

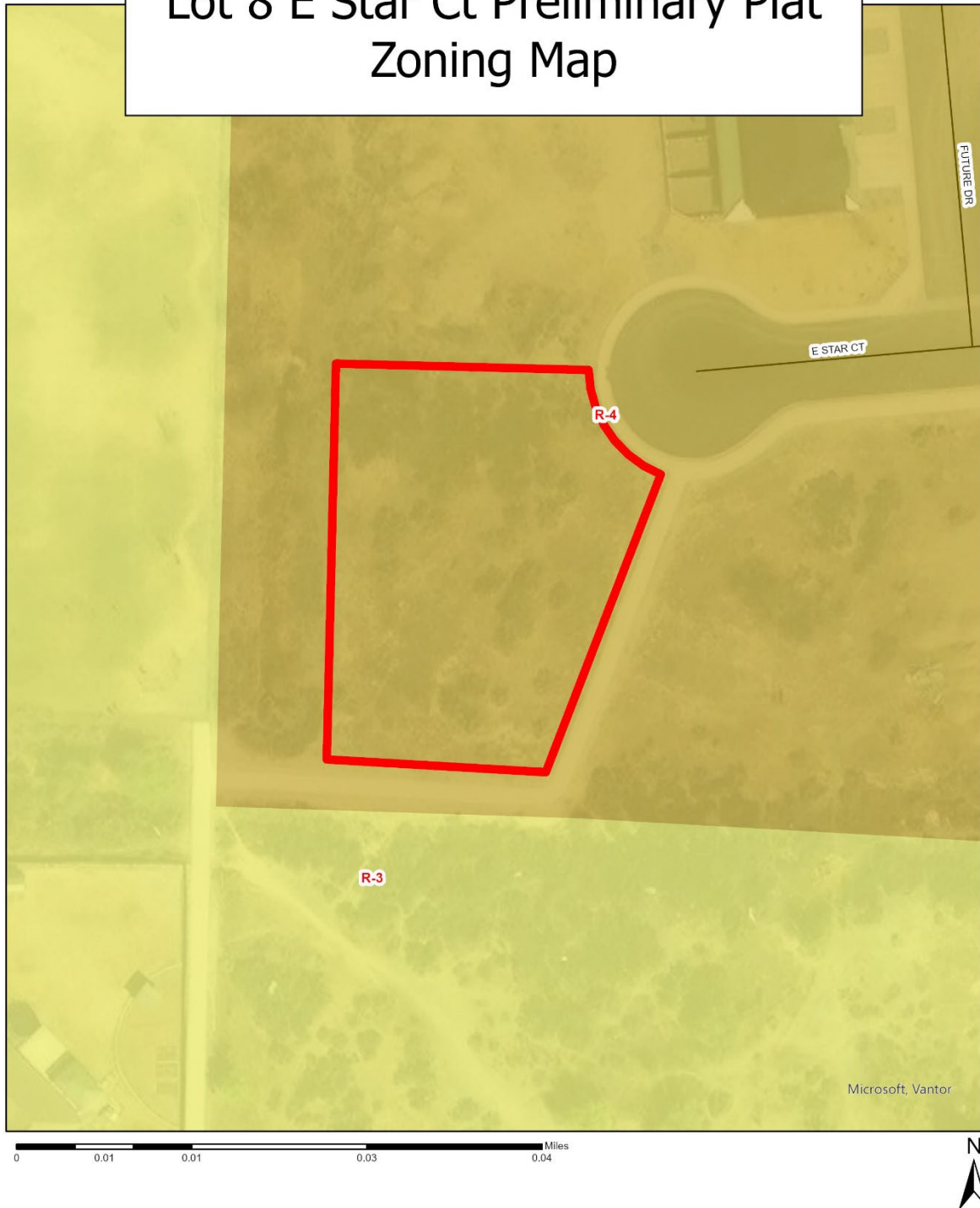
Conditional Approval Motion: “I hereby make a motion to recommend to City Council approval of the Preliminary Plat application with the following condition(s). The approval of this Preliminary Plat is expressly conditioned upon City staff ensuring that all policies, regulations, ordinances and municipal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



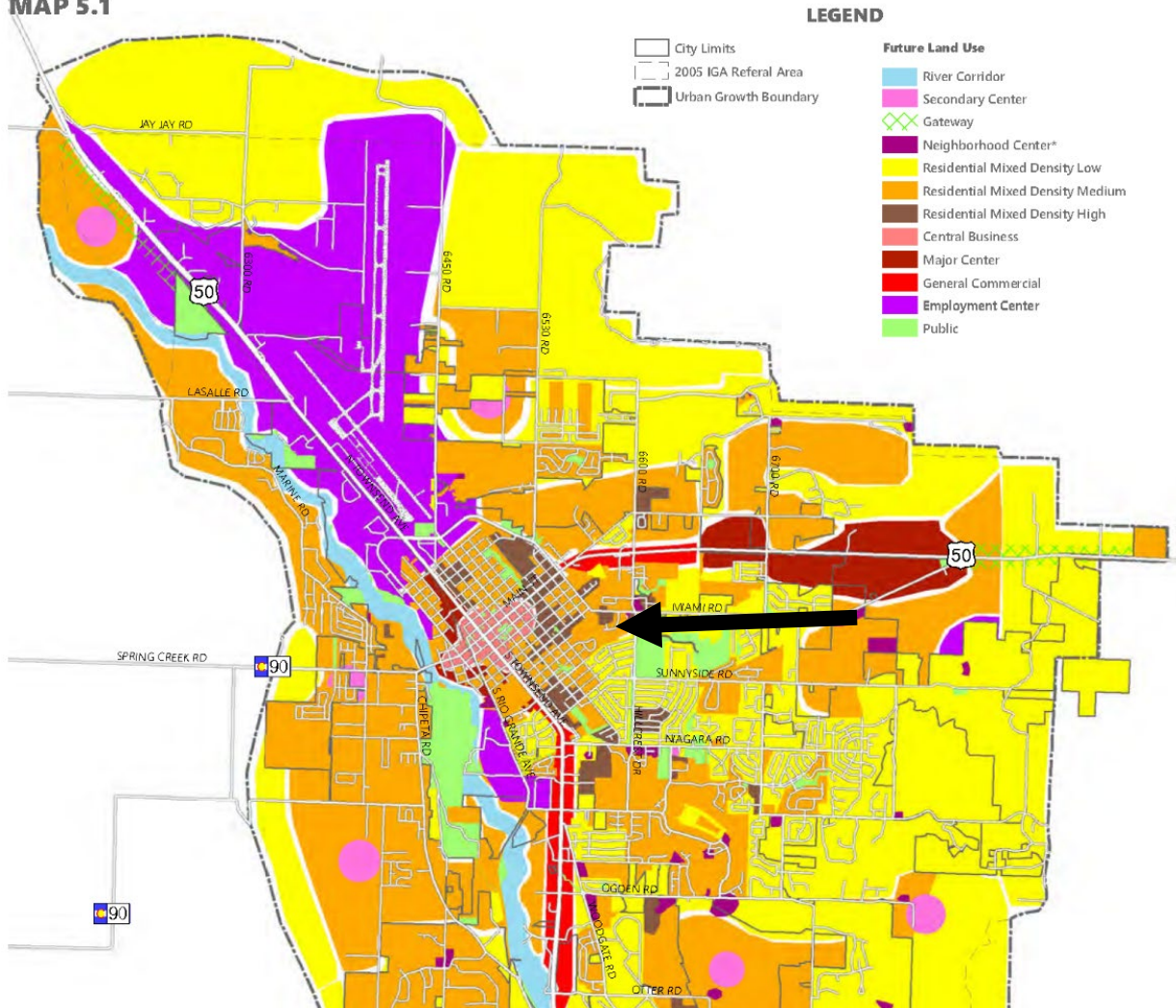
Lot 8 E Star Ct Preliminary Plat Zoning Map



Comprehensive Plan Future Land Use Map

FUTURE LAND USE

MAP 5.1



STAR COURT LOT 8 TOWNHOMES

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

FINAL PLAT CONDITIONAL APPROVAL

The approval of the Star Court Lot 8 Townhomes 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.

BASIS OF BEARINGS:

The bearing along the West line of Lot 8, Miami Business Park Subdivision Filing No. 2 between the 1 1/2" aluminum cap PLS 13933 at the Southwest corner of said Lot 8 and the found 1 1/2" aluminum cap PLS 13933 at the Northwest corner of said Lot 7 bears N01°19'45"E (ASSUMED).

LINEAL UNITS STATEMENT:

The Lineal Unit used on this plat is U.S. Survey Feet

CERTIFICATE OF DEDICATION AND OWNERSHIP

KNOW ALL YE BY THESE PRESENTS that the undersigned being the owners of certain lands in the City of Montrose, County of Montrose and State of Colorado to wit:

Miami Park Business Park Subdivision Filing No. 2, Lot 8

Have by these presents laid out, platted and subdivided the same into lots, as shown on this plat, under the name and style of Star Court Lot 8 Townhomes.

The utility easements shown on this plat are dedicated, granted and conveyed to the City of Montrose, Colorado for public utility purposes, including but not limited to water, sewer, electrical, telephone, gas, communications, fiber optic, and CATV lines, and drainage easements specifically labeled for dedication, together with perpetual right of ingress and egress for installation, maintenance and replacement of such facilities. The dedication of easements as herein provided shall not include those easements exclusively utilized for irrigation improvements, or otherwise subject to a previously recorded conveyance.

Executed this ____ day of _____, 20____.

Justin Tanner, Manager
Forza Red LLC

STATE OF COLORADO }
COUNTY OF MONTROSE }

The foregoing certificate was acknowledged before me this ____ day of _____, 20____ by Justin Tanner.

My commission expires _____.

Witness my hand and seal _____
Notary Public

SURVEYOR'S CERTIFICATE

I, Frederick Ballard, a Registered Land Surveyor in the State of Colorado, do hereby certify that there are no roads, pipelines, irrigation ditches or other easements or rights-of-way in evidence or known to me to exist on or across said property except as shown on this plat. I certify that I have made the survey represented by this plat and that this plat accurately represents said survey, and conforms to all applicable requirements of the City Subdivision Regulations and applicable law. I further certify that all monuments shown hereon actually exist and their positions are as shown.

C.R.S. Section 38-51-106 Statement: this plat does not represent a title search by the Surveyor, nor by any professional corporation or business entity with which said Surveyor may be associated. Information regarding the title work performed for and used in producing this plat may be found in the title report issued by XXX, dated XXXX bearing policy number XXXX.

Colorado Registered Land Surveyor:
Frederick Ballard
Registration No. 37690
Date: _____

ENGINEER'S CERTIFICATE

I, David Schieldt, a Registered Engineer in the State of Colorado, do hereby certify that the sanitary sewer system, water distribution system and the storm drainage system shown on the accompanying plans of this Subdivision are properly designed, meet City of Montrose specifications, and are adequate to properly serve the Subdivision shown hereon. I further certify that the sanitary sewer system, water distribution system, storm drainage system, streets, parks, and other improvements are designed and constructed in accordance with applicable City specifications and regulations.



VICINITY MAP
N.T.S.

CERTIFICATE OF COMPLETED IMPROVEMENTS

I, Scott Murphy, City Engineer, certify that all improvements and utilities required by the current Subdivision Regulations of the City of Montrose, have been constructed, inspected and approved in this Subdivision in accordance with applicable City ordinances, regulations and specifications, and a Letter of Substantial Completion has been issued, as required by the City's Municipal Code.

City Engineer
Registration No. _____
Date: _____

ATTORNEY'S CERTIFICATE

I, _____, an Attorney at Law, duly licensed to practice in Colorado, do hereby certify that I have examined the title of all land herein platted and described in the above Certificate of Ownership and Dedication, and that title to such land is in the owners and dedicators, and that the title to all dedicated property therein described, is free and clear of all liens and encumbrances except _____

Attorney
Registration No. _____
Date: _____

APPROVAL OF CITY MANAGER

Approved this ____ day of _____, 20____, by _____, Deputy
City Manager of the City of Montrose.

Deputy City Manager

APPROVAL OF CITY ATTORNEY

Approved for recording this ____ day of _____, 20____, by _____
City Attorney of the City of Montrose.

City Attorney
Atty. Reg. No. _____

APPROVAL OF CITY COUNCIL

Approved this ____ day of _____, 20____, by _____
Mayor of the City of Montrose; all conveyances of interests in real property made on this plat are hereby accepted by the City.

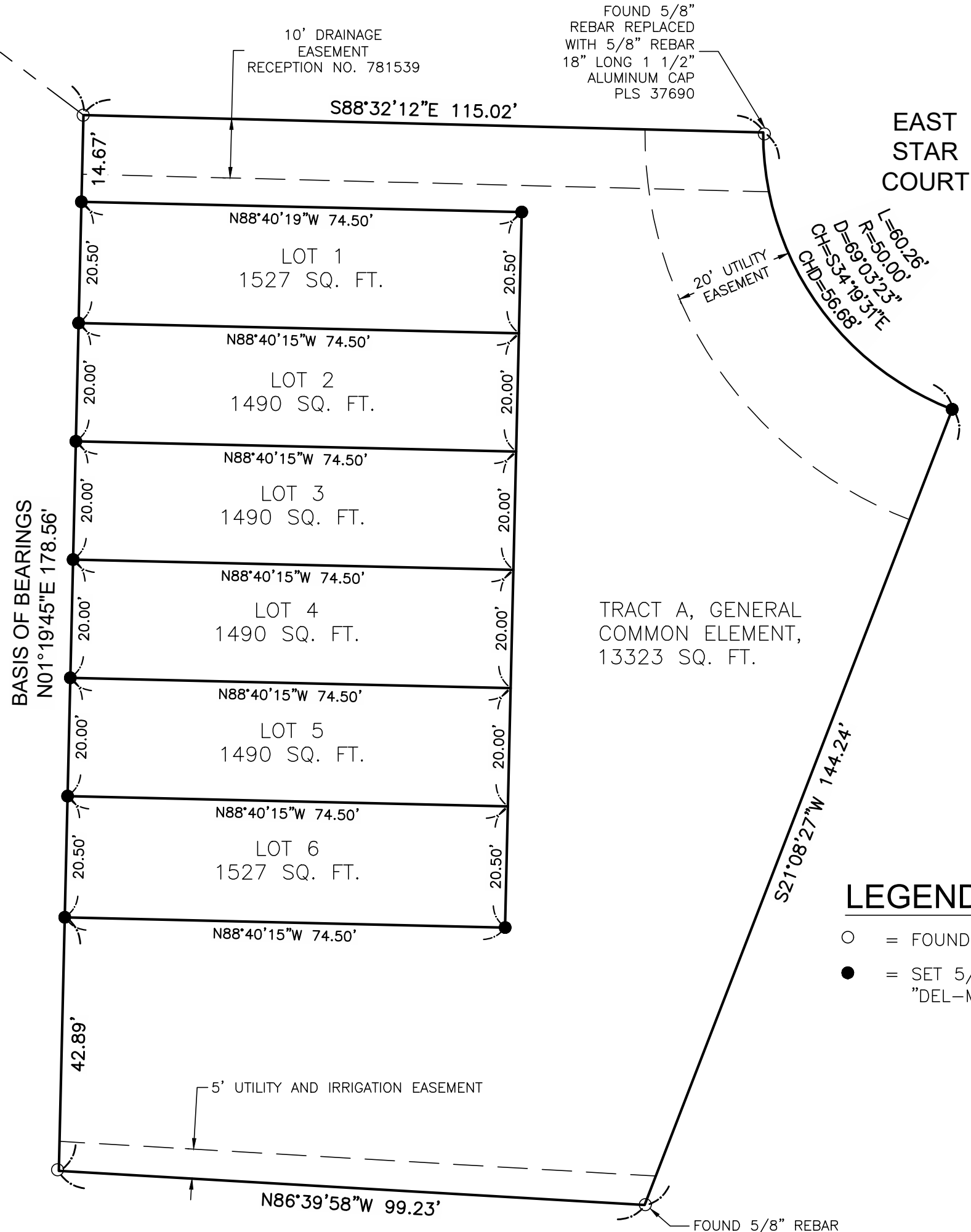
Mayor

RECORDER'S CERTIFICATE

This plat was filed for record in the office of the Clerk and Recorder of Montrose County, Colorado, at the time of _____, on the ____ day of _____, 20____,
under Reception No. _____

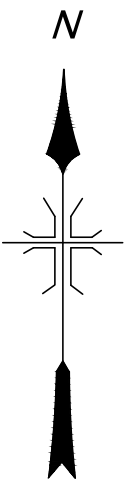
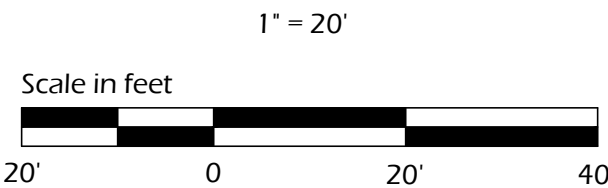
County Clerk and Recorder Deputy

DMC		DEL-MONT CONSULTANTS, INC. ENGINEERING & SURVEYING 125 Colorado Ave. W Montrose, CO 81401 W (970) 249-2251 www.del-mont.com service@del-mont.com	
FIELD BOOK: 777	DRAWN BY: TRS	DATE: 2026-04-20	TITLE: STAR COURT LOT 8 TOWN HOMES
SHEET: 1 of 1	FILE: 26023V_PLAT-PRE	JOB NO.: 26023	CLIENT: FORZA RED, LLC
			ADDRESS & PHONE: 3391 WEST COURT MONTROSE, CO 81401
			TYPE: PRELIMINARY PLAT



LEGEND

- = FOUND MONUMENT 1 1/2" ALUMINUM CAP PLS 13933
- = SET 5/8" REBAR, 18" LONG, WITH A 1 1/2" ALUMINUM CAP STAMPED "DEL-MONT, PLS 37690"



MISCELLANEOUS PLAT NOTES

1. The drainage easements shown hereon shall be maintained by the homeowners' association in a manner that preserves the grade as originally established and so as to not impede the free flow of water in any way, including but not limited to the placement of fill, construction of fencing and other improvements, or the planting or encroachment of trees and shrubs and other impeding vegetation. The City is not responsible or liable in any manner for the maintenance, repair, or operation of any pipelines, ditches or improvements as located within said easements. Upon failure to properly maintain the drainage easement(s) shown hereon, or in the need to abate a nuisance or public hazard, the City may cause the maintenance or repair to be performed and assess the costs thereof to such owners, and may certify such charges as a delinquent charge to the County Treasurer to be collected similarly to taxes or in any lawful manner.

2. PRIVATELY OWNED COMMON ELEMENTS

A. All general common elements, Tract A, now existing or hereafter conveyed, shall be owned and maintained by _____ [name of owners' association], or in the absence of such entity, by the owners of all units having unique legal descriptions in the Star Court Lot 8 Townhomes, jointly and severally.

B. The units depicted on this plat shall have uniform exterior appearance. Future improvements, modifications and repair to the units' exteriors shall be done in accordance with any applicable covenants and regulations of the owners' association, and performed in such a manner as to ensure uniformity and compatibility of the exterior of the units.

C. Easements are reserved on, over, and under the Common Elements and the units as shown on the Plat, for construction, maintenance, and repair of public and/or private utilities.

D. Party Walls exist over and along the common boundaries between the units. The unit owners shall be deemed to own the necessary easements for the perpetual lateral and subjunct support, maintenance, and repair of the respective Party Walls and utilities therein, with equal rights of joint use.

E. The City is not responsible or liable in any manner for the maintenance, repair, or operation of such general and limited common elements, nor shall the City be responsible for future dedications of such general and limited common elements. Upon failure to properly maintain such general and limited common elements shown hereon, or in the need to abate a nuisance or public hazard, the City may cause the maintenance or repair to be performed, and assess the costs thereof to such owner(s), or the City may certify such charges as a delinquent charge to the County Treasurer to be collected similarly to taxes or in any lawful manner.

3. All residential lots or residential units hereon shall be required to make payment of money in lieu of school land dedication, at the time of issuance of building permit or certificate of occupancy relative to improvements upon said lot. The payment of money in lieu of school land dedication is subject to §11-5-9(C) of the Municipal Code. Payments shall be made to the City, to be later disbursed to the RE-1J School District.

CONVEYANCE OF PRIVATE PARKS AND OPEN SPACE TO OWNERS' ASSOCIATION

By executing this Plat, the owner(s) whose signature(s) appear hereon, joined by the Lienholder(s), if any, whose signatures also appear on this Plat, for and in consideration of TEN AND NO/100 DOLLARS (\$10.00), and other good and valuable consideration, in hand paid, hereby sell(s) and quit claim(s) to _____ [insert name of owners' association], a Colorado nonprofit corporation, _____ [insert tract names or other designation - such as irrigation easements - as appropriate] shown and designated on this Plat.

CERTIFICATE OF GOOD STANDING

The owner(s) whose signature(s) appear on the Certificate of Dedication and Ownership on this Plat have provided the City a current, valid, Certificate of Good Standing bearing Confirmation No. _____, from the Colorado Secretary of State, as proof of the above-named HOA or Owners' Association entity's: i) compliance with all applicable requirements of the Colorado Secretary of State, and ii) good standing with the Colorado Secretary of State.

DECLARATION OF COVENANTS RECORDED

The Declaration of Covenants, Conditions, and Restrictions for _____ [Name of Owners' Association], applicable to the development platted hereon, and made binding to the entity named above, was recorded under Reception No. _____, on the ____ day of _____, 20____ in the office of the Montrose County Clerk and Recorder.

APPROVAL OF PRELIMINARY PLAT

City Engineer _____ Date _____
Scott Murphy, P.E.

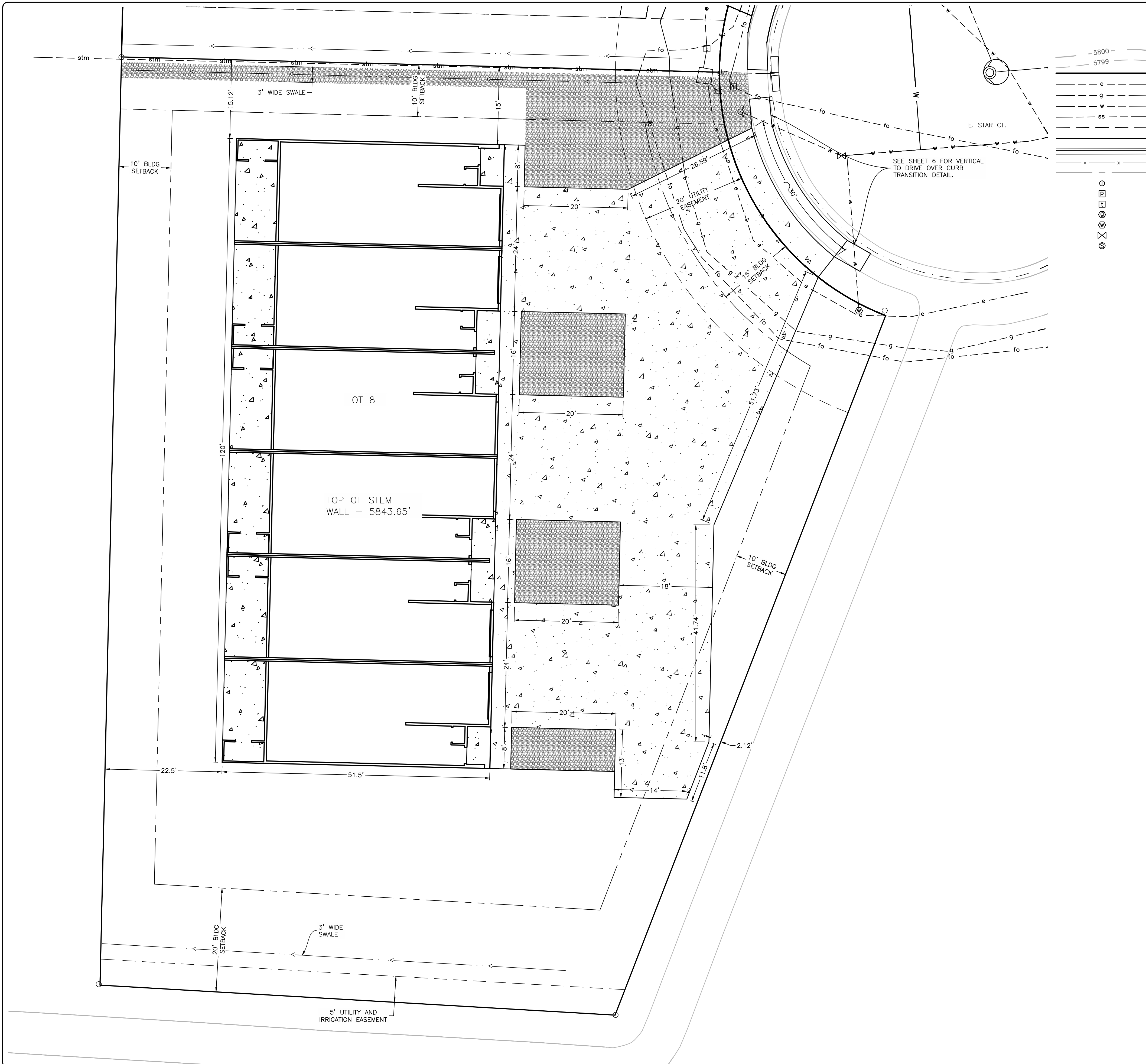
City Attorney _____ Date _____
Chris Dowsey

City Planning Commission Chair _____ Date _____
David Fishering

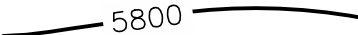
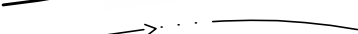
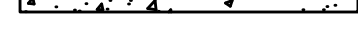
City Mayor _____ Date _____
Dave Frank

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\2026\26023-TANNER STAR COURT LOT 8\C3D\26023V_PLAT-PRE.DWG

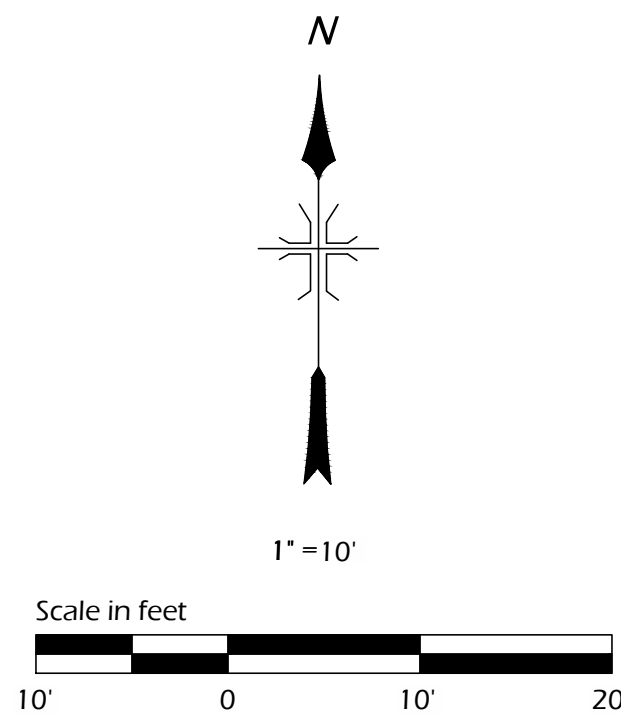


LEGEND

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

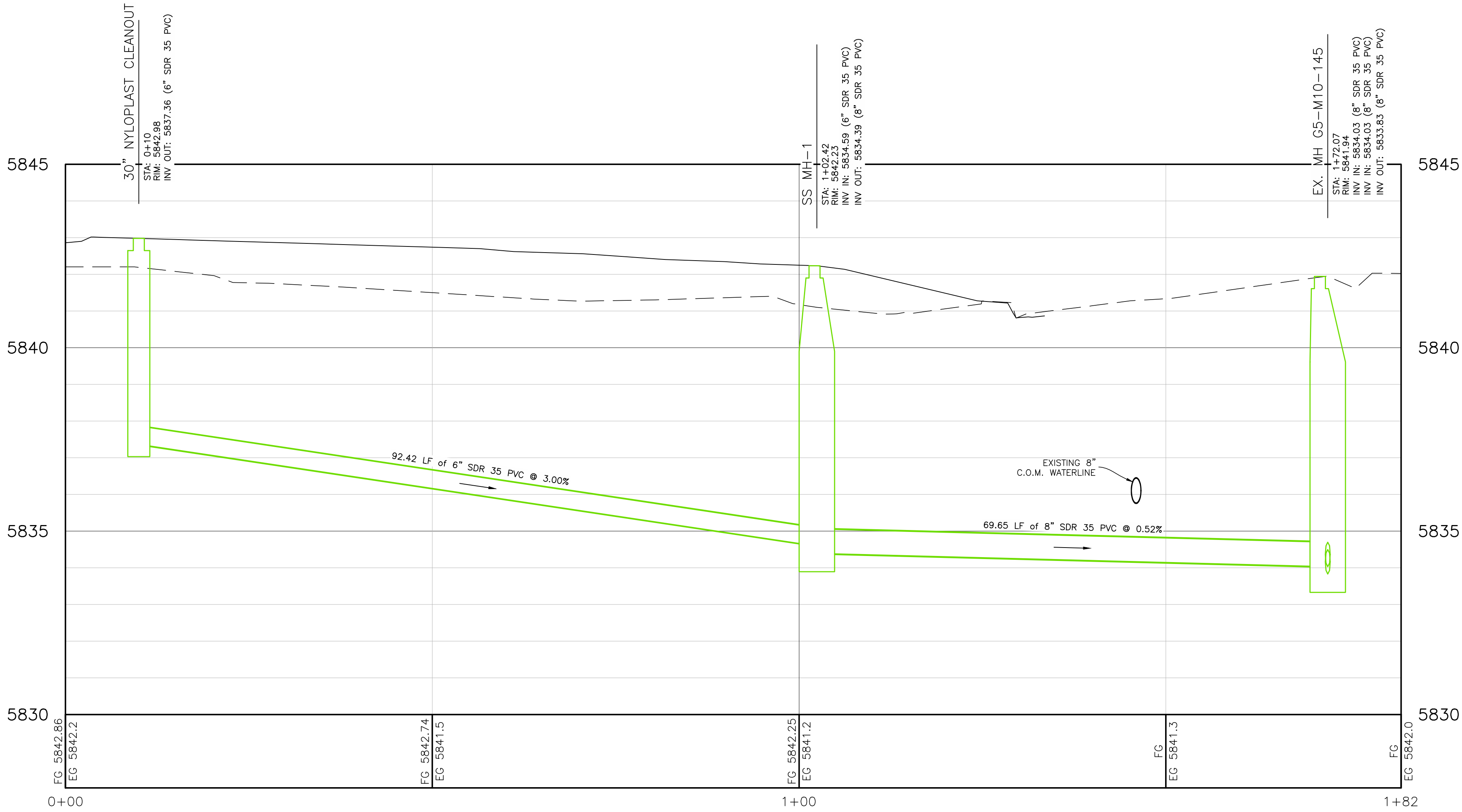
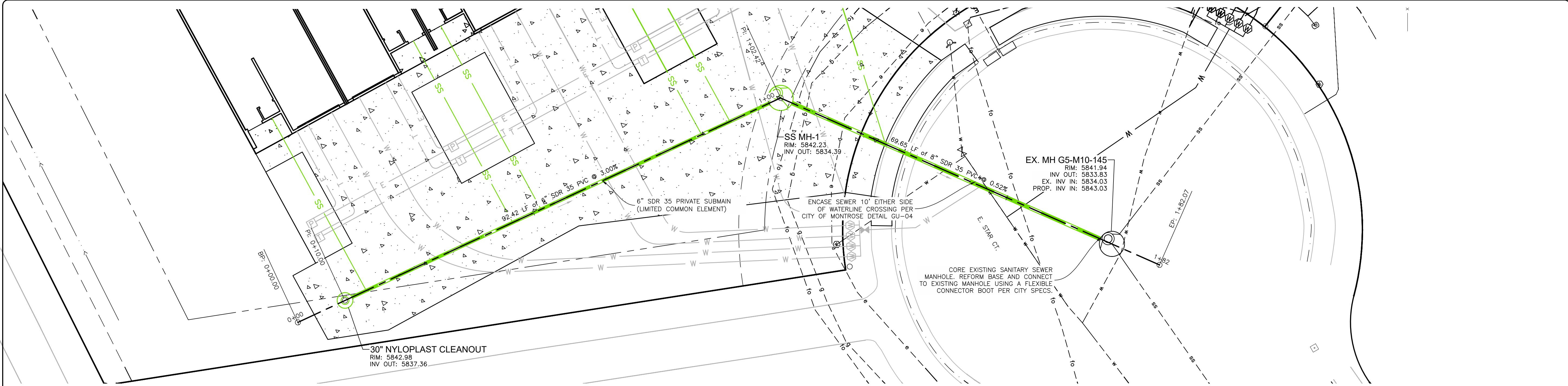
ZONING DETAILS	
ZONING:	OR
BUILDING HEIGHT:	40'
SETBACKS:	FRONT = 15'
	REAR = 20'
	SIDE = 10'

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

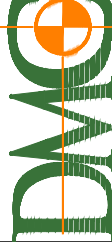


FORZA RED, LLC STAR CT. LOT 8 MONTROSE, CO	SITE PLAN			DEL-MONT CONSULTANTS, INC. ENGINEERING & SURVEYING 125 Colorado Ave. ▼ Montrose, CO 81401 ▼ (970) 248-2251 www.del-mont.com ▼ service@del-mont.com			
		DESIGNED BY: _____ SCALE: _____	BAJ / _____ AS NOTED	CHECKED BY: _____	DATE ISSUED: 2026-04-13 2023 CC - JARLE EPHS		
				NO	DATE	REVISIONS	BY

PLOTTED BY BUJULIAN, FILE PATH & NAME = \DM\514\PROJECTS\ACTIVE PROJECTS\2026\26023-TANNER STAR COURT LOT 8\C3D\26023C_BASE.DWG, PLOT DATE = 4/13/2028 8:42 AM



NO	DATE	REVISIONS	BY



DESIGNED BY: BAU
CHECKED BY: BAU
SCALE: AS NOTED
DATE ISSUED: 2026-04-13

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

DATE ISSUED: 2026-04-13

FORZA RED, LLC
STAR CT. LOT 8
MONTROSE, CO

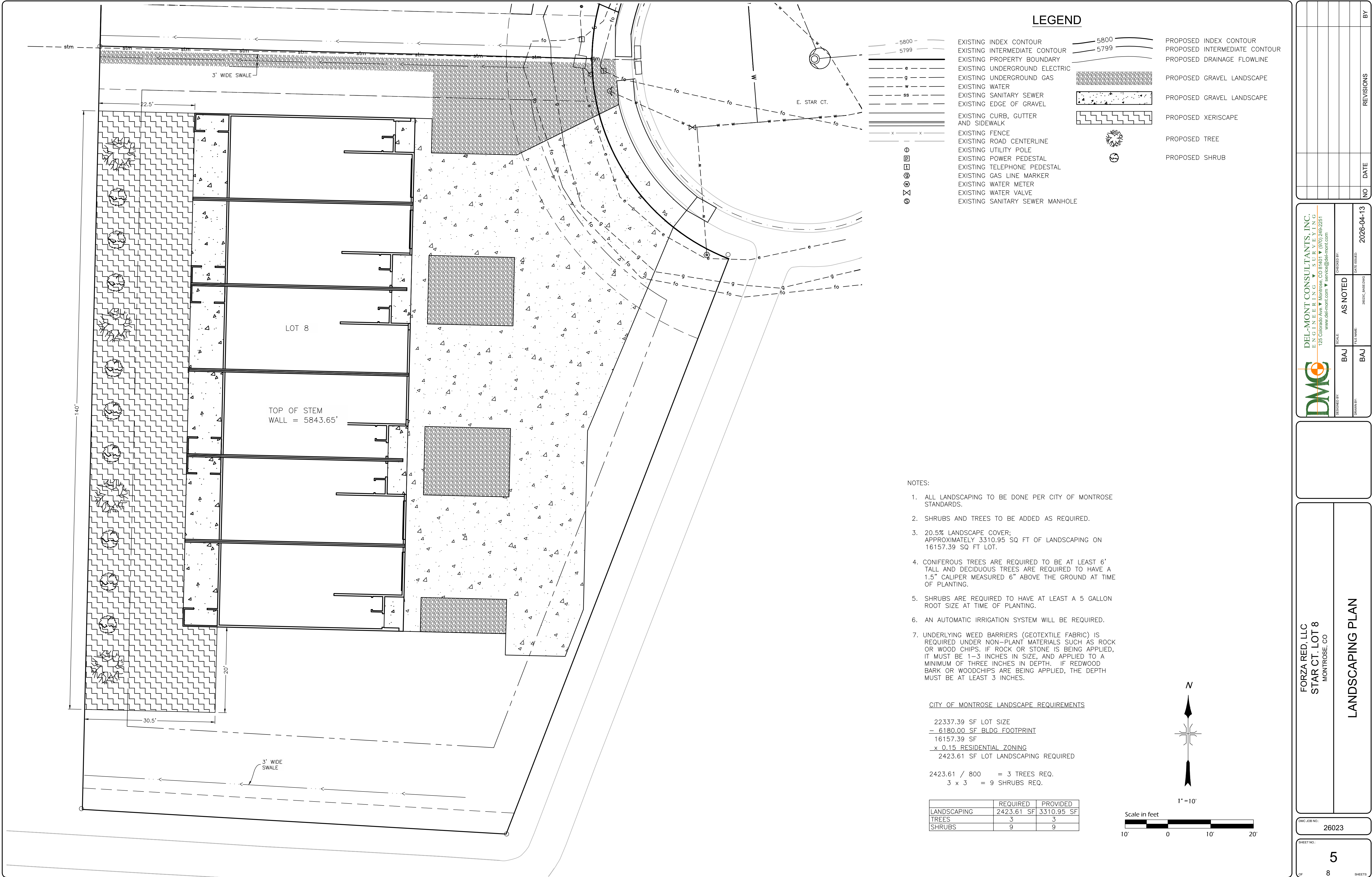
SANITARY SEWER PLAN AND PROFILE

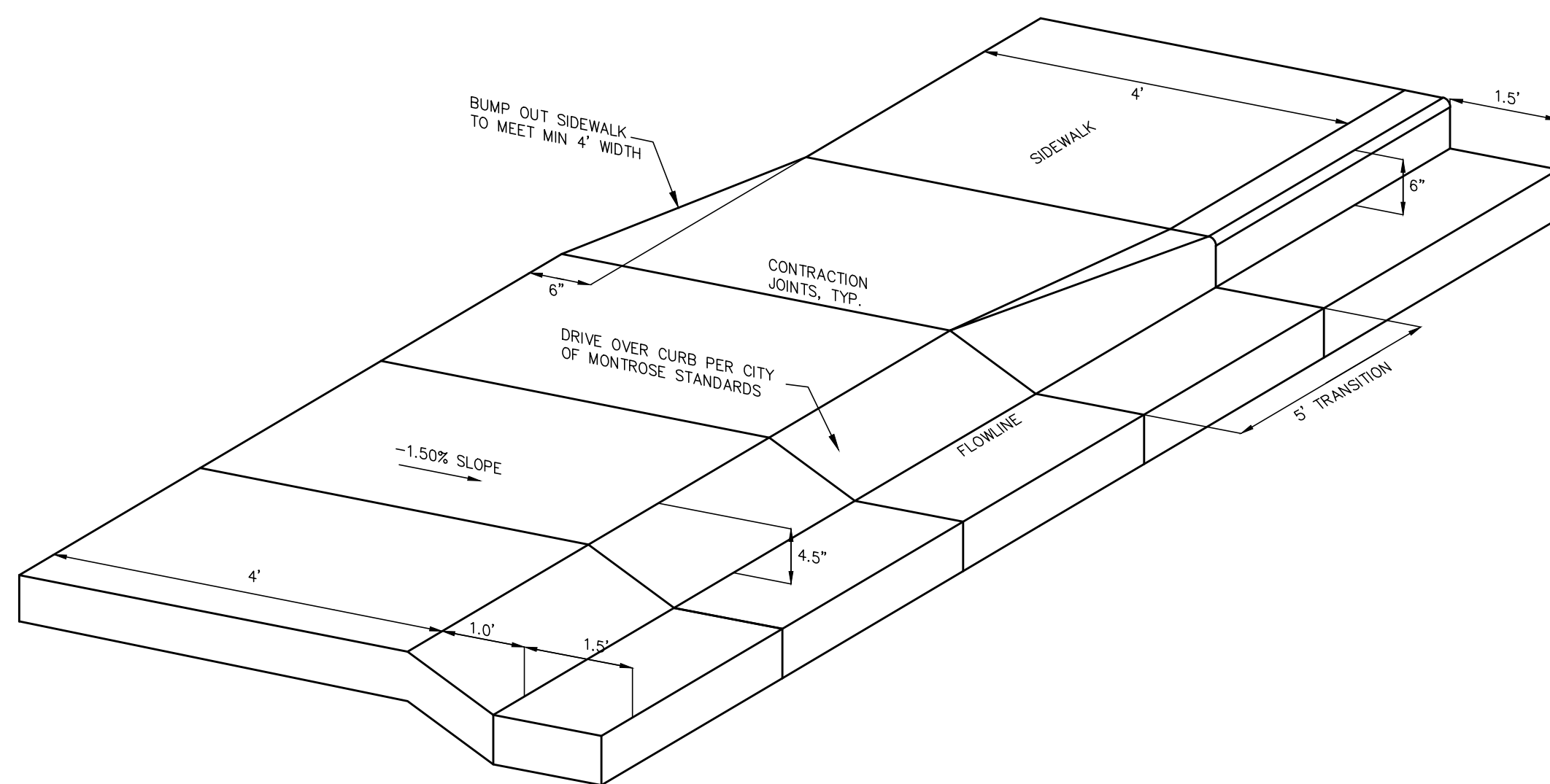
DMC JOB NO.: 26023

SHEET NO.: 4

OF 8 SHEETS

PLOTTED BY BJULIAN, FILE PATH & NAME = VDM\SM\PROJECTS\ACTIVE PROJECTS\2026\26023-TANNER STAR COURT LOT 8\CD\26023C_BASE.DWG, PLOT DATE = 4/13/2028 8:42 AM





VERTICAL TO DRIVE OVER CURB TRANSITION

FORZA RED, LLC
STAR CT. LOT 8
MONTROSE, CO

CURB TRANSITION DETAIL SHEET

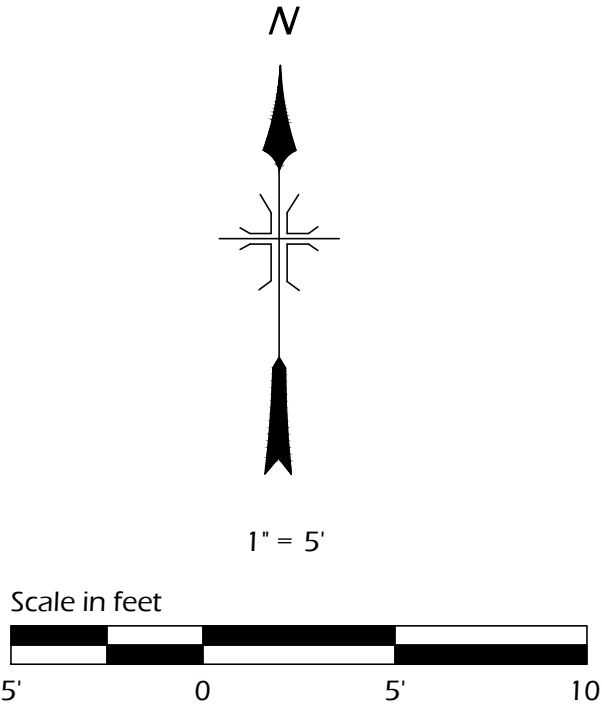
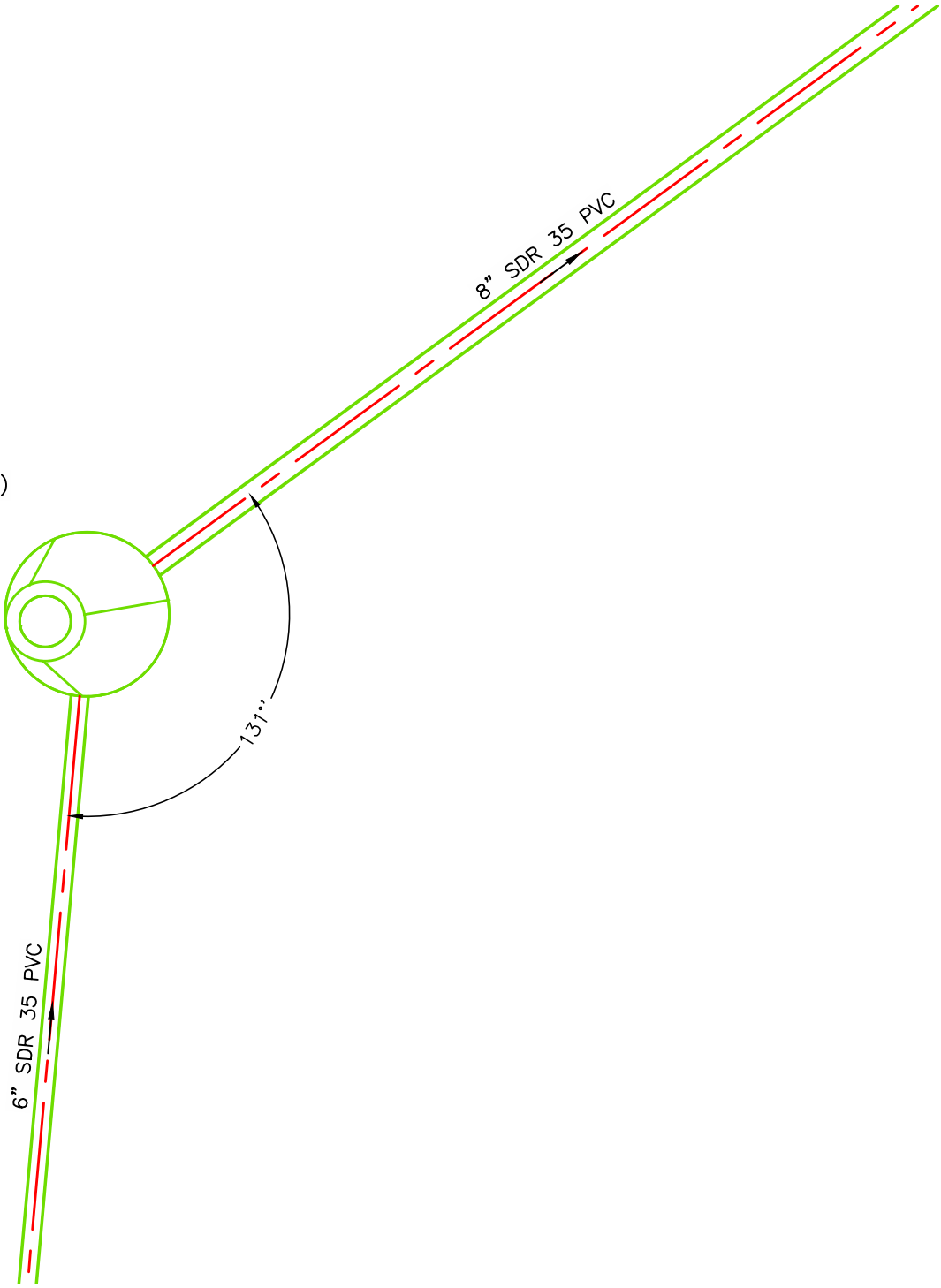
DMC JOB NO.: 26023

SHEET NO.: 7 OF 8 SHEETS

[illegible]

	DEL-MONT CONSULTANTS, INC. ENGINEERING & SURVEYING 125 Colorado Ave. • Montrose, CO 81401 • (970) 249-2261 • (970) 249-2342 FAX www.del-mont.com • info@del-mont.com	
	ENGINEER BY: BAJ	CHECKED BY:
DRAWN BY: BAJ	FILE NAME: MOCC_CHD.DWG	DATE ISSUED: 2026-04-13

SS MH-1
 48" DIA Reinforced Concrete
 RIM ELEV = 5842.23
 6" SDR 35 PVC INV IN ELEV = 5834.59 (S)
 8" SDR 35 PVC INV OUT ELEV = 5834.39 (NE)



FORZA RED, LLC
 STAR CT. LOT 8
 MONTROSE, CO

26023

8

8

SANITARY SEWER MANHOLE GEOMETRY PLAN

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

DESIGNED BY: BAJ
 CHECKED BY: AS NOTED
 SCALE: BAJ
 DATE ISSUED: 2026-04-13

DRAFTSMAN: BAJ
 PROJECT: 26023

NO	DATE	REVISIONS	BY

CHAPTER 11-5. SUBDIVISION REGULATIONS¹

Sec. 11-5-1. General provisions.

- (A) This Chapter, as amended from time to time may be cited and referred to as the City's subdivision regulations.
- (B) The purposes of these subdivision regulations are to:
 - (1) Promote and protect public health, safety and welfare;
 - (2) Encourage the harmonious, orderly and progressive development of land;
 - (3) Ensure the development of economically sound and compatible neighborhoods;
 - (4) Require the construction of necessary improvements and utilities;
 - (5) Ensure safe and convenient circulation of vehicular and pedestrian traffic;
 - (6) Ensure that parks, open spaces, school sites and land needed for other public purposes are either reserved or dedicated;
 - (7) Ensure development is in accordance with the requirements of the City's Comprehensive Plan as such may be amended from time to time; and
 - (8) Ensure that new development bears its fair share of the costs of providing improvements and services necessitated by, or resulting from, the development of subdivisions.
- (C) References in this Chapter to the term "lot" include, as the context requires, "tracts" or "parcels" of real property, to the extent the same are or can be legally described and capable of individual transfer.

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

Sec. 11-5-2. Major subdivisions.

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

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

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

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

Sec. 11-5-3. Minor subdivisions.

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

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

-
- (4) Complies with the requirements of C.R.S. § 38-33.3-101 et seq. (sublots and common interest community units are not lots for purposes of compliance with this Section).
 - (5) Is consistent with the representations made by the property owner and/or applicant for subdivision approval which created the lot proposed to be further subdivided as a common interest community subdivision.
 - (6) Results in a change of ownership or marketing regime consistent with the basis upon which creation of the lot being proposed for common interest community subdivision was based.
- (C) *Minor Plat Amendments.* Previously-approved subdivision plats may be amended through the minor subdivision process if they meet the following criteria:
- (1) The plat, as amended, reduces the number of lots within the subdivision, i.e., a lot consolidation; or the nature of the amendment is de minimis, e.g., a boundary line adjustment, lot line correction, duplex conversion, easement adjustment, or similar minor plat modification.
 - (2) All lots are adjacent to a dedicated public street.
 - (3) The lots are part of a subdivision plat which has been approved and/or accepted by the City and recorded in the Montrose County Records.
 - (4) The improvements required by these regulations are already in existence and available to serve each lot, or if not yet constructed, are secured as a part of the original subdivision approval.
 - (5) Each lot will meet requirements of the applicable City zoning regulations without the necessity for any variance. No material changes to prior plat notes, restrictions or easements are proposed.
- (D) *Procedure.* Submittals of sketch plans and preliminary plats are not required for minor subdivisions. The minor subdivision application shall conform to all applicable final plat requirements. All fees related to this Section shall be as set forth in Chapter 3-1 of the City of Montrose Regulations Manual. The final plat for a minor subdivision shall contain certification on forms approved by the City to document approval of the plat.
- (1) The City Manager may either approve, disapprove or conditionally approve the final plat subject to compliance with any minimum design standards; dedication of additional right-of-way, easements, open space or park land; or installation of additional improvements. Final plats shall not be recorded until required public and private improvements are installed and approved by the City.
 - (2) Upon approval by the City land use staff, the plat of the minor subdivision shall be submitted in final form on one reproducible mylar, with all requisite signatures, and also in a digital format acceptable to the City, and compatible with City computer systems.
- (E) *Limitation of Eligibility.* Any subdivision not qualifying as a minor subdivision is a major subdivision. For the purpose of interpreting the requirements of this Section, any proposed minor subdivision which is clearly intended to evade the major subdivision regulations or would result in a de facto major subdivision through the combination of previous contiguous and/or consecutive minor subdivisions is not eligible for minor subdivision. A minor subdivision shall only be used one time on a previously unsubdivided parcel of land.

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

Sec. 11-5-4. Sketch plan.

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

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

Sec. 11-5-5. Preliminary plat.

- (A) *Purpose.* The purpose of the preliminary plat is to provide the City with an overall master plan for the proposed subdivision. The preliminary plat is more detailed than the sketch plan and should incorporate the comments and guidance provided during the sketch plan process. It includes the layout of the subdivision, engineering design studies, and final engineering design, with all bearings, distances and survey monumentation.
- (B) *Review Procedure.* The preliminary plat application shall be reviewed by the City in accordance with Section 11-4-2 of this Title.
- (C) *Review and Approval Criteria.* A preliminary plat shall comply with the following review and approval criteria:
 - (1) The plat shall be consistent with the City subdivision and zoning regulations, standards and other applicable ordinances and regulations;

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

Sec. 11-5-6. Final plat.

- (A) *Purpose.* The purpose of the final plat is to complete the subdivision of land in conformance with all the applicable requirements and standards of the City. The final plat shall correspond in every significant respect with the preliminary plat as previously approved. A complete review is conducted of the final subdivision design, with all bearings and distances, survey monumentation, and certificates of approval included on a document suitable for recordation.
- (B) *Review Procedure.* The final plat application shall be reviewed by the City in accordance with Section 11-4-2 of this Title.
- (C) *Review and Approval Criteria.* A final plat shall comply with the following review and approval criteria:

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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.
 - (c) In instances where completion of required improvements, utilities or road infrastructure within the outlot is determined by the City to be necessary as a condition of approval of that final plat, the developer shall be required to complete said improvements, utilities or road infrastructure upon approval of that final plat.

This may include, but not be limited to, completion of necessary road infrastructure, stormwater drainage system, trails and park development.

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

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

Sec. 11-5-7. Reserved.

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

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

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

Sec. 11-5-9. Land dedication and fees in lieu.**(A) Purpose and Intent.**

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

(B) Dedication Procedure.

- (1) The amount, location, and nature of land interests to be dedicated shall be established prior to final subdivision plat approval. Land dedications and/or conveyances shall be made as a condition of final plat approval and shall be implemented in one or more of the following ways, as appropriate and as provided in the final plat approval:
 - (a) A fee simple dedication to the City granted via plat note on the final plat;
 - (b) A fee simple conveyance to the City granted via general warranty deed;
 - (c) A fee simple dedication to the school district of a school site via plat note on the final plat;
 - (d) A fee simple conveyance to the school district via general warranty deed; and/or
 - (e) Payment of fees-in-lieu of land dedications where permitted and approved by the City.
- (2) Whenever a subdivision application involves land that is to be dedicated and/or conveyed to the City, the applicant shall submit, with the final plat application, a title insurance commitment indicating the land is owned by the applicant free and clear from all liens, encumbrances and restrictions.
 - (a) Title insurance shall be provided by the applicant in an amount equal to the approximate value of the property to be dedicated and/or conveyed, as approved by the City.
 - (b) The executed deed, if applicable, and the payment of the premium for the title insurance policy shall be delivered to the City prior to the recording of the final plat.

(C) Land Dedication Standards.

- (1) **General Requirements.** Every approved subdivision shall convey land for the purpose of providing parks, open space, trails, school sites, and other public uses. The

standards herein are minimum standards and the City may require dedications and improvements greater than the minimum to adequately meet the needs created by the development.

- (a) The City Council shall determine the suitability of the land and improvements proposed for dedication in consideration of the intended purpose of the dedication.
 - (b) The City may consider recommendations from other agencies which would be directly involved in the development and service of those areas.
 - (c) Parks, open space, and trails shall be dedicated to the City in conformance with the requirements herein and the adopted standards of the City Comprehensive Plan as may be updated from time to time.
 - (d) Parks, open space and trails shall be situated within floodplains instead of developed lots when reasonable to do so.
- (2) *Improvement Required.* Any land to be dedicated to the City shall be improved by the developer per the timetable specified at time of final plat subdivision approval for use as park, open space, and/or trails.
- (D) *Park Land Standards.* Dedication of land for park purposes shall be based upon the following standards. In the event the subdivider disagrees with the calculation provided by the City, the subdivider may request continuation of final plat review and fund an independent study under Section 11-5-9(I):
 - (1) Subdividers shall dedicate to the City developed park land based upon a formula of seven acres of developed and usable park land per density of 1,000 residents, calculated at build-out of the proposed subdivision. For the purpose of this calculation, it shall be assumed that each residential unit shall house an average of two and one-half residents.
 - (2) Those developments that dedicate adequate quantities and qualities of park land acceptable to the City, in the City's sole discretion, shall not be required to pay the money in lieu of park land dedication. Only park land dedicated to the City of Montrose, and approved by the City, in the City's sole discretion, that meets the City's Comprehensive Plan, the minimum design standards as set forth herein, and that is improved to meet the City's park standards and specifications, shall qualify to relieve the subdivider of payment of money in lieu of park land dedication.
 - (3) Developed park land proposed for dedication or conveyance to the City shall require prior submittal and approval of a park plan by the City, which plan shall address the City's park standards and specifications.
 - (4) When authorized by the City, the required dedication of developed park land may be partially or wholly substituted by alternative dedication and/or preservation of open space areas such as riparian habitat, wetlands habitat, wildlife habitat and view corridors as approved by the City.
 - (5) Parks that are sized, developed, and located to meet the needs of the City and constructed in accordance with City standards and specifications may be dedicated to the City, and if so dedicated, shall be available for use by the public.
- (E) *Trail and Sidewalk Standards.*
 - (1) Trails shall be dedicated as needed to serve the recreational and transportation needs of the subdivision in conformance with the Comprehensive Plan, and shall provide

links to schools, the local and regional trail system, parks and open space areas, commercial and employment areas, public transit, community facilities such as libraries, and other destinations. Trails should be provided adjacent to or within natural and scenic areas and open space areas, when possible, in a manner that provides a recreational corridor without degrading the natural or scenic resource.

- (2) Sidewalks and recreation trails shall be integrated with existing and planned sidewalks and recreation trails in accordance with the City's Comprehensive Plan. The owner of each project shall dedicate the appropriate easements and/or rights-of-way consistent with said plans.
- (3) All sidewalk and recreational trails shall be available for use by the public.

(F) *Open Space and Watercourse Standards.*

- (1) If required by the City, open space shall be dedicated as necessary to preserve significant natural areas such as buttes, bluffs, and other geologic formations, water bodies/resources, wildlife habitat areas, fragile ecosystems (wetlands) riparian areas, floodplains, native trees and shrubs and/or other significant native vegetation. Open space shall also be dedicated as necessary to preserve lands which preserve significant views, provide transitions between different densities and uses (buffers) and otherwise serve to give shape and form to the proposed development and surrounding community.
- (2) Public access is not required for open space dedications.
- (3) Natural watercourses may be developed and preserved consistent with City floodplain management regulations, Storm Drainage Requirements and Federal Clean Water Act Section 404 Permit requirements, to minimize safety, environmental, and other hazards, and shall be integrated with the City's Comprehensive Plan for such watercourses whenever feasible.

(G) *Fees in Lieu of Dedication.*

- (1) In the event the dedication of required park land is not deemed suitable or not in the public interest within the development, the City Manager is hereby authorized to require the applicant, in-lieu thereof, to pay the City a fee-in-lieu-of land based on the amount of required land dedication as calculated in Section 11-5-9(D) above, and prorated using the average value of land in the City plus the cost per acre of constructing the improvements for that type of facility. Such fee may be updated from time to time to reflect current market land values and costs of the improvements and shall be adopted by Resolution and included in the City's fee schedule.
- (2) Alternatively, and if approved by the City Manager, the subdivider may develop or contribute to the improvement of an off-site facility if said facility conforms to the adopted standards in the Comprehensive Plan. Nothing contained herein shall be construed to prevent the City Manager from requiring that part of the park land dedication requirement be made in the form of dedicated land, and that part of such requirement be made in the form of cash in-lieu of the remaining requirements for such land.
- (3) When in-lieu payments are permitted, the following standards apply:
 - (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.

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

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- (c) Request waiver of the requirement to provide for school land dedication or payment in lieu, per Section 11-5-9(K) below.
 - (2) The preliminary plat and final plat of a proposed subdivision shall designate specific areas proposed for use as school sites, the number of acres so designated, and the proposed number of lots by dwelling unit type in the subdivision; or, the waiver of this requirement and agreement to provide cash in-lieu-of land; or a plat note indicating that no children will be generated by the development.
 - (3) School sites dedicated through this procedure shall conform to the school site size requirements and site criteria policy adopted by the School District and incorporated herein by this reference.
 - (4) *Determination of School Land Dedication.* If the City Council determines that the dedication of land for school purposes is appropriate, then the applicant shall convey the property and all improvements located thereon in the manner permitted by Section 11-5-9(B) to the School District at the time of recording of the final plat.
 - (5) *Fees in-Lieu of Land or Guarantee of Future Land Dedication.* When, after recommendation of the School District, dedication of all or portions of required school lands is not deemed feasible or in the public interest, in that event the City Council shall require the payment of fees in-lieu thereof.
 - (6) Monies collected in lieu of school land dedication shall be collected at time of issuance of building permit (or Certificate of Occupancy for those buildings commenced prior to final plat approval) and disbursed to the School District on a quarterly basis. No security as set forth in Section 11-5-12 shall be required.
 - (7) The following shall be exempted from school land dedication requirements or payment in-lieu-of fees:
 - (a) Skilled nursing facilities as defined in the Section 11-15-2 of this Title;
 - (b) City-approved subdivisions that are subject to recorded covenants restricting the age of the residents of said dwelling units such that the dwelling may be classified as housing for older persons pursuant to the Federal Fair Housing Amendments Act of 1988.
- (K) *Waiver of Requirements.*
- (1) The City Council may waive the required dedication of land or the payment in lieu of dedication of open space, parks, trails and/or school lands in the following cases:
 - (a) When the project has already been fully developed and the subdivision of land is necessary to bring the land into conformance with the as-built or as-constructed development;
 - (b) When the development does not result in any increase in demand for parks, trails, or open space; or
 - (c) With respect to school land dedication, the School District approves a waiver request under Section 11-5-9(J).
- (Ord. No. 2677, § 1(exh. A), 12-17-2024)

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

- (A) All subdivisions shall be provided, at the expense of the subdivider, and subject to applicable zoning criteria, with the following public improvements as required to serve the subdivision and to mitigate its impacts.
- (1) Street improvements:
 - (a) Paved streets;
 - (b) Paved alleys, if required by the City;
 - (c) Street signs;
 - (d) Street lights; and
 - (e) On- and off-site traffic mitigation improvements as identified in the subdivision's Traffic Impact Study as necessary to safely support the development.
 - (2) Curbs, gutters, sidewalks and accessibility ramps.
 - (3) Parks, open space and recreation trails.
 - (4) Public utilities:
 - (a) A water system including fire hydrants and fire mains;
 - (b) A sanitary sewer system;
 - (c) A stormwater system; and
 - (d) Other public utilities, including gas, electricity, and a minimum of three conduits for telecommunications.
 - (5) Drainage facilities and waterways.
 - (6) Survey monuments.
 - (7) As applicable, off-street parking, mailbox location areas and bus stops with accessibility ramps.
- (B) Other improvements required as a condition of approval and found to be roughly proportional to the impacts being mitigated. All public improvements shall be subject to applicable City minimum design standards, regulations and specifications.
- (C) Public improvements shall be secured by warranty and security instruments as required by Section 11-5-12.

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

Sec. 11-5-11. Private improvements.

- (A) The subdivider may provide, or may be required to provide as a condition of certain private improvements, as specifically referenced below, to serve the subdivision and to mitigate its impacts, and in accordance with duly adopted City standards, if applicable, to include:
- (1) Recreational facilities, parks, open space and trails;
 - (2) Drainage facilities and waterways;
 - (3) Mailbox location areas;

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- (4) Berms, screening and buffers; and
 - (5) Other private improvements required as a condition of approval.
- (B) Such improvements shall be privately-owned and/or -maintained, and the plat shall contain appropriate restrictions and/or covenants, in form approved by the City Attorney, governing use, ownership and maintenance in perpetuity enforceable by the City, providing for recovery of the City's costs by liens or assessment against the property in the subdivision. Such improvements shall be completed prior to issuance of building permits pursuant to Section 11-5-8.
- (Ord. No. 2677, § 1(exh. A), 12-17-2024)

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

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

completed. It shall then be unlawful to sell any further lots in the subdivision until all necessary on- and off-site improvements are completed.

- (C) The City Council may authorize extensions of time to complete all improvements beyond the one and two-year limitations as set forth herein.
- (D) Following the completion of required improvements and submission of the as-built plans, the City Engineer shall conduct an inspection and if the improvements are in accordance with the requirements of these and other applicable regulations and good engineering and construction standards, shall issue a Preliminary Letter of Infrastructure Completion as provided herein.
 - (1) A Letter of Substantial Completion may be issued when only landscaping and irrigation facilities are incomplete and secured as provided in Subsection 11-5-12(A) of this Section.
 - (a) In the case of subdivisions that have been issued a Letter of Substantial Completion, upon completion of the outstanding improvements and submission of the as-built plans therefor; the City Engineer shall conduct an inspection and shall issue a Preliminary Letter of Infrastructure Completion, if all required improvements are in accordance with the requirements of these and other applicable codes and regulations and good engineering and construction standards.
 - (2) The subdivider shall warrant the public improvements against defects or failures in workmanship or materials for a period of two calendar years from the date of the Preliminary Letter of Infrastructure Completion. During this two-calendar-year construction warranty period, the City will, as applicable, assume the responsibility for snow removal within public rights-of-way in regard thereto, but the subdivider shall remain responsible for all other maintenance and to correct all defects or failures that appear in any such public improvements during the construction warranty period.
 - (a) The City shall determine what constitutes a defect or failure in its sole discretion, provided that such are not the result of public abuse, misuse or normal wear from use. The City Engineer shall notify the subdivider in writing of such defect or failure, setting forth a list of specific deficiencies. If within 30 days after the City has notified the subdivider of a defect or failure, the subdivider has not started or completed the required repairs, provided construction drawings and a proposed repair schedule for City review and approval, or submitted a written objection to the to the City's request for repair work, the City is hereby authorized to make the repairs or replacements or to order the work be done by a third party. The City may authorize a temporary repair if necessary due to weather conditions or materials availability. The subdivider shall pay the cost of any repair work. Any appeal of the City Engineer's repair or replacement requirements shall follow the appeal process pursuant to Chapter 4-1-6 of the City Code.
 - (b) At the end of the warranty period, the subdivider shall request, in writing, that the City Engineer perform a final inspection of the improvements to facilitate the completion of the construction warranty.
 - (i) The City Engineer shall conduct an inspection of all public improvements, and upon final approval, as evidenced by the City's issuance of a Letter of Infrastructure Completion and Acceptance, the City shall accept the improvements, and the security held by the City shall be returned to the subdivider.

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

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

- (A) *Minimum Standards, Conformity to Preliminary Plat, and Approval Required.* All public improvements shall be constructed in accordance with the minimum standards set forth below or other applicable City design and construction specifications and standards, and other applicable City ordinances or regulations. All public and private improvements shall be in substantial conformity with the preliminary plat as approved, the City Comprehensive Plan and amendments thereto, and in accordance with good engineering and construction practices. All plans must be approved in advance by the City Engineer.
- (B) *Minimum Standards.*
- (1) *Streets.*
- (a) Subdivider shall be required to make and install improvements to existing streets within and abutting the subdivision and/or other areas outside the subdivision or any filing thereof being considered, including, but not limited to, curbs, gutters, sidewalks and street paving improvements, when the subdivision and developments thereof will directly create a need for said improvements outside the subdivision itself, if necessary to properly serve the subdivision.
 - (b) In those cases where the City determines that the immediate improvement of the abutting street, or other on-site or off-site improvements, is not currently practical, or should be delayed, or the costs of such improvements should be shared with additional property likely to use and be benefited by the improvements, the developer may be allowed to execute recordable covenants on the plat or separately in a form provided by the City, binding the lots in the subdivision to future assessments or participation in an improvement district for the construction of such improvements.
 - (c) Wherever topography will permit, the arrangement of the streets shall provide for the dedication and construction of street stubs to align with existing or future streets to adjoining developing or developable areas.
 - (d) Cul-de-sacs shall terminate in a circular turn-around having a minimum right-of-way of at least 100 feet in diameter, and a paved turn-around with a minimum outside diameter of 80 feet. Cul-de-sacs shall be not less than 100 feet long, and not more than 500 feet long, as measured from the center of the cul-de-sac bulb to the center of the intersecting street; use of cul-de-sacs is limited to places where street connections would be impractical.
 - (i) Cul-de-sacs longer than 300 feet shall require a recreation trail connection at the end that provides connectivity to the nearest City street.
 - (e) Temporary dead-end streets which extend for a distance greater than the depth of one abutting lot shall be provided with a temporary turn-around having a diameter of at least 80 feet.
 - (f) Whenever a new street is proposed along the edge of the subdivision, the entire street shall be dedicated and improved within the subdivision.
 - (g) No more than two streets shall intersect at any point. Intersections shall be as near as practicable to 90 degrees. A street shall have a minimum straight distance of 100 feet from the intersection before it may be curved.

- (h) A straight section of 100 feet shall be provided between reverse curves on all streets.
- (i) All lots in the subdivision shall have direct access to a dedicated street, subject to the following exceptions:
 - (i) One or more private shared access drives may be used to provide access for up to no more than four dwelling units each, subject to City Manager approval, in residential zoning districts. Shared access drives shall not be used as an extension of a cul-de-sac.
 - (ii) Reciprocal access easements may be approved to accommodate subdivisions with multiple commercial units sharing a contiguous parking area in commercial zoning districts.
- (j) Any two local streets which intersect a common third local or collector street shall have centerlines no closer than 175 feet from one another. Any two local streets which intersect a common third minor arterial or major arterial street, shall have centerlines no closer than 350 feet from one another.
 - (i) The City may limit access to major arterial or minor arterial streets to facilitate traffic flows, or to promote public safety.
- (k) The maximum block length, as measured from the centerline of the nearest intersecting streets, shall be a maximum of 700 feet.
- (l) Street names must be approved by the City and respective 911 authority.
- (m) Streets shall be developed in accordance with the City's Comprehensive Plan roadway cross sections, the City's engineering specifications, as applicable, and the table below. The minimum dedicated rights-of-way and street widths shall be as shown in Table 5.1.

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

Street Classification	Minimum Right-of-Way	Minimum Street Width Urban = Width (Distance Between Curb Flowlines)
Major Arterial	124 feet*	92 feet
Minor Arterial	80 feet*	Varies with traffic volume and whether parking is allowed, see engineering specifications for road widths
Collector	70 feet	46 feet
Local	50 feet	28 feet with detached 5-foot sidewalk; 36 feet with attached 6-foot sidewalk
Planned Developments	40 feet	27 feet with attached 6-foot sidewalks. Supplemental off-street parking may be required.
* ROW width shall be increased by 12 feet within 500 feet of an arterial cross street intersection to allow a double left turn lane.		

- (n) Subdivisions which include any part of an existing platted street which does not conform to the minimum right-of-way requirements of these regulations may be required to provide additional width necessary to meet the minimum right-of-way requirements of these regulations.

- (o) No street grade shall be less than one-half of one percent or exceed the maximum grade shown in Table 5.2.

Table 5.2 Maximum Street Grade

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

- (p) Alleys shall be provided at the rear of lots within the commercial zoning districts, or as otherwise approved by the City. Alleys shall be 20 feet in width and shall be paved in accordance with City specifications.

(2) *Curb, Gutter, Sidewalks and Trails.*

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

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- (a) In residentially zoned districts, blocks shall be wide enough to permit two lots between lengthwise streets.
 - (b) The building line for residential lots on collector streets shall be set back 25 feet from the front property line.
 - (c) The building line on corner lots shall be set back 25 feet from both street front property lines.
 - (d) Lots which abut a street in the front and the rear shall be avoided except where a railroad right-of-way, a major arterial or minor arterial street is located to the rear of the lot, in which case such a lot shall have a minimum depth of 125 feet.
 - (e) Every lot shall front on a designated collector or local street, subject however, to the following exceptions:
 - (i) One or more private shared access drives may be used to provide access up to no more than four dwelling units each, subject to City approval, in residential zoning districts. Shared access drives shall not be used as an extension of a cul-de-sac.
 - (ii) Private access easements may be provided, subject to City approval, in subdivisions within commercial zoning districts across parking lot areas;
 - (iii) In such instances, the shared access improvements shall be subject to City specifications and the restrictions set forth in Section 11-5-11(B).
 - (f) No residential lot shall front on a major arterial or minor arterial street. No access shall be permitted directly from a residential lot to a major arterial or minor arterial street.
 - (g) The lot depth shall not be more than three times the lot width at the front of the building line of the principal structure.
 - (h) Access drives and intersections shall comply with City access standards and the transportation plan. In addition, accesses onto County roads shall comply with applicable County regulations.
 - (i) Lots shall be at least 50 feet in width at the front of the building line of the principal structure. Lots abutting cul-de-sacs shall have at least 25 feet of linear frontage to the cul-de-sac.
 - (j) Sight triangles shall be shown on the plat as per the engineering specifications.
- (4) *Public Utilities.*
- (a) All utilities shall be installed underground unless the City Engineer determines that soil or topographic conditions make that impracticable.
 - (b) Utilities shall be installed prior to the paving of any street under which they are to be located and the individual service lines shall be connected and stubbed out prior to paving, in order to avoid the necessity of cutting into the pavement to connect any abutting lots.
 - (c) Utilities will be sized and placed as necessary to facilitate connection with future subdivisions and developments. With the exception of terminal lines and fire hydrant laterals where sufficient hydraulic capacity can be demonstrated, all water mains shall be a minimum eight inches diameter in all zoning districts. At a minimum, eight-inch diameter sewer main lines shall be provided in all zoning

districts. Individually conveyable lots shall each require a singular water and sewer lateral connection to a public main line.

- (d) The City may elect to require over-sizing of the extended utility and pay for the cost of such materials accordingly.
 - (e) City water and sewer systems shall be provided except where the City has required an alternative supplier by service area agreement with such alternative provider. In cases where alternative utilities are provided on a temporary basis, connection to City services shall be required at such time they are made available to the subject property.
 - (f) In the event that City sewer service will not be available within a reasonable time period following final plat approval, engineered individual sewage disposal systems may be authorized by the City for those subdivisions occurring within the residential rural living zoning districts with lot sizes of five acres or greater. Advance City approval shall be required in each case.
 - (g) All extension of City utilities shall require City approval and proper execution of City utility extension agreements. The extension of utilities shall be at the sole expense of the subdivider.
 - (h) Prior to any installation or construction of utility extensions, the subdivider shall first submit proposed alignment location maps and engineered drawings for City approval. The subdivider shall acquire all necessary easements for the proposed utility location from all affected properties. The easements shall be conveyed to the City and executed on applicable City forms.
 - (i) All utility extensions shall be subject to City inspection and approval.
 - (j) All utility main line extensions, once approved by the City, shall be dedicated to the City with applicable utility easements. As-built plans and data shall be provided on hard copy in accordance with these provisions and in a digital format compatible with City computer systems.
 - (k) Following the completion of any utility extension and submission of the as-built plans, the City Engineer shall conduct an inspection, and if the improvements are in accordance with the requirements of these and other applicable regulations and good engineering and construction standards, shall issue a Preliminary Letter of Infrastructure Completion.
 - (i) For a period of two calendar years thereafter, the subdivider shall be responsible for correcting all defects or failures that appear in such improvements.
 - (ii) At the completion of this two-calendar-year construction warranty period, upon written request from the subdivider, all public and necessary on- and off-site improvements shall again be inspected by the City Engineer, and upon final approval, may be accepted by the City, as evidenced by issuance of a Letter of Infrastructure Completion and Acceptance. The provisions set forth in Section 11-5-12(D) shall apply to improvements and construction covered by this Section.
- (5) *Piped Drainage Facilities and Waterways.*
- (a) Stormwater discharge improvements shall be engineered and approved in accordance with City specifications, stormwater retention on site shall be

discouraged. When feasible to do so and when requested by the City Engineer, all ditches shall be piped and subject to platted easements to be dedicated either to the City or to the applicable owner of the ditch facilities. The City may elect to allow the location of piped ditch facilities within its rights-of-way at its discretion. Perpetual maintenance shall be provided pursuant to plat notes and/or City-approved covenants.

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

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

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

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

- (1) Unusual topography or a non-financial hardship exists;
- (2) Alternative standards will more effectively protect the quality of the subdivision and the public welfare and more effectively achieve the purposes of these regulations;
- (3) Alternative standards will more effectively implement provisions of the City's Comprehensive Plan; or

-
- (4) Alternative standards will more effectively conform to existing improvements within the subdivision, which existing improvements have been previously approved by either the City or the County of Montrose in accordance with applicable laws and regulations.

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

MEMO



To: Planning Commission
From: William Reis, Senior Planner
Date: August 12, 2026
Re: Chelsi Lane & Townhomes Amended PD Plan
Attachments:

- Exhibit A: Maps
- Exhibit B: Chelsi Replat Amended PD Plan and Preliminary Plat
- Exhibit C: Excerpts from City of Montrose Municipal Code

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

Planning Commission Consideration:

The Planning Commission shall make a recommendation to City Council to approve, deny, or approve with conditions the Chelsi Lane & Townhomes Amended PD Plan. The Planning Commission will consider all of the information in this memo in making a decision.

Application Background:

The Chelsi Replat Subdivision is located on Margot Court. The original Chelsi Replat Amended PD Plan and Preliminary Plat was recorded under Reception #580058 on August 20, 1992. This PD plan approved 36 townhome units split amongst 6 buildings, as well as a cul-de-sac off of Margot Court known as Chelsi Court. Two buildings were completed under this plat, addressed as 990 and 1020 Margot Court. The other 24 units were never developed, but are still approved under the 1992 PD Plan. This PD Plan Amendment reduces this number to 23 units.

The meeting before City Council to approve or deny the Preliminary Plat is tentatively scheduled for September 15, 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)).

Fiscal Impact

The proposed development is not anticipated to have a significant immediate fiscal impact on the City. Review and permitting activities associated with future development will generate applicable fees, and any required public infrastructure improvements will be constructed or financed by the developer in accordance with the City's subdivision regulations and development standards. Future maintenance responsibilities for any public improvements accepted by the City will be incorporated into the City's ongoing operational responsibilities.

Applicant: Selvin Sandoval, El Chapin Investment Group, LLC

Staff Analysis:

1. Planned Development Application Details & Review Standards:
The City of Montrose Municipal Code outlines the process and standards for Planned Development applications. The preliminary plat and proposed improvements shall comply with all requirements of the zoning 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 11-7 and summarized below: (See Exhibit B)

- a. A planned development must be in substantial conformity with the Comprehensive Plan.
 - b. A minimum of 20 percent of the gross area of the planned development must be preserved as useable open space, as defined in Section 11-15-2. The 20 percent useable open space requirement shall not apply to a proposed PD containing six or fewer units and processed under Subsection C(5).
 - c. Planned developments in the “RL” zoning district must consider and reasonably minimize adverse impacts on existing agricultural uses or other property in the area.
 - d. Residential dwellings may be clustered, including the use of single-household dwelling, duplex and multi-household dwellings.
 - e. Affordable housing, as defined in Section 11-15-2, may be included in a planned development.
 - f. Approval of a planned development by the City is purely discretionary. If the City and the applicant do not agree on all required conditions and the plan, the City may deny approval, or the City may unilaterally impose conditions. If the developer does not accept all conditions, that development must adhere to standard subdivision and zoning requirements.
2. Comprehensive Plan:
 - The Comprehensive Plan Future Land Use Map identifies this parcel as located 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.
 - Objective LU 5.4: Promote infill and development of improved lots and subdivisions.
 - Objective HN 1.1: Promote a mix of residential housing types including single-family homes on a variety of lot sizes, multi-family housing, townhomes, apartments, senior housing, and transitional housing.
 - Objective HN 1.2: Encourage a variety of housing densities (low, medium, high) throughout the community, including mixed-density neighborhoods.
3. Zoning Regulations:
 - Municipal Code, Section 11-7-5 (A)(4): The “R-2” Low Density District is intended to provide primarily for development of single-household detached and duplex dwellings, along with certain other compatible land uses.
 - The proposed use has already been approved through the Chelsi Replat Amended PD Plan and Preliminary Plat on August 20, 1992. The applicant may request a reduction in the number of units through an Amended Planned Development application.
4. The Chelsi Lane & Townhomes Amended PD Plan 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 Chelsi Land & Townhomes Amended PD Plan. The Planning Commission may also continue the item. Proposed motions for Planning Commission consideration are included below.

Planning Commission Recommendation Alternatives for Amended Preliminary Planned Development:

Conditional Approval Motion: "I hereby make a motion to recommend to City Council approval of the Amended Preliminary Planned Development application with the following condition(s). The approval of this Amended Preliminary Planned Development 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 Planned Development. 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 Amended Preliminary Planned 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: Maps



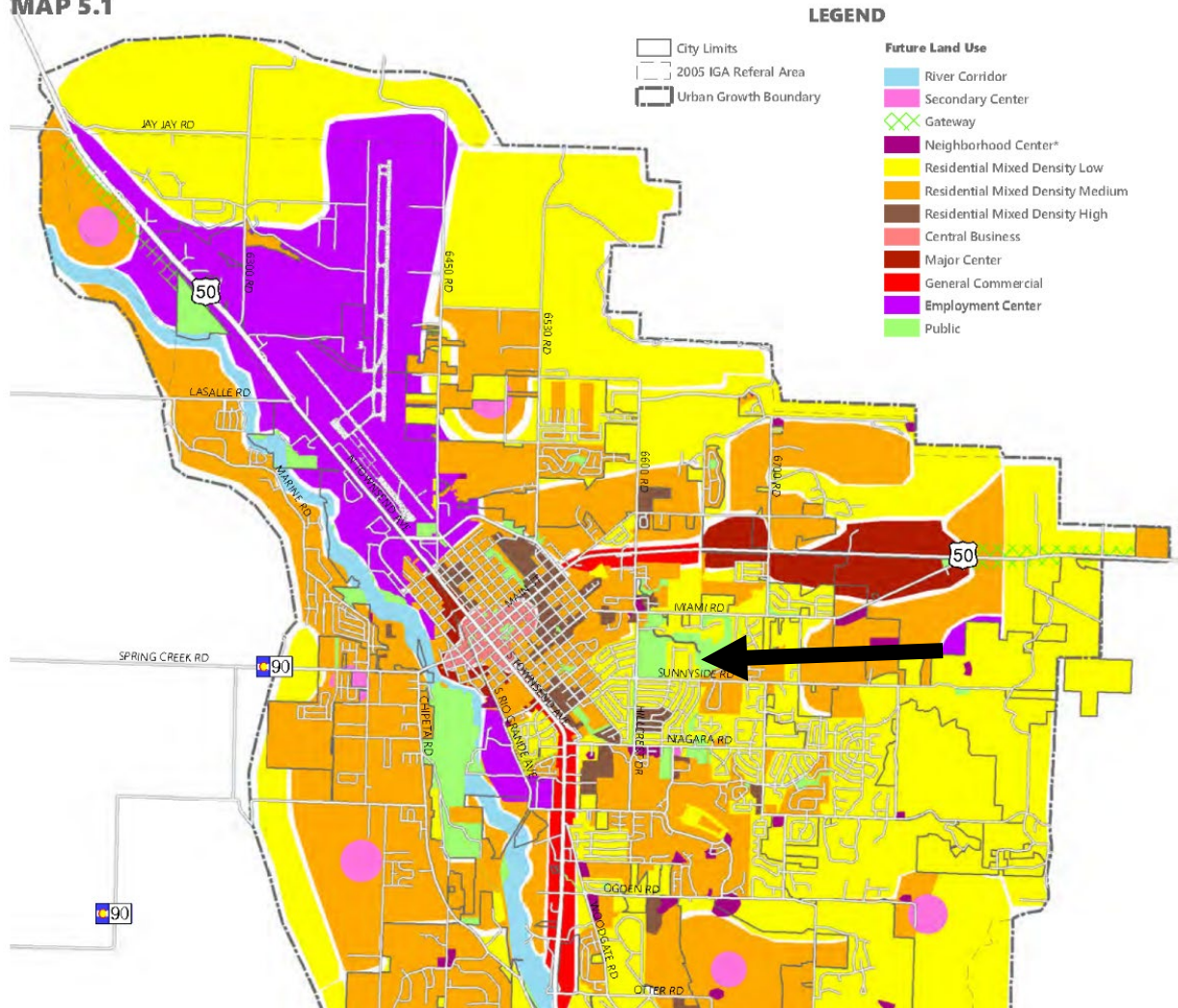
Chelsi Lane Preliminary PD/Plat Zoning Map



Comprehensive Plan Future Land Use Map

FUTURE LAND USE

MAP 5.1

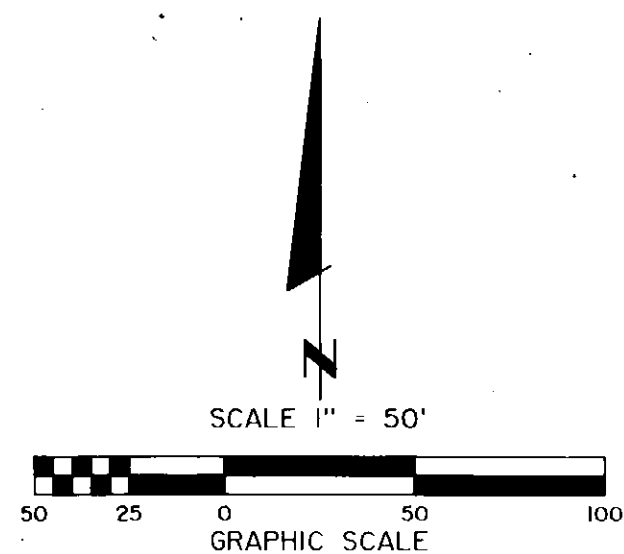
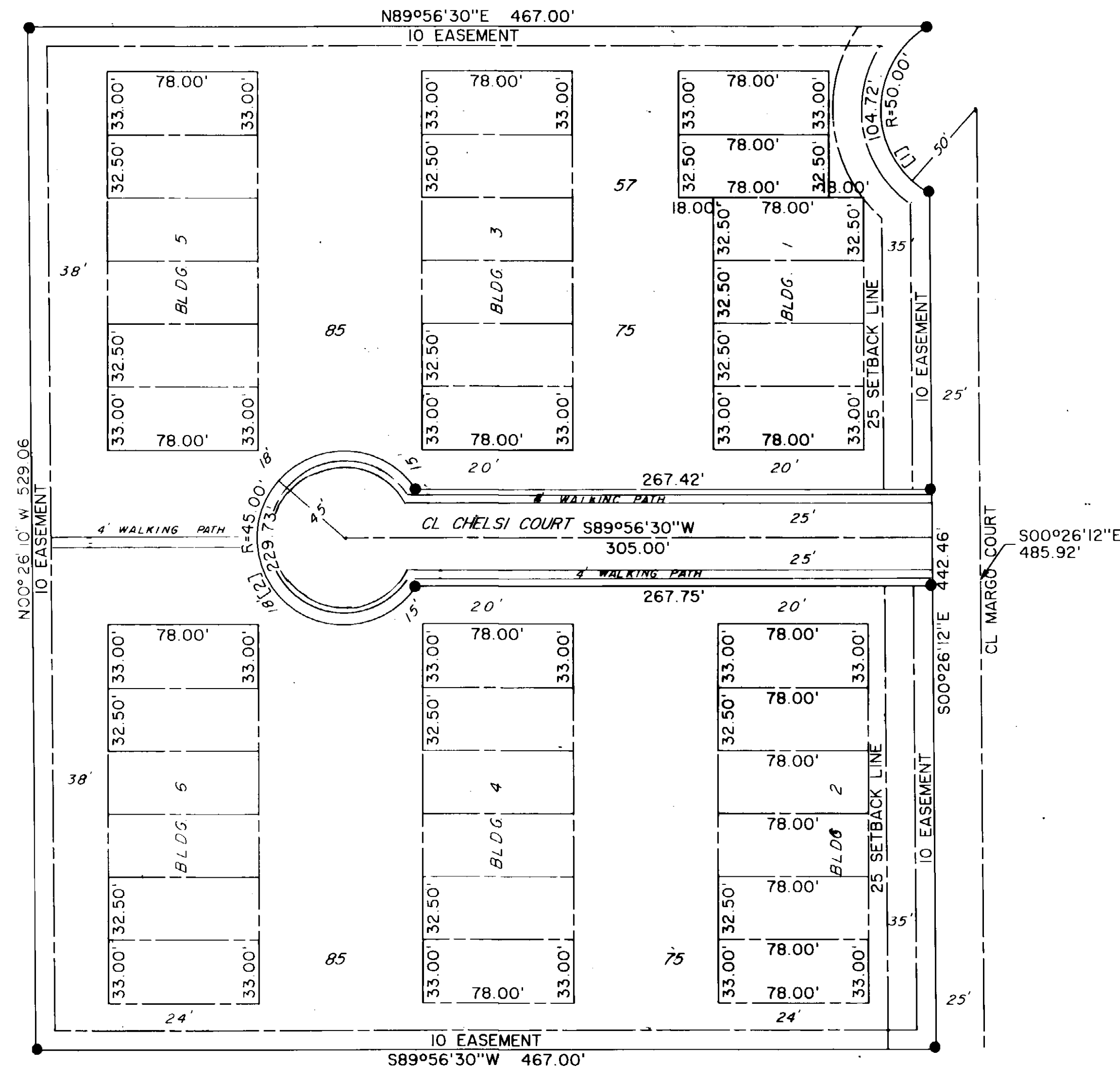


CHELSI REPLAT

AMENDED PD PLAN & PRELIMINARY PLAT FOR LOT 19. AMENDED REPLAT OF SUNNYSIDE VILLAGE SUBDIVISION

CITY OF MONTROSE MONTROSE COUNTY, COLORADO

- AMENDED PLANNED DEVELOPMENT PLAN
- NOTES:
1. Lot 19 CHELSI REPLAT will have 6 buildings with 6 units each (as shown)
 2. The CUL-DE-SAC will a 90 foot diameter with a minimum paved turn around of 80 feet (outside diameter)
 3. A four (4) foot wide side-walk/walking path is required to connect the existing side-walk to the CUL-DE-SAC on CHELSI COURT
 4. A four (4) foot wide walking path (as shown) on both sides of CHELSI COURT and the CUL-DE-SAC will be constructed for access and drainage control
 5. BUILDINGS 6, 5, 4 & 3 are allowed up to a five (5) foot variance from the required 20 foot set-back at their respective corners for the placement of the CUL-DE-SAC (as shown)



LEGEND

LCE = LIMITED COMMON ELEMENT
GCE = GENERAL COMMON ELEMENT
● = SET REBAR & CAP L.S. #7970

NO	RADIUS	ARC	DELTA	TANGENT	CHORD
1	50.00	104.72	120°00'17"	86.61	86.60
2	45.00	229.73	292°30'14"	---	50.00
3	75.00	109.54	083°40'43"	67.15	100.06
4	60.00	284.61	271°47'13"	---	83.52

CERTIFICATE OF DEDICATION AND OWNERSHIP

KNOW ALL MEN BY THESE PRESENTS: that the undersigned being the owners of certain lands in the City of Montrose, Montrose County, Colorado, to wit: the portion shown hereon of Lot 19, Amended Replat of Sunny Village Subdivision according to the plat as recorded in Book _____ Page _____ Reception No. _____ Montrose County Records Have by these presents laid out, platted and subdivided the same into lots as shown on this plat under the name and style of CHELSI REPLAT and do hereby dedicate, grant, and convey to the City of Montrose, Colorado, for the use of the public, Chelsi Court as hereon shown. The easements shown are dedicated, granted and conveyed to the City of Montrose, Colorado, for public utility and drainage purposes, including, but not limited to, electric, gas, telephone, water, storm sewer and sewer lines and CATV lines, together with perpetual right of ingress and egress for installation, maintenance and replacement of such lines.

Executed this 24 day of July, 1992
Phillips Construction Co. Inc.
By Larry A. Phillips
Larry A. Phillips President

STATE OF COLORADO]
COUNTY OF MONTROSE]
The foregoing dedication was acknowledged before me this 24 day of July, 1992, A.D. by Larry A. Phillips President Phillips Const. Co. Inc. Witness my hand and official seal. My commission expires March 22, 1996.

Roma B. Larsen
Roma B. Larsen
1500 Bristol Drive
Montrose, Colorado 81401

ATTORNEY'S CERTIFICATE

I, DANIEL M. MASTERS, an attorney at law, duly licensed to practice in Colorado do hereby certify that I have examined the title of all land herein platted and described in the above Certificate of Ownership and Dedication and that title to such land is in the owners and dedicators and that the title to the land dedicated hereon, including the dedication for utility and drainage easements and streets is free and clear of all liens and encumbrances

Daniel M. Masters
Attorney at Law

July 20, 1992
Date

SURVEYOR'S STATEMENT

I, Pete P. Larsen, a registered Land Surveyor in the State of Colorado, do hereby declare that there are no roads, pipelines, irrigation ditches or other easements in evidence or known to me to exist on or across said property except as shown on this plat. I declare that I have made the survey represented by this plat and that this plat accurately represents said survey and conforms to all applicable requirements of the City Subdivision Regulations. I further declare that all monuments shown hereon accurately show their positions as shown.

Pete P. Larsen
Pete P. Larsen
7970

July 24, 1992
date

CERTIFICATE OF RECEIPT OF SECURITY

I, Maya Watt, City Clerk for the City of Montrose, Colorado, hereby certify that security, in an amount and with conditions as required by the City's Subdivision Regulations, has been received from the subdividers providing for and securing to the City the actual construction and installation of the following improvements and utilities:

water lines, sewer lines, streets, including base and rest, concrete, + street lights.

CERTIFICATE OF COMPLETED IMPROVEMENTS

I, Frank Mearns, City Engineering Department, certify that all improvements and utilities required by the current subdivision regulations of the City of Montrose, have been constructed and installed in this subdivision in accordance with applicable City Regulations and specifications except as follows: INSTALLATION OF WATER LINES, SEWER LINES, STREETS INCLUDING BASE AND REST, CONCRETE, AND STREET LIGHTS.

Frank Mearns
City Engineering Department

APPROVAL OF CITY ATTORNEY

Approved for recording this 18 day of Aug, 1992, by John Kappa City Attorney

John Kappa
John Kappa City Attorney

APPROVAL OF CITY MANAGER

Approved this 30th day of JULY, 1992, by Theodore A. Conley City Manager

Theodore A. Conley
City Manager

APPROVAL OF PLANNING COMMISSION

Approved by the Montrose City Planning Commission this 12 day of July, 1992.

B. Dianne Warren
Chairman

APPROVAL OF CITY COUNCIL

Approved by the Montrose City Council this 29 day of July, 1992.
Margaret A. Carey
Mayor

RECORDER'S CERTIFICATE

This plat was filed for record in the office of the Clerk & Recorder of Montrose County, Colorado, at 9 A.M., on the 20 day of August, 1992, in

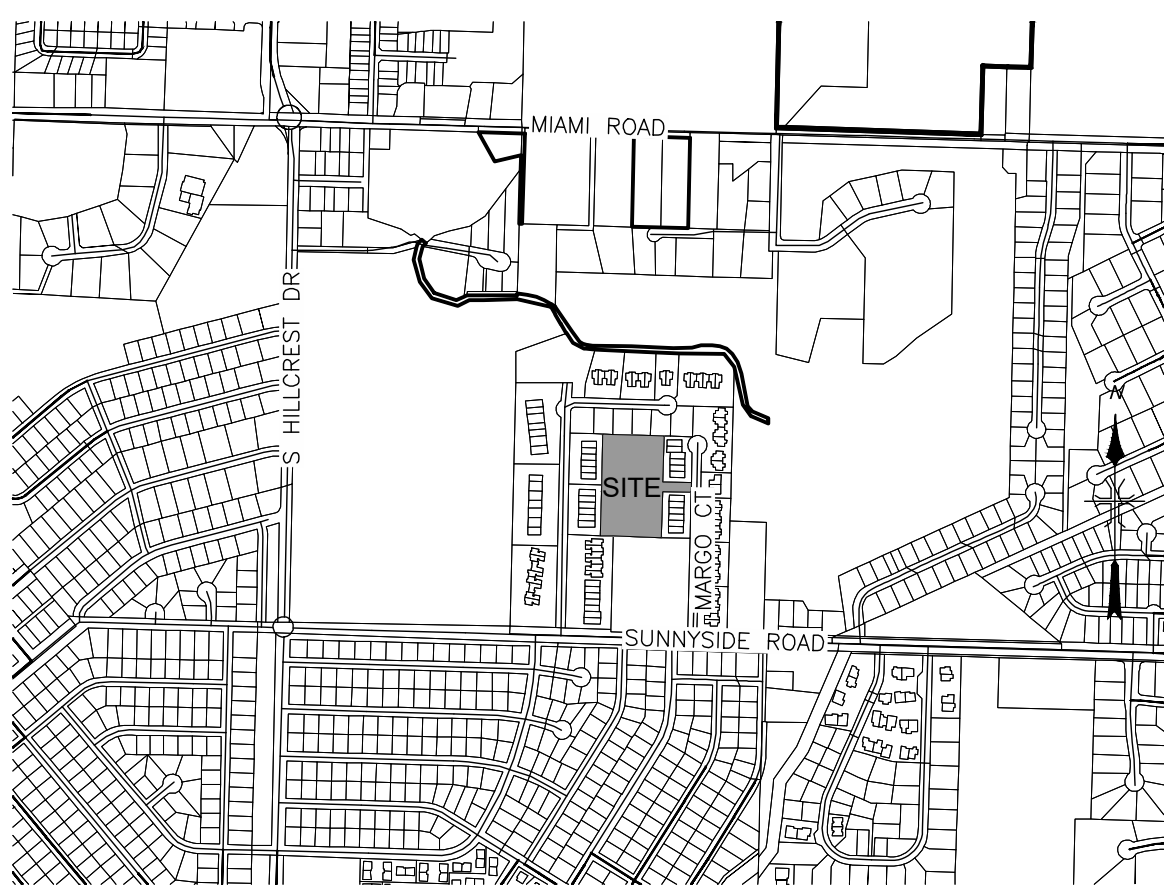
Book 12 Page 1069 Reception No. 580058
Paul E. Heath
Montrose County Clerk & Recorder

Noema Jaber
Deputy

CHELSI LANE & TOWNHOMES

AMENDED PD PLAN FOR CHELSI REPLAT

SITUATED IN SE1/4 SW1/4 SECTION 26, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO



VICINITY MAP
N.T.S.

AREA SUMMARY:
RIGHT-OF-WAY 0.45 ACRES
COMMON ELEMENTS 2.21 ACRES
LOTS 1.55 ACRES
TOTAL 4.01 ACRES

DEVELOPER: EL CHAPIN INVESTMENT GROUP, LLC
909 S. TOWNSEND
MONTROSE, CO 81401

ENGINEER: DEL-MONT CONSULTANTS, INC.
125 COLORADO AVE.
MONTROSE, CO 81401
(970) 249-2251

CERTIFICATE OF OWNERSHIP

KNOW ALL YE BY THESE PRESENTS that the undersigned being the owners of certain lands in the City of Montrose, County of Montrose and State of Colorado to wit:

Chelsi Replat as shown on Plat recorded August 20, 1992 in Book 12 at Page 1069, Less and Except second Amended Plat of Lot Split, Filing No. 1, Chelsi Replat as shown on Plat recorded February 9, 1994 in Book 12 at Page 1240, And Also Except Plat of Lot Split, Filing No. 2, Chelsi Replat, Amended PD Plan and Plat for Lot 19, Amended Replat of Sunnyside Village Subdivision as shown by Plat recorded October 8, 1993 in Book 12 at Page 1200, County of Montrose, State of Colorado.

Have by these presents laid out, platted and subdivided the same into lots, as shown on this plat, under the name and style of Chelsi Lane & Townhomes Preliminary Plat.

The undersigned Declarants and owners named herein, hereby submit this Planned Development Plan under the name and style of Chelsi Lane & Townhomes, in accordance with the requirements of Section 4-4-21 of the Official Code of the City of Montrose, Colorado, and hereby declare this Plan to be a covenant which shall run with the land described hereinbelow for the mutual benefit of the owners thereof, which Plan may be amended in accordance with the procedures for an amendment set forth in Section 4-4-21 of the Official Code of the City of Montrose, Colorado.

Executed this ____ day of _____, 20____.

Selvin O. Sandoval, Member
El Chapin Investment Group LLC, a Colorado Limited Liability Company

STATE OF COLORADO)
)ss.
COUNTY OF MONTROSE)

The foregoing certificate was acknowledged before me this _____ day of _____, 20____ by Selvin O. Sandoval.

My commission expires _____.

Witness my hand and seal _____
Notary Public

AMENDED PLANNED DEVELOPMENT PLAN

- Chelsi Lane & Townhomes will have 3 buildings with 6 units each and 1 building with 5 units.
- The CUL-DE-SAC will be a 90 foot diameter with a minimum paved turn around of 80 feet outside diameter.
- A four (4) foot wide side-walk/walking path is required to connect the existing sidewalk to the CUL-DE-SAC on Chelsi Lane.
- A four (4) foot wide walking path (as shown) on both sides of CHELSI LANE and the CUL-DE-SAC will be constructed for access and drainage control.
- Buildings 6, 5, 4, & 3, are allowed up to a five (5) foot variance from the required 20 foot set-back at their respective corners for the placement of the CUL-DE-SAC (as shown).

BASIS OF BEARINGS:

The bearing between the found 1 1/2" aluminum cap on 5/8" rebar PLS 37690 along the West line of the Chelsi Lane & Townhomes Plat bears N01°20'57"E (ASSUMED).

LINEAL UNITS STATEMENT:

The Lineal Unit used on this plat is U.S. Survey Feet

ATTORNEY'S CERTIFICATE

I, _____, an Attorney at Law, duly licensed to practice in Colorado, do hereby certify that I have examined the title of all land herein platted and described in the above Certificate of Ownership and Dedication, and that title to such land is in the owners and dedicators, and that the title to all dedicated property therein described, is free and clear of all liens and encumbrances except _____

Based on a review of title commitment # _____

Attorney
Registration No. _____
Date: _____

SURVEYORS CERTIFICATE

I, Frederick Ballard, a Registered Land Surveyor in the State of Colorado, do hereby certify that there are no roads, pipelines, irrigation ditches or other easements or rights-of-way in evidence or known to me to exist on or across said property except as shown on this plat. I certify that I have made the survey represented by this plat and that this plat accurately represents said survey, and conforms to all applicable requirements of the City Subdivision Regulations and applicable law. I further certify that all monuments shown hereon actually exist and their positions are as shown.

C.R.S. Section 38-51-106 Statement: this plat does not represent a title search by the Surveyor, nor by any professional corporation or business entity with which said Surveyor may be associated. Information regarding the title work performed for and used in producing this plat may be found in the title report issued by Fidelity National Title Company, dated February 7, 2024 bearing policy number 210-F01340-24.

APPROVAL OF CITY MANAGER

Approved this _____ day of _____, 20____, by _____, Deputy City Manager of the City of Montrose.

Deputy City Manager

APPROVAL OF CITY ATTORNEY

Approved for recording this _____ day of _____, 20____, by _____, City Attorney of the City of Montrose.

City Attorney
Atty. Reg. No. _____

APPROVAL OF CITY COUNCIL

Approved this _____ day of _____, 20____, by _____, Mayor of the City of Montrose; all conveyances of interests in real property made on this plat are hereby accepted by the City.

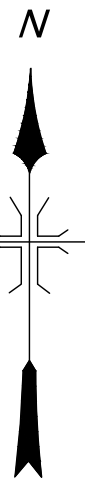
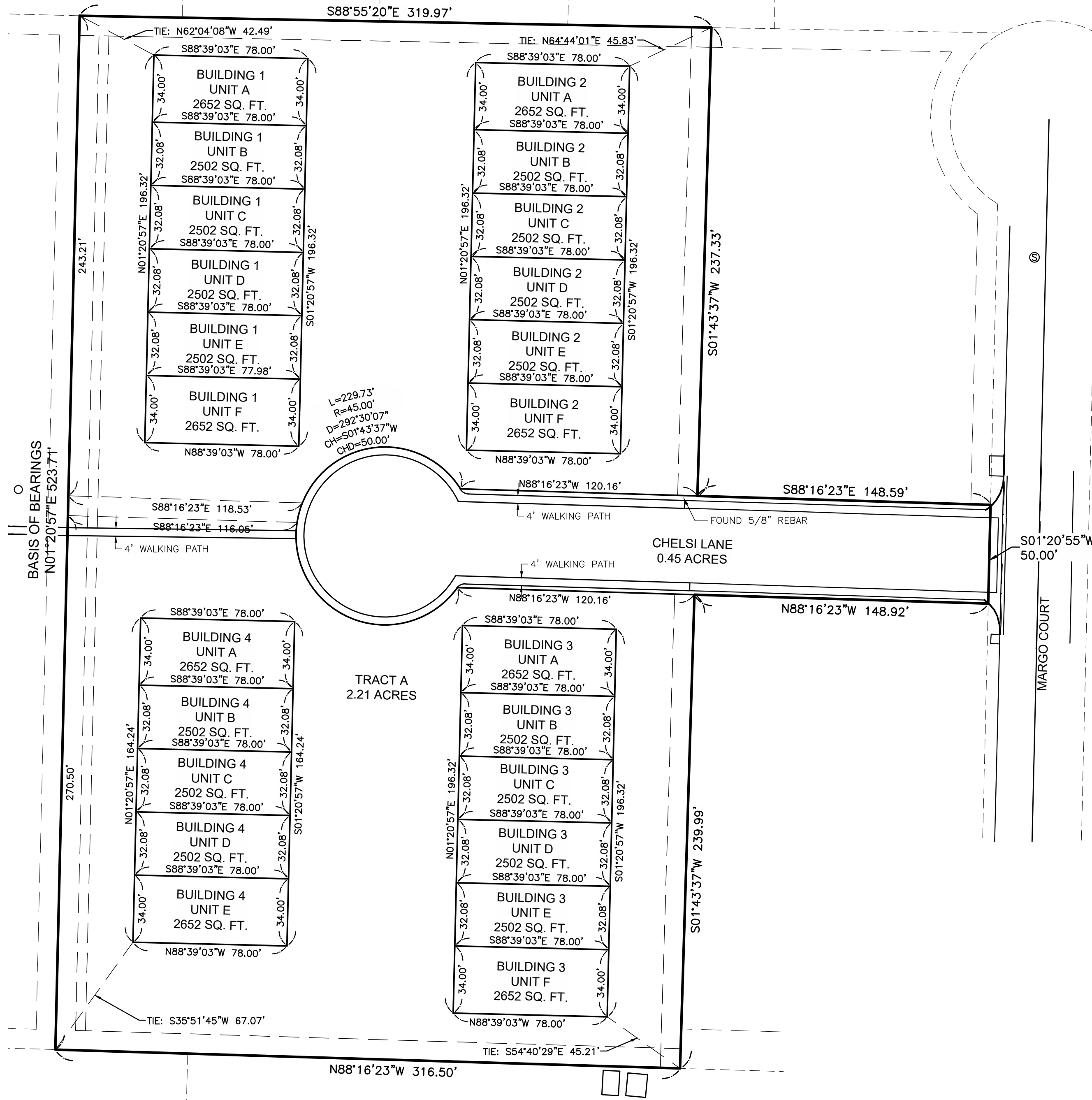
Mayor

RECORDER'S CERTIFICATE

This plat was filed for record in the office of the Clerk and Recorder of Montrose County, Colorado, at the time of _____, on the _____ day of _____, 20____, under Reception No. _____.

County Clerk and Recorder

Deputy



Scale in feet
40' 0 40' 80'

LEGEND

- = FOUND 1 1/2" ALUMINUM CAP ON 5/8" REBAR (PLS 36054)
- ▼ = FOUND 1 1/2" ALUMINUM CAP ON 5/8" REBAR (LS 7970)
- = FOUND 1 1/2" ALUMINUM CAP ON 5/8" REBAR (LS 9189)

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\2024\24090-MARGO COURT DEVELOPMENT\C3D\24090V_PLAT-AMND-PD.DWG

Colorado Registered Land Surveyor:
Frederick Ballard
Registration No. 37690
Date: _____

TITLE: CHELSEI LANE & TOWNHOMES AMENDED PD PLAN		CLIENT: SANDOVAL CONSTRUCTION, LLC	
FIELD BOOK: 918		DRAWN BY: MGW	
SHEET: 1 of 1		JOB NO.: 24090V_PLAT-AMND-PD	
DATE: 2026-07-14		TYPE: PD PLAN	

Sec. 11-7-8. Planned Development (PD).

- (A) *Intent.* The intent of this Section is to encourage the development of tracts of land in accordance with an overall development plan by providing flexibility with respect to dimensional requirements of residential units.
- (B) *General Provisions.*
- (1) A planned development must be in substantial conformity with the Comprehensive Plan.
 - (2) A minimum of 20 percent of the gross area of the planned development must be preserved as useable open space, as defined in Section 11-15-2. The 20 percent useable open space requirement shall not apply to a proposed PD containing six or fewer units and processed under Subsection C(5).
 - (3) Planned developments in the "RL" zoning district must consider and reasonably minimize adverse impacts on existing agricultural uses or other property in the area.
 - (4) Residential dwellings may be clustered, including the use of single-household dwelling, duplex and multi-household dwellings.
 - (5) Affordable housing, as defined in Section 11-15-2, may be included in a planned development.
 - (6) Approval of a planned development by the City is purely discretionary. If the City and the applicant do not agree on all required conditions and the plan, the City may deny approval, or the City may unilaterally impose conditions. If the developer does not accept all conditions, that development must adhere to standard subdivision and zoning requirements.
- (C) *Permitted Uses in a PD.*
- (1) Any use permitted in the underlying zone district, limited as to its status as a use by right, a conditional use, or a temporary use, unless otherwise limited or permitted on the PD plan.
- (D) *Administrative PD Procedure.* This procedure is applicable for planned developments containing six or fewer units:
- (1) All lots or tracts are adjacent to a dedicated and accepted public street;
 - (2) The lots are part of a subdivision or PD plat that has been previously approved and/or accepted by the City and recorded in the Montrose County Records;
 - (3) All improvements required by applicable City ordinances and regulations, including those related to PD Plans, are already in existence and available to serve each lot, or secured;
 - (4) No part of the Administrative PD has been approved as part of an Administrative PD within three years prior to the date of submission of the Administrative PD plat;
 - (5) No material changes to prior restrictions or easements are proposed; and
 - (6) Provisions of Section 11-5-3(B) through and including (E) of this Title shall apply.
 - (7) Approval of an Administrative PD by the City is purely discretionary. If the City and the applicant do not agree on all required conditions and the plan, the City may deny approval, or the City may unilaterally impose conditions. If the applicant does not

accept all conditions, that development must adhere to standard subdivision or PD requirements, and proceed through the applicable approval process.

- (8) Prior to any review of the Administrative PD, the applicant shall provide written consent of all property owners within the proposed Administrative PD plan area. To the extent only a portion of a prior-approved Administrative PD plan area is proposed to be amended by the Administrative PD Plan application, then only the consent of the property owners within such portion shall be required.
- (9) Amendments to Administrative PDs may be submitted for review and approval in the same manner as the initial Administrative PD.

(E) *Dimensional Requirements, Densities.*

- (1) Dimensional requirements, except those relating to overall residential density, which would otherwise be required by the City Zoning Regulations, or other City regulations for the district affected, may be deviated from in accordance with the plan as approved, if the Review Board determines that such deviations are in compliance with the Comprehensive Plan and will promote the public health, safety and welfare.
- (2) The Review Board may impose conditions as necessary or appropriate. The total number of residential units shall not exceed the area of the site divided by the minimum lot sizes specified for the zoning districts included.

(F) *Review of Sketch, Preliminary and Final PD Plan.*

- (1) The sketch plan, preliminary plan and final PD plans shall be reviewed pursuant to the procedures and requirements for subdivisions as set out in Chapter 11-5 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. For the approval of any preliminary PD Plan or a substantial amendment to a PD plan, a hearing shall be held before City Council.
- (2) Prior to any review of the Sketch, Preliminary and Final PD Plan, the applicant shall provide written consent of all property owners within the proposed PD plan area. For the purposes of this Section, "PD plan area" is the entirety of the territory proposed to be included in a PD plan; provided, however, that for applications for PD plan amendments, only the portion of the PD plan area being amended or affected shall constitute the PD plan area for such application for purposes of consent; nevertheless, all owners of property within the PD must be given notice of the public hearing at which the amendment is to be considered.
- (3) Conditions may be imposed as appropriate to assure that the PD plan is consistent with the Comprehensive Plan and promotes the public health, safety and welfare.
- (4) The plan shall show the location, size, number of dwelling units, and other uses, and shall further set out the location of all parks, open space, parking areas, streets, sidewalks, trails, bike paths and other improvements and structures. All information necessary to show compliance with the requirements of this Section shall be submitted. Where appropriate, in lieu of exact locations, numbers and sizes, parameters or limits may be set out.
- (5) The PD Plan as approved shall be recorded.

-
- (6) The final PD plan may be treated as a vested right pursuant to the procedure in 11-4-9.

(G) *Required Improvements.*

- (1) All PDs shall provide the same improvements as required for subdivisions in Chapter 11-5 of this Title, and security therefore shall be provided as set out in Section 11-5-12 of this Title.
- (2) All improvements shall be constructed in accordance with standard City design and construction specifications and standards, in substantial conformity with the PD plan, and in accordance with subdivision design standards as set out in Chapter 11-5 of this Title, except as modified by the PD plan.
- (3) An entity shall be established or provided for ownership and maintenance of all facilities and open spaces, which are approved for common ownership or not dedicated to the City.
- (4) Flexibility in the scope and design of required improvements and design standards may be allowed to provide for innovative urban design which promotes the public health, safety and welfare. A public street shall be dedicated to the City and developed at the developer's cost to provide direct access to each building with residential units or to the parking lot serving the building.

(H) *Enforcement and Amendments.*

- (1) The PD plan may be enforced in accordance with or in the same manner as the provisions of the Planned Unit Development Act of 1972, as amended, C.R.S. 1973, § 24-67-101 et seq., as amended or in any lawful manner. In addition, no occupancy permit shall be issued for any building unless all site improvements to serve that unit and any commonly-owned facilities have been completed and approved unless security for completion is provided substantially similar to the security required for subdivision improvements by 11-5-12 of this Title, except that cash must be placed in the escrow account prior to issuance of the occupancy permit.
- (2) Amended PD plans may be submitted for review and approval in the same manner as the initial PD Plan. An applicant for an Amended PD plan shall submit written consent of the property owners of the portion of the PD plan area to which the application applies, prior to and as a condition of the initiation of review of the application. Written consent from all property owners within the prior-approved PD plan area is not required as part of the Amended PD plan application. Advance notice of any review of an Amended PD plan application by the Planning Commission shall occur pursuant to Chapter 11-4 of this Title, with the added requirement that advance written notice shall be provided to all property owners of record within the prior-approved PD plan area, in addition to all property owners of record adjoining or within 300 feet of the proposed Amended PD plan area.

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

MEMO



To: Planning Commission
From: William Reis, Senior Planner
Date: August 12, 2026
Re: Chelsi Lane & Townhomes Subdivision Preliminary Plat
Attachments:

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

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 Chelsi Lane & Townhomes Subdivision Preliminary Plat. The Planning Commission will consider all of the information in this memo in making a decision.

Application Background:

The Chelsi Lane & Townhomes Subdivision Preliminary Plat is located on an undeveloped portion of the Chelsi Replat Amended PD Plan and Preliminary Plat Subdivision off of Margot Court. This preliminary plat proposes subdividing the townhome units into individually conveyable properties. The property is approximately 4.01 acres in size, and is zoned "R-2" Low Density District. The property is within a PD plan that allows for 24 residential units within this space. The plat is also associated with a proposed amendment to the PD plan to reduce this count to 23 units.

The meeting before City Council to approve or deny the Preliminary Plat is tentatively scheduled for September 15, 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)).

Fiscal Impact

The proposed subdivision is not anticipated to have a significant immediate fiscal impact on the City. Review and permitting activities associated with future development will generate applicable fees, and any required public infrastructure improvements will be constructed or financed by the developer in accordance with the City's subdivision regulations and development standards. Future maintenance responsibilities for any public improvements accepted by the City will be incorporated into the City's ongoing operational responsibilities.

Applicant: Selvin Sandoval, El Chapin Investment Group, LLC

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 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.
 - Objective LU 5.4: Promote infill and development of improved lots and subdivisions.
 - Objective HN 1.1: Promote a mix of residential housing types including single-family homes on a variety of lot sizes, multi-family housing, townhomes, apartments, senior housing, and transitional housing.
 - Objective HN 1.2: Encourage a variety of housing densities (low, medium, high) throughout the community, including mixed-density neighborhoods.
- 3. Zoning Regulations:
 - Municipal Code, Section 11-7-5 (A)(4): The “R-2” Low Density District is intended to provide primarily for development of single-household detached and duplex dwellings, along with certain other compatible land uses.
 - The proposed use has already been approved through the Chelsi Replat Amended PD Plan and Preliminary Plat on August 20, 1992. The applicant has requested a reduction in the number of units through an Amended Planned Development application.
- 4. The Chelsi Lane & Townhomes Subdivision 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 Chelsi Lane & Townhomes Subdivision 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: Maps



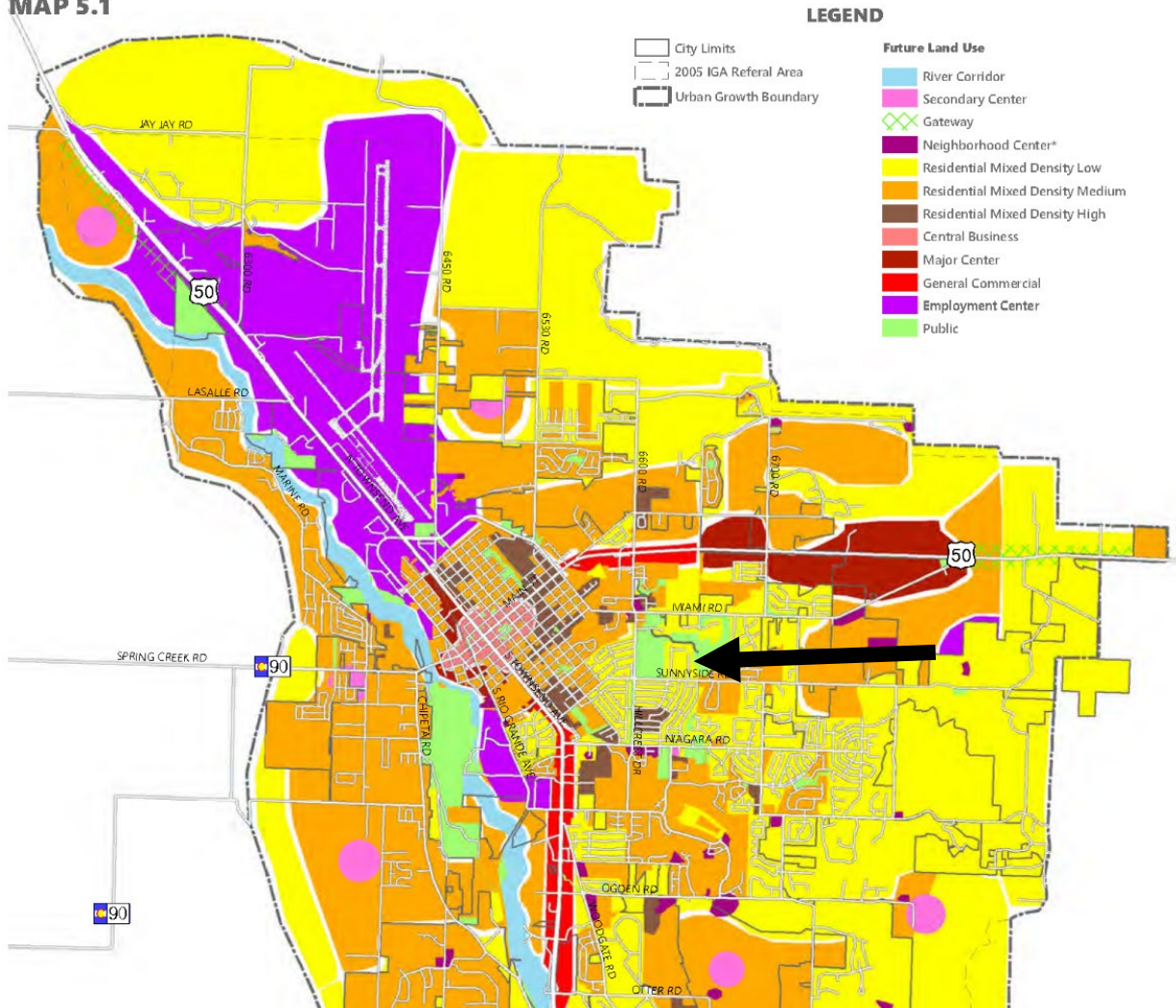
Chelsi Lane Preliminary PD/Plat Zoning Map



Comprehensive Plan Future Land Use Map

FUTURE LAND USE

MAP 5.1

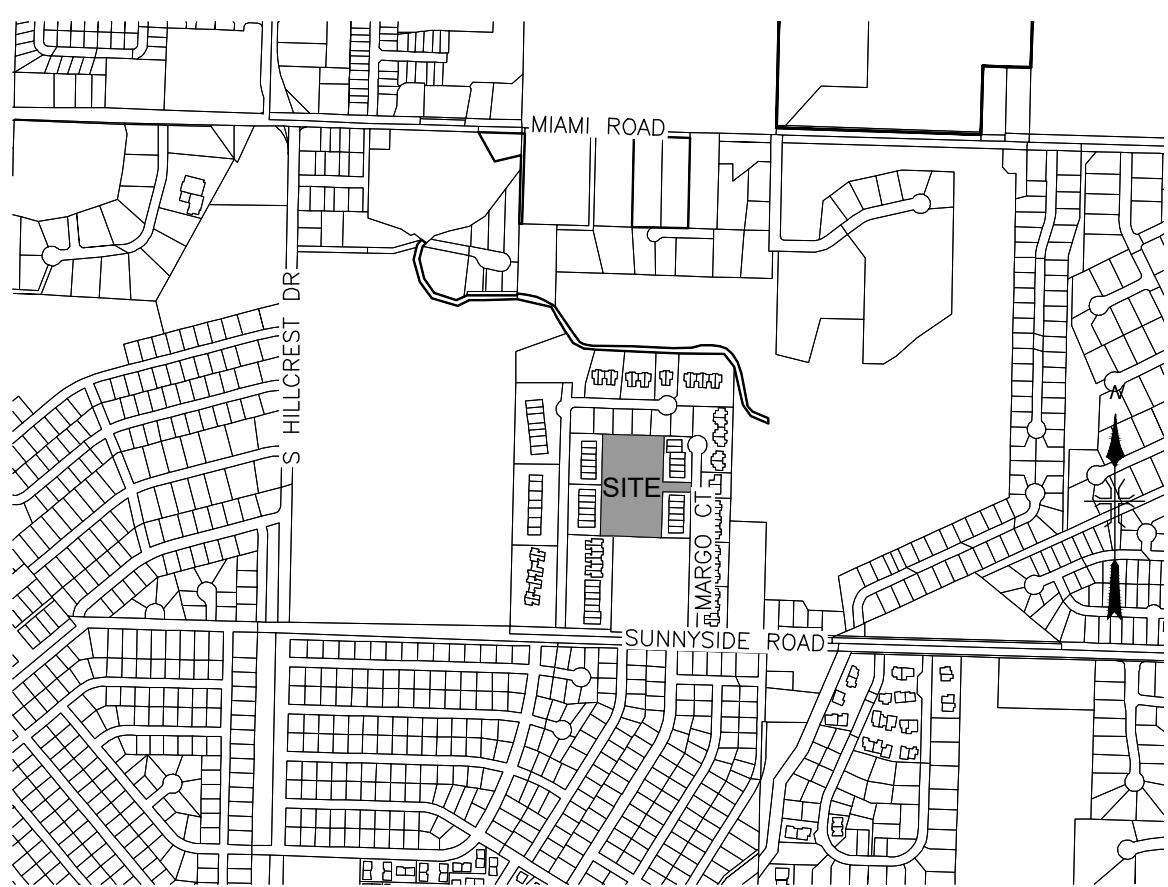


CHELSEI LANE & TOWNHOMES

PRELIMINARY PLAT

SITUATED IN SE1/4 SW1/4 SECTION 26, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN

CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO



VICINITY MAP

AREA SUMMARY:

RIGHT-OF-WAY 0.45 ACRES
COMMON ELEMENTS 2.21 ACRES
LOTS 1.35 ACRES

TOTAL 4.01 ACRES

DEVELOPER:

EL CHAPIN INVESTMENT GROUP, LLC
909 S. TOWNSEND
MONTROSE, CO 81401

ENGINEER:

DEL-MONT CONSULTANTS, INC.
125 COLORADO AVE.
MONTROSE, CO 81401
(970) 249-2251

CERTIFICATE OF DEDICATION AND OWNERSHIP

KNOW ALL YE BY THESE PRESENTS that the undersigned being the owners of certain lands in the City of Montrose, County of Montrose and State of Colorado to wit:

Chelsi Replat as shown on Plat recorded August 20, 1992 in Book 12 at Page 1069, Less and Except second Amended Plat of Lot Split, Filing No. 1, Chelsi Replat as shown on Plat recorded February 9, 1994 in Book 12 at Page 1240, And Also Except Plat of Lot Split, Filing No. 2, Chelsi Replat, Amended PD Plan and Plat for Lot 19, Amended Replat of Sunnyside Village Subdivision as shown by Plat recorded October 8, 1993 in Book 12 at Page 1200, County of Montrose, State of Colorado.

Have by these presents laid out, platted and subdivided the same into lots, as shown on this plat, under the name and style of Chelsi Lane & Townhomes Preliminary Plat, and do hereby dedicate, grant and convey to the City of Montrose, Colorado, for the use of the public, Chelsi Lane as hereon shown.

Easements are reserved on, over, and under the Common Elements and the units as shown on the Plat, for construction, maintenance, and repair of public and/or private utilities. Said public utility easements are dedicated, granted and conveyed to the City of Montrose, Colorado for public utility purposes, including but not limited to water, sewer, electrical, telephone, gas, communications, fiber optic, and CATV lines, and drainage easements specifically labeled for dedication, together with perpetual right of ingress and egress for installation, maintenance and replacement of such facilities. The dedication of easements as herein provided shall not include those easements exclusively utilized for irrigation improvements, or otherwise subject to a previously recorded conveyance.

Executed this ____ day of _____, 20____.

Selvin O. Sandoval, Member
El Chapin Investment Group LLC, a Colorado Limited Liability Company

STATE OF COLORADO }
COUNTY OF MONTROSE }

The foregoing certificate was acknowledged before me this _____ day of _____, 20____ by Selvin O. Sandoval.

My commission expires _____.

Witness my hand and seal _____, Notary Public

Deputy

MISCELLANEOUS PLAT NOTES

1. All general common elements, now existing or hereafter conveyed, shall be owned and maintained by Chelsi Lane Homeowners Association, or in the absence of such entity, by the owners of all units having unique legal descriptions in the Chelsi Lane & Townhomes, jointly and severally. General common elements include, but are not limited to landscaping improvements, walking paths, drainage infrastructure, detention ponds, driveways, and private sewer subdrains within Tract A.

a. The units depicted on this plat shall have uniform exterior appearance. Future improvements, modifications and repair to the units exteriors shall be done in accordance with any applicable covenants and regulations of the owners association, and performed in such a manner as to ensure uniformity and compatibility of the exterior of the units.

b. Easements are reserved on, over, and under Tract A and the units as shown on the Plat, for construction, maintenance, and repair of public and/or private utilities.

c. Party Walls exist over and along the common boundaries between the units. The unit owners shall be deemed to own the necessary easements for the perpetual lateral and subjacent support, maintenance, and repair of the respective Party Walls and utilities therein, with equal rights of joint use.

d. The City is not responsible or liable in any manner for the maintenance, repair, or operation of such general and limited common elements, nor shall the City be responsible for future dedications of such general and limited common elements. Upon failure to properly maintain such general and limited common elements shown hereon, or in the need to abate a nuisance or public hazard, the City may cause the maintenance or repair to be performed, and assess the costs thereof to such owner(s), or the City may certify such charges as a delinquent charge to the County Treasurer to be collected similarly to taxes or in any lawful manner.

2. All residential lots or residential units hereon shall be required to make payment of money in lieu of school land dedication, at the time of issuance of building permit or certificate of occupancy relative to improvements upon said lot. The payment of money in lieu of school land dedication is subject to §11-5-9(C) of the Municipal Code. Payments shall be made to the City, to be later disbursed to the RE-1J School District.

3. All residential lots or residential units having unique legal descriptions shall be required to make payment of money in lieu of park land dedication, at the time of issuance of building permit relative to improvements upon said lot. The payment of money in lieu of park land dedication is subject to §11-5-9(B) of the Municipal Code.

FINAL PLAT CONDITIONAL APPROVAL

The approval of the Chelsi Lane & Townhomes Final 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.

BASIS OF BEARINGS:

The bearing between the found 1 1/2" aluminum cap on 5/8" rebar LS 7970 and the set 1 1/2" aluminum cap on 5/8" rebar PLS 37690 along the West line of the Chelsi Lane & Townhomes Plat bears N01°20'57"E (ASSUMED).

LINEAL UNITS STATEMENT:

The Lineal Unit used on this plat is U.S. Survey Feet

ATTORNEY'S CERTIFICATE

I, _____, an Attorney at Law, duly licensed to practice in Colorado, do hereby certify that I have examined the title of all land herein platted and described in the above Certificate of Ownership and Dedication, and that title to such land is in the owners and dedicators, and that the title to all dedicated property therein described, is free and clear of all liens and encumbrances except _____.

Based on a review of title commitment # _____

Attorney
Registration No. _____

Date: _____

SURVEYORS CERTIFICATE

I, Frederick Ballard, a Registered Land Surveyor in the State of Colorado, do hereby certify that there are no roads, pipelines, irrigation ditches or other easements or rights-of-way in evidence or known to me to exist on or across said property except as shown on this plat. I certify that I have made the survey represented by this plat and that this plat accurately represents said survey, and conforms to all applicable requirements of the City Subdivision Regulations and applicable law. I further certify that all monuments shown hereon actually exist and their positions are as shown.

C.R.S. Section 38-51-106 Statement: this plat does not represent a title search by the Surveyor, nor by any professional corporation or business entity with which said Surveyor may be associated. Information regarding the title work performed for and used in producing this plat may be found in the title report issued by Fidelity National Title Company, dated February 7, 2024 bearing policy number 210-F01340-24.

Colorado Registered Land Surveyor:
Frederick Ballard
Registration No. 37690

Date: _____

ENGINEER'S CERTIFICATE

I, Nicholas Barrett, a Registered Engineer in the State of Colorado, do hereby certify that the sanitary sewer system, water distribution system and the storm drainage system shown on the accompanying plans of this Subdivision are properly designed, meet City of Montrose specifications, and are adequate to properly serve the Subdivision shown hereon. I further certify that the sanitary sewer system, water distribution system, storm drainage system, streets, parks, and other improvements are designed and constructed in accordance with applicable City specifications and regulations.

Nicholas Barrett, P.E. Registration No. 42106

Date: _____

CERTIFICATE OF COMPLETED IMPROVEMENTS

I, Scott Murphy, City Engineer, certify that all improvements and utilities required by the current Subdivision Regulations of the City of Montrose, have been constructed, inspected and approved in this Subdivision in accordance with applicable City ordinances, regulations and specifications, and a Letter of Substantial Completion has been issued, as required by the City's Municipal Code.

City Engineer
Registration No. 47555

Date: _____

APPROVAL OF CITY MANAGER

Approved this _____ day of _____, 20____, by _____, Deputy City Manager of the City of Montrose.

Deputy City Manager

APPROVAL OF CITY ATTORNEY

Approved for recording this _____ day of _____, 20____, by _____, City Attorney of the City of Montrose.

City Attorney
Atty. Reg. No. _____

APPROVAL OF CITY COUNCIL

Approved this _____ day of _____, 20____, by _____, Mayor of the City of Montrose; all conveyances of interests in real property made on this plat are hereby accepted by the City.

Mayor

RECORDER'S CERTIFICATE

This plat was filed for record in the office of the Clerk and Recorder of Montrose County, Colorado, at the time of _____, on the _____ day of _____, 20____, under Reception No. _____.

County Clerk and Recorder

Deputy

TITLE: **CHELSEI COURT & TOWNHOMES**
PRELIMINARY PLAT

CLIENT: **SANDOVAL CONSTRUCTION, LLC**

ADDRESS & PHONE:

TYPE: **PRELIMINARY**



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

FIELD BOOK:

918

DRAWN BY:

DCC

DATE:

2026-05-05

SHEET:

1 of 1

FILE:

24090V_PLAT-PRE

JOB NO.:

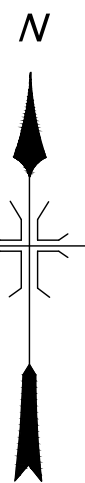
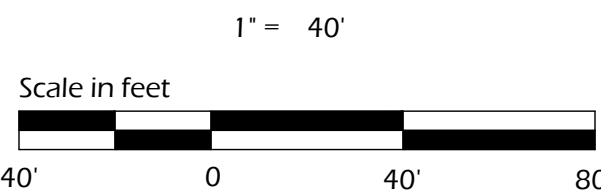
24090

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\2024\24090-MARGO COURT DEVELOPMENT\C3D\24090V_PLAT-PRE.DWG

LEGEND

- = SET 5/8" REBAR, 18" LONG, WITH A 1 1/2" ALUMINUM CAP STAMPED "DEL-MONT, PLS 37690"
- = FOUND 1 1/2" ALUMINUM CAP ON 5/8" REBAR (PLS 36054)
- ▼ = FOUND 1 1/2" ALUMINUM CAP ON 5/8" REBAR (LS 7970)
- = FOUND 1 1/2" ALUMINUM CAP ON 5/8" REBAR (LS 9189)



CHELSEI LANE & TOWNHOMES

MONTROSE, COLORADO

NOTES AND SPECIFICATIONS

GENERAL

ALL WORK SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF MONTROSE STANDARDS AND SPECIFICATIONS, AVAILABLE FROM PUBLIC WORKS DEPARTMENT, (970) 240-1480 EXCEPT AS OTHERWISE NOTED. IF THE CONTRACTOR IDENTIFIES A CONFLICT BETWEEN PROJECT SPECIFICATIONS, GENERALLY THE HIGHEST STANDARD SHALL CONTROL. CONTACT ENGINEER IF UNCERTAIN.

THE LOCATION OF EXISTING UTILITIES SHOWN ON THESE PLANS IS APPROXIMATE ONLY. SOME UTILITIES MAY NOT BE SHOWN. PRIOR TO CONSTRUCTION, CONTRACTOR SHALL CONTACT UNCC (811) AND UTILITY OWNERS TO DETERMINE EXACT LOCATIONS.

THE CONTRACTOR SHALL CONTACT UTILITY COMPANIES FOR CONNECTION AND SERVICE EXTENSION DETAILS. WORK GENERALLY INCLUDES:

- DMEA ELECTRICAL POWER TRENCHING & BEDDING BY CONTRACTOR, WITH CONDUIT PROVIDED BY UTILITY CO.
- CENTURYLINK TELEPHONE AND CHARTER CABLE TV TRENCHING & BEDDING BY CONTRACTOR WITH 2-3" PVC CONDUIT PROVIDED BY CONTRACTOR OR BY THE UTILITY COMPANY.
- BLACK HILLS ENERGY TRENCHING & BEDDING BY CONTRACTOR WITH GAS PIPING PROVIDED BY UTILITY CO.

IN THE EVENT OF PHYSICAL CONFLICT, THE LOCATION OF SANITARY SEWER AND WATER SYSTEMS IN THESE PLANS SHALL TAKE PRECEDENCE OVER OTHER UTILITIES AND SHALL NOT BE RELOCATED WITHOUT APPROVAL OF THE ENGINEER.

THE CONTRACTOR SHALL HAVE FULL RESPONSIBILITY FOR JOBSITE SAFETY AND SHALL PERFORM ALL WORK IN FULL COMPLIANCE WITH FEDERAL, STATE AND LOCAL SAFETY REGULATIONS.

SUBGRADE PREPARATION

REMOVE ALL DEBRIS AND ORGANIC MATERIAL FROM WORK AREAS AND REPLACE AS A WELL-COMPACTED STRUCTURAL FILL. THE RESULTING SUBGRADE BELOW STRUCTURAL FILL OR ANY SUBGRADE IN AREAS OF PLANNED GENERAL SITE FILL SHOULD BE SCARIFIED 10 INCHES, MOISTURE CONDITIONED TO WITHIN 2% OF OPTIMUM MOISTURE CONTENT AND COMPACTED TO AT LEAST 95% OF STANDARD PROCTOR (ASTM D698) MAXIMUM DRY DENSITY. STRUCTURAL FILL SHOULD BE PLACED IN 10 INCH MAXIMUM LOOSE LIFTS, MOISTURE CONDITIONED TO WITHIN 2% OF OPTIMUM MOISTURE CONTENT AND COMPACTED TO AT LEAST 90% OF MODIFIED PROCTOR MAXIMUM DRY DENSITY. THIS COMPACTION REQUIREMENT SHALL ALSO APPLY TO UTILITY TRENCH BACKFILL. STRUCTURAL FILL SHALL BE CDOT CLASS 2 OR CDOT CLASS 6 GRANULAR SUBBASE/BASE MATERIAL OR OTHER MATERIAL AS APPROVED BY THE ENGINEER. ON SITE SOILS, DEVOID OF ORGANICS, DEBRIS AND OTHER DELETERIOUS MATERIALS ARE SUITABLE FOR REUSE AS STRUCTURAL FILL IN LANDSCAPED AREAS ONLY. SUBBASE & SUBGRADE IN PAVED AREAS SHALL BE PROOF-ROLLED IN THE PRESENCE OF THE CIVIL OR SOILS ENGINEER.

BASE COURSE

PLACE UNIFORMLY GRADED CDOT CLASS 2 & CLASS 6 ROAD BASE. MOISTURE CONDITION TO WITHIN 2% OF OPTIMUM MOISTURE AND COMPACT TO 95% MODIFIED PROCTOR DENSITY.

FINISHED CLASS 6 ROAD BASE SHALL BE PROOF ROLLED IN THE PRESENCE OF THE CIVIL OR SOILS ENGINEER AND CITY REPRESENTATIVE.

A MINIMUM THICKNESS OF 4" CLASS 6 BASE COURSE AGGREGATE IS REQUIRED UNDER ALL SIDEWALKS AND OTHER CONCRETE FLATWORK.

SITE CONCRETE & PAVING:

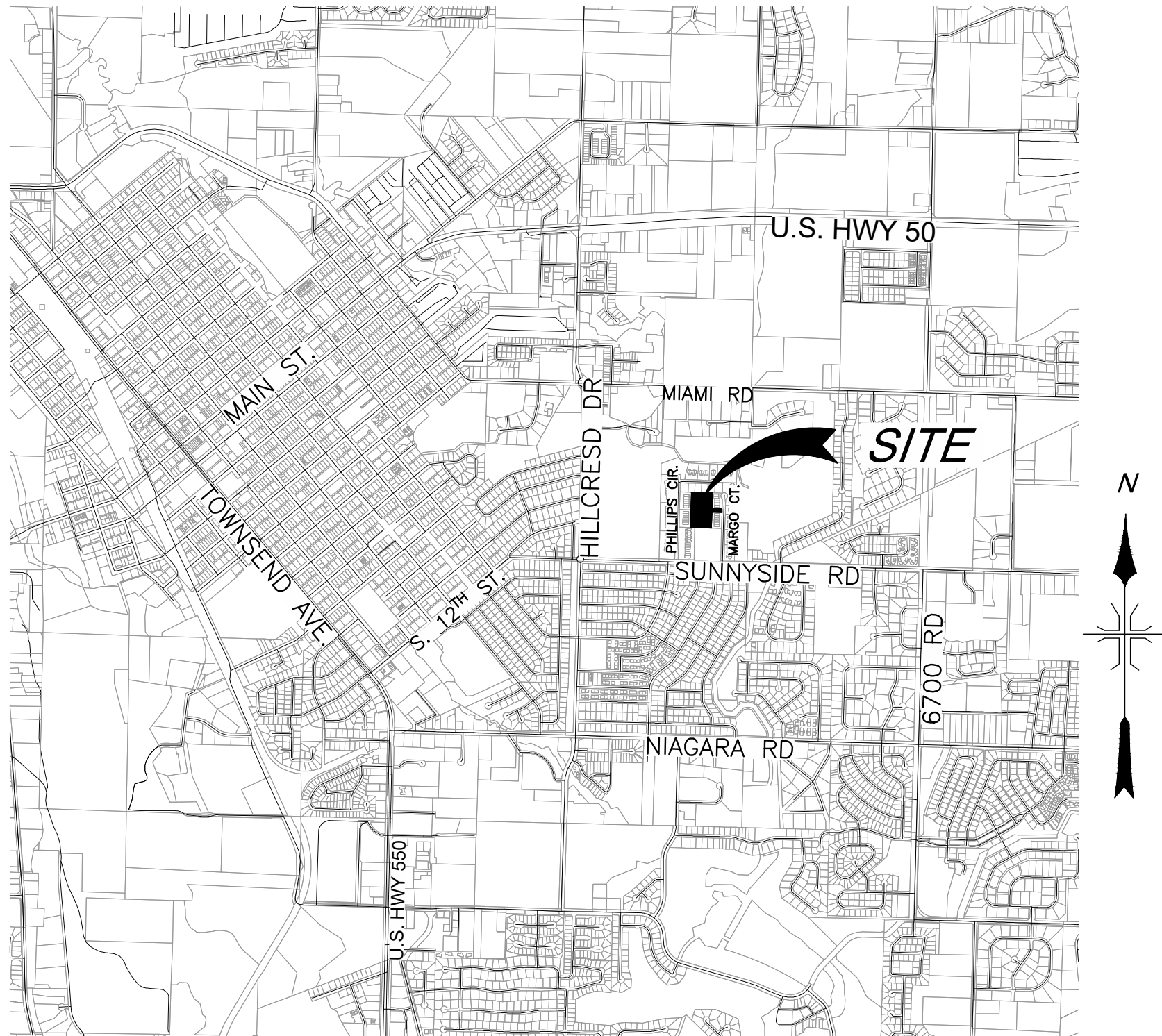
ALL CONCRETE SHALL MEET THE REQUIREMENTS OF THE CITY OF MONTROSE CURRENT SPECIFICATIONS FOR CURB, GUTTER & SIDEWALK EXCEPT AS SUPPLEMENTED OR SUPERSEDED BELOW.

ALL CONCRETE SHALL BE CDOT CLASS B OR D.

CONTRACTOR SHALL SUBMIT A MIX DESIGN TO THE PROJECT CIVIL ENGINEER FOR APPROVAL A MINIMUM OF 72 HOURS PRIOR TO PLACEMENT OF PAVEMENT OR CONCRETE.

DRY UTILITIES:

DRY UTILITIES (ELECTRICITY, TELEPHONE, GAS, CABLE TV) SHOWN HEREON ARE APPROXIMATE. DESIGN SHALL BE BY THE PURVEYORS, AND INSTALLATION PAID FOR BY OWNER. CONTRACTOR SHALL PROVIDE REQUIRED TRENCHING & BEDDING, AND SHALL PROVIDE 3" PVC CONDUIT FOR THE TELEPHONE & 3" PVC CONDUIT FOR THE CABLE TV SERVICE. COORDINATE WITH OWNER AND UTILITY COMPANIES FOR THE SPECIFICATIONS, TIMING, AND INSTALLATION OF UTILITIES.



LOCATION MAP

NOT TO SCALE

DRAWING INDEX

SHT. No.	SHEET NAME
1	COVER SHEET
2	CONSTRUCTION NOTES
3	HORIZONTAL SITE PLAN
4	CONSTRUCTION DETAILS
5	CONSTRUCTION DETAILS
6	CONSTRUCTION DETAILS
7	OVERALL GRADING PLAN
8	CUL-DE-SAC CURB RAMP GRADING DETAIL
9	POND 1 OUTLET STRUCTURE DETAILS
10	POND 2 OUTLET STRUCTURE DETAILS
11	CHELSEI LANE PLAN AND PROFILE
12	UTILITY PLAN
13	WATER SERVICE PLAN
14	SANITARY SEWER PLAN
15	SANITARY SEWER PROFILES
16	GENERAL EROSION CONTROL PLAN

UTILITY CONTACTS				
Utility	Owner	Contact	Phone	Email
Natural Gas	Black Hills Energy	Nathan Hajar	(970) 808-5036	Nathan.Hajar@blackhillscorp.com
Telephone/Fiber	Century Link	Mark Preston	(970) 318-1891	Mark.Preston@lumen.com
Cable/Fiber	Charter	Todd Andrews	(970) 316-1700	Todd.Andrews1@charter.com
Power	DMEA	Phil Sanchez	(970) 275-8982	Phil.Sanchez@dmea.com
Fiber	Elevate	Jonathan Nelson	(970) 240-6818	Jonathan.Nelson@elevatefiber.com
Fiber	Clearnetworkx	Doug Seacat	(970) 240-6600	support@clearnetworkx.com
Water	City of Montrose	Scott Murphy	(970) 901-1792	smurphy@ci.montrose.co.us
Water	Tri-County Water	Kyle Thompson	(970) 249-3369	Kyle@tricitywater.org
Sanitary Sewer	City of Montrose	Scott Murphy	(970) 901-1792	smurphy@ci.montrose.co.us
Storm Sewer	City of Montrose	Scott Murphy	(970) 901-1792	smurphy@ci.montrose.co.us



Know what's below.
Call before you dig.

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VERTICAL DATUM: NAVD 88

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1	05/04/26	ADDRESS: C.O.M. COMMENTS	NB	
NO	DATE	REVISIONS		

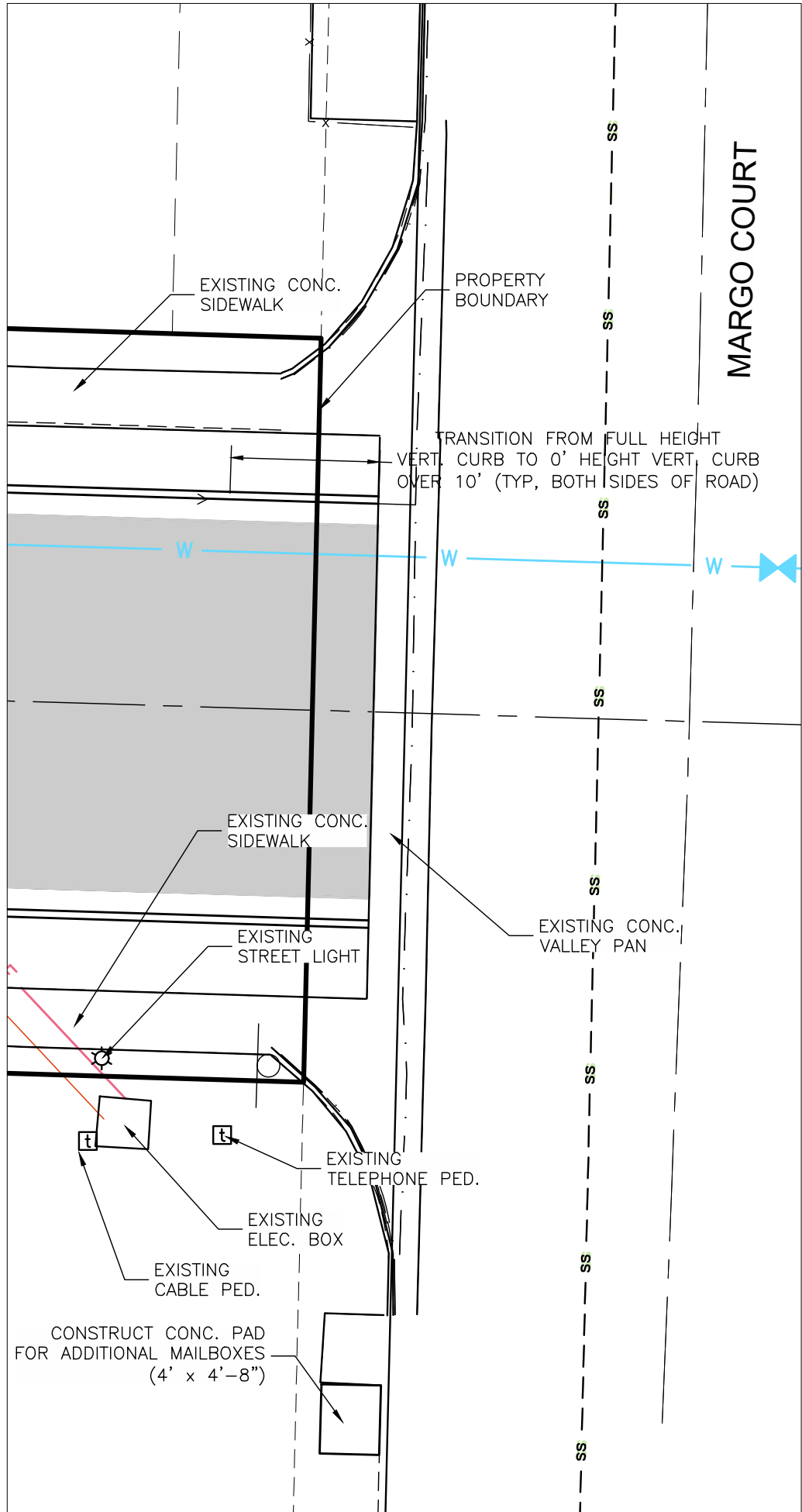
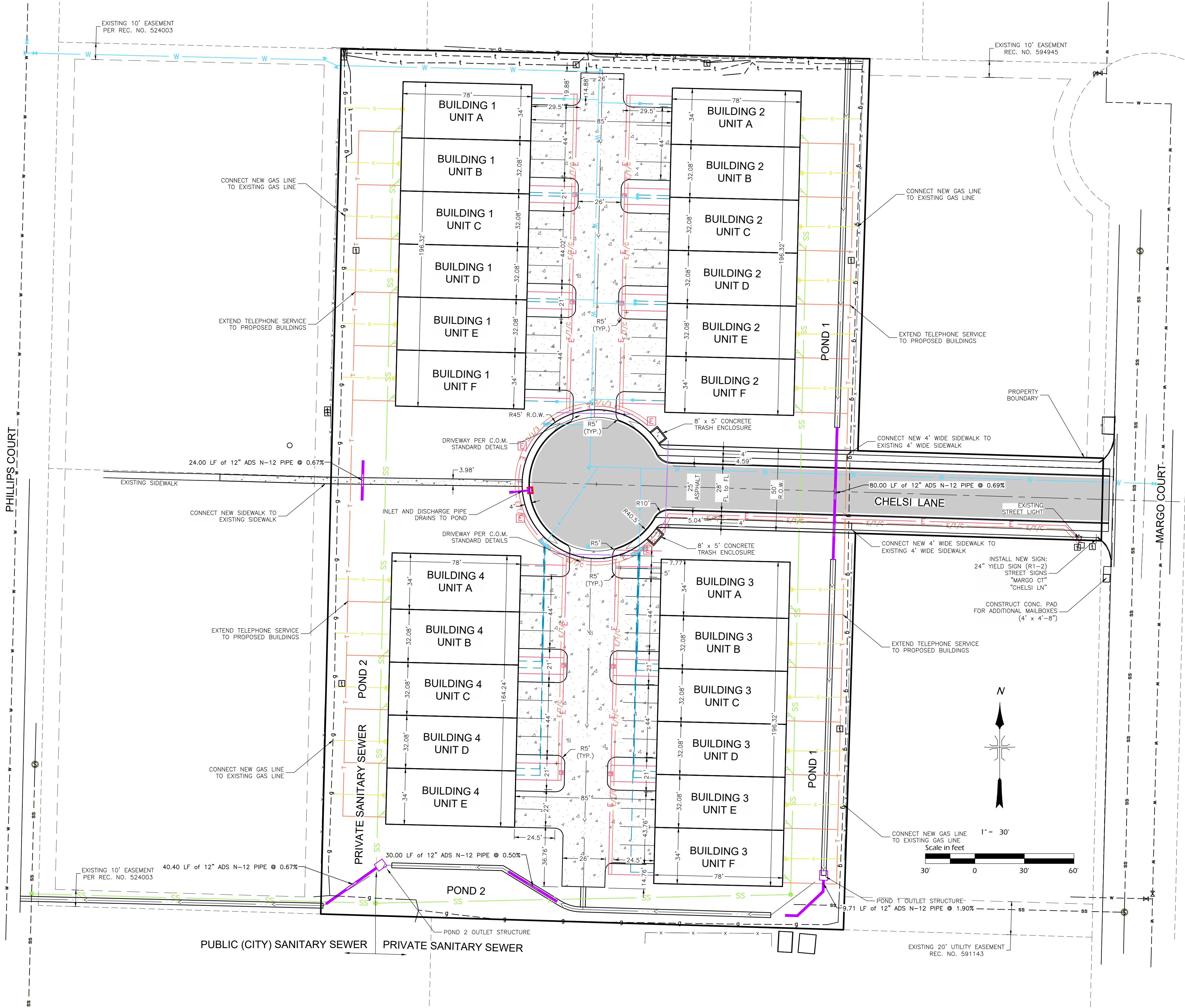
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DESIGNED BY:		DRAFT		
DATE BY:				

SANDOVAL CONSTRUCTION, LLC
CHELSEI LANE & TOWNHOMES
MONTROSE, COLORADO

COVER SHEET

DMC JOB NO.:	24090
SHEET NO.:	1
OF	16 SHEETS

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INTERSECTION DETAIL
 SCALE: 1" = 10'

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HORIZONTAL SITE PLAN



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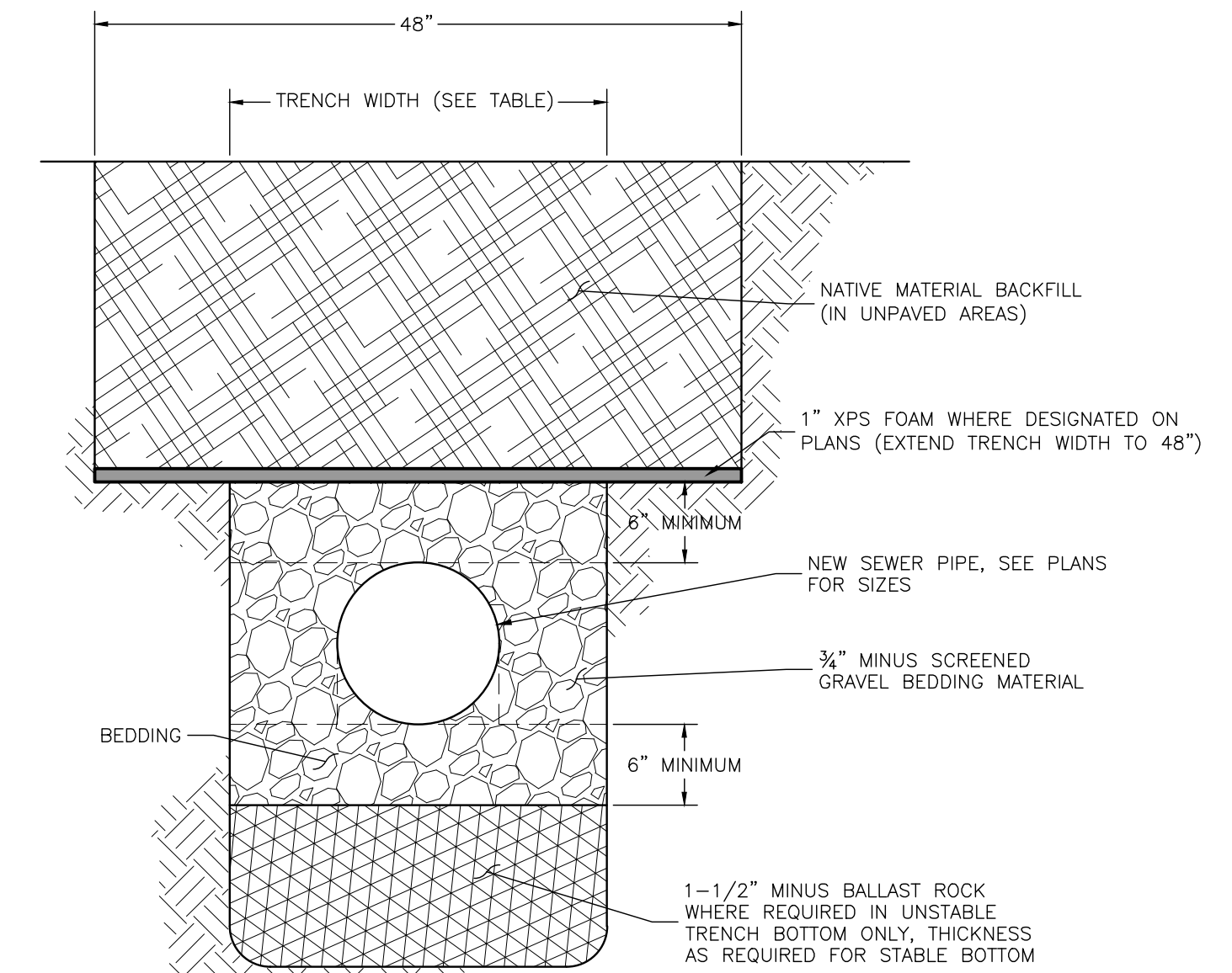
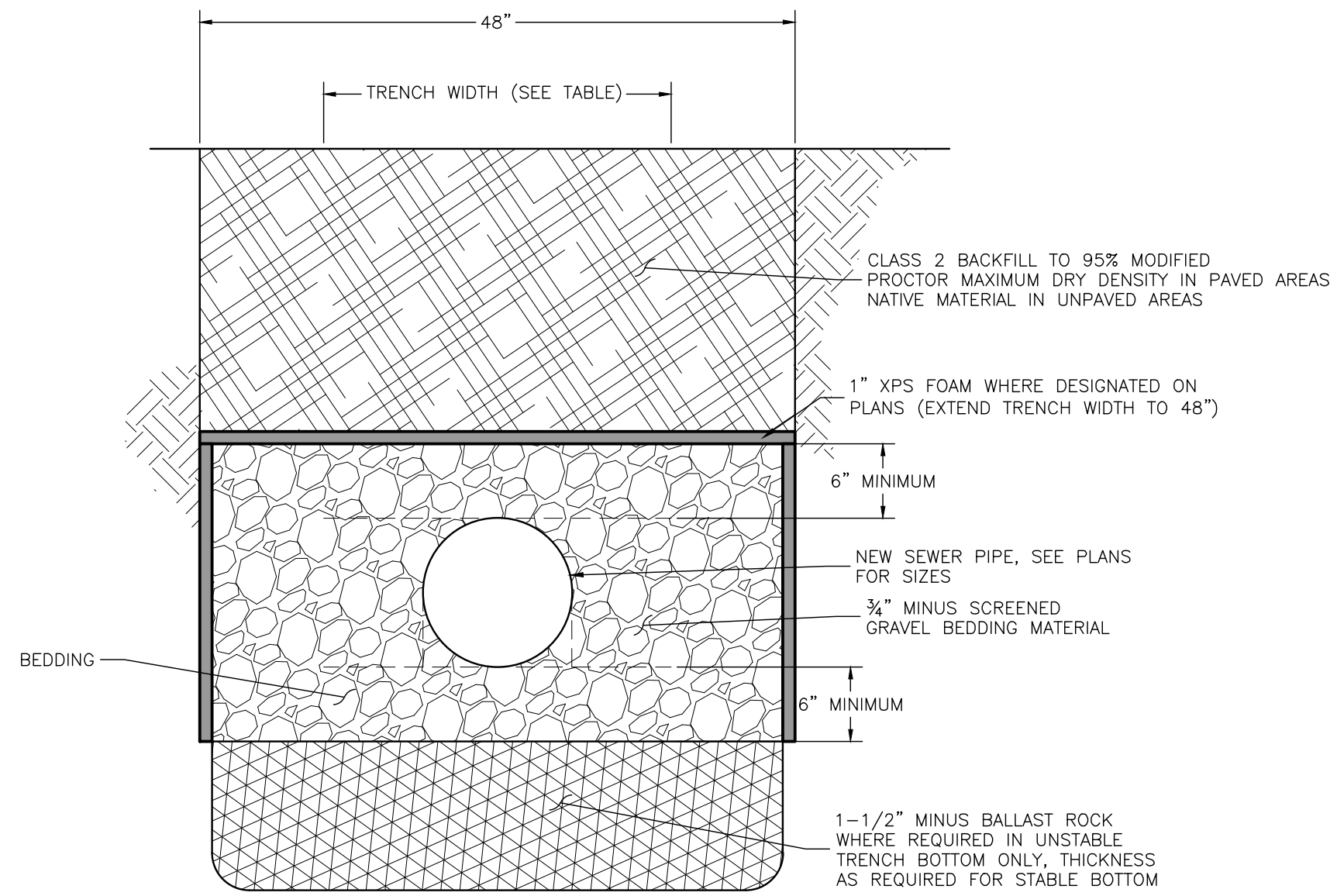
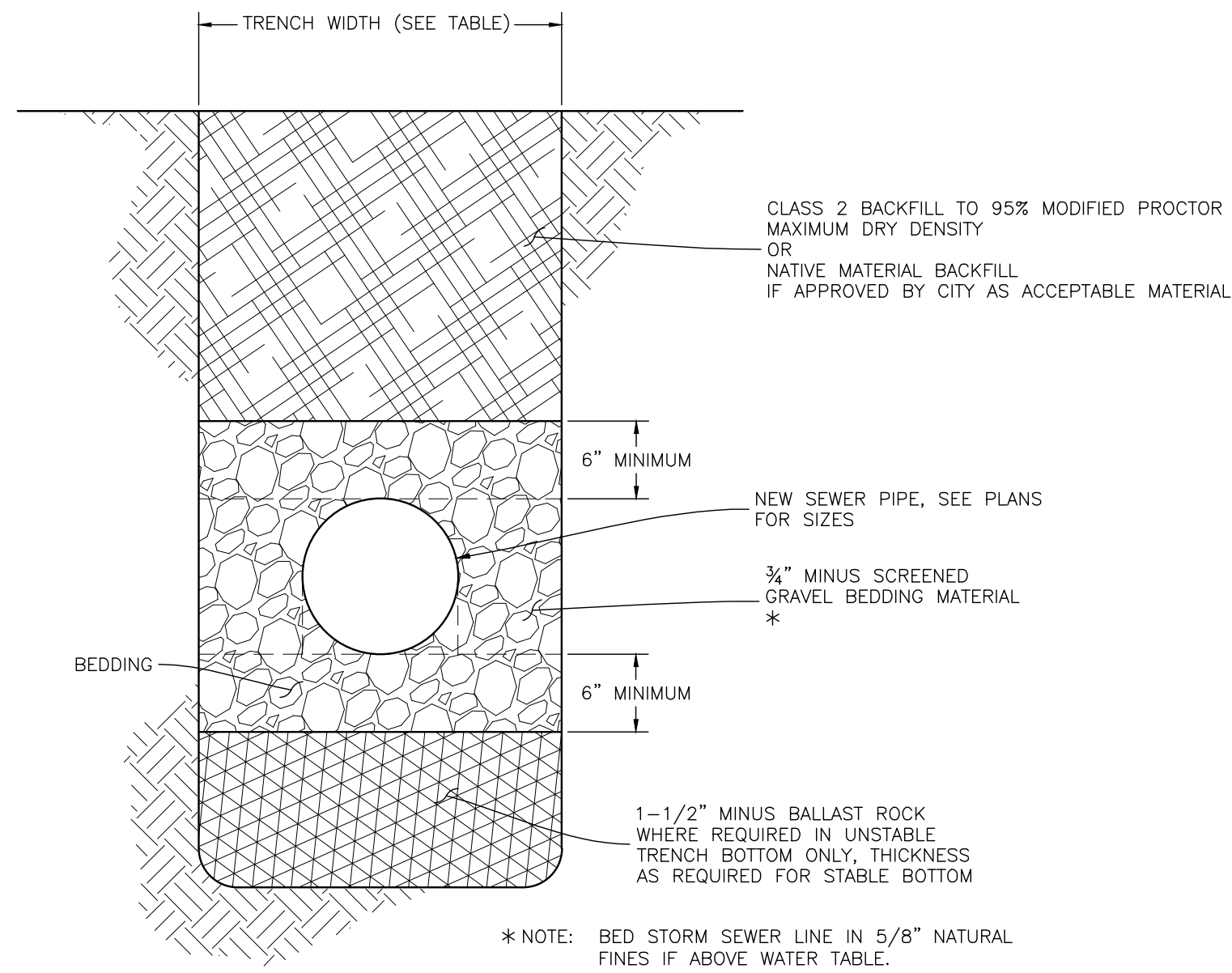
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DRAFT	DRAFT	DATE DRAWD:	2026-06-04

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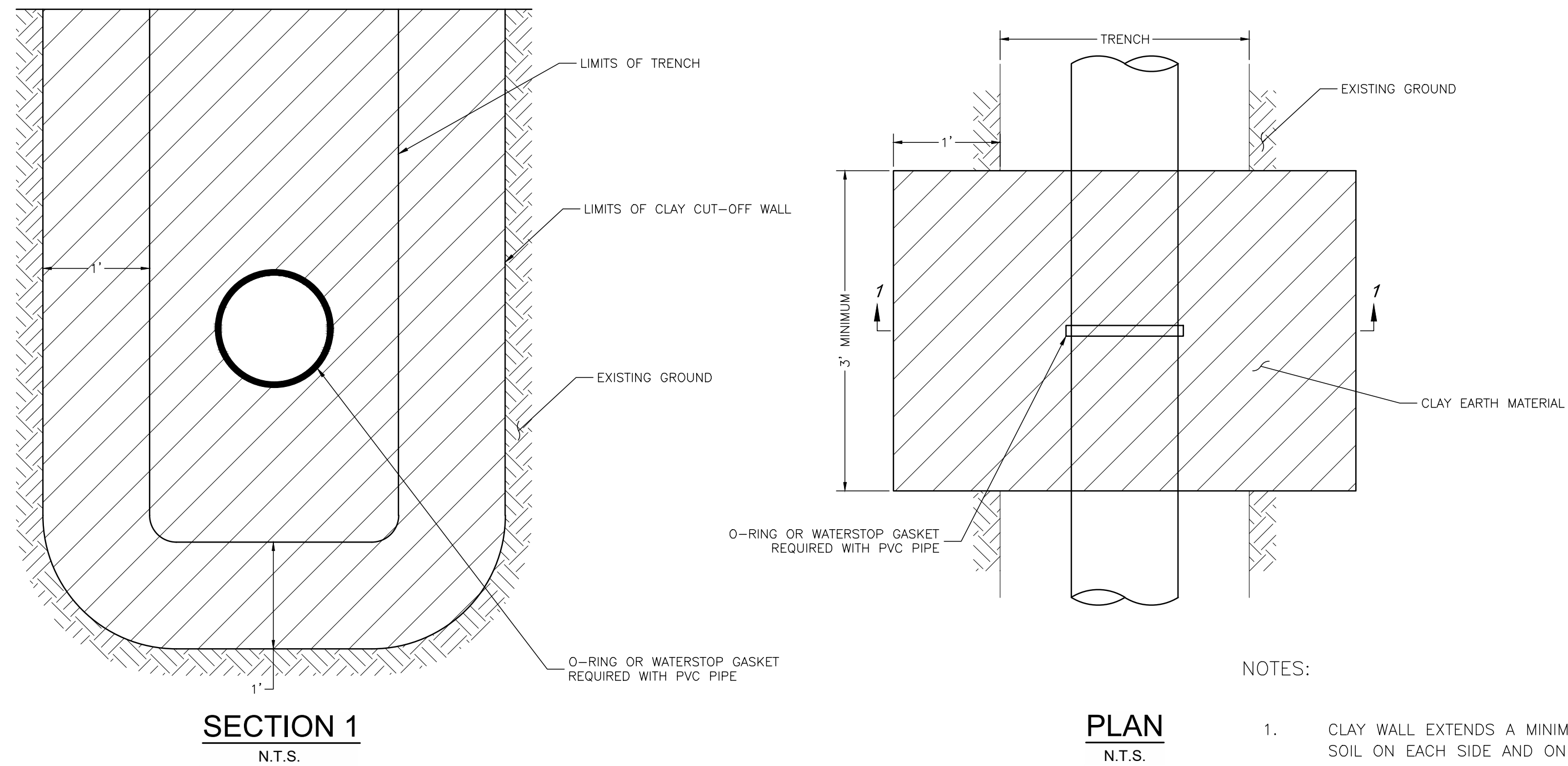
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16 SHEETS



MINIMUM TRENCH WIDTHS		
PIPE MATERIAL	NOMINAL PIPE SIZE (IN.)	MIN. TRENCH WIDTH (IN.)
C900 PVC	8	36
	12	36
ADS N-12	12	36
	15	36
	18	40
	24	48
	30	56
	36	64
PS46	8	36
	24	48
	30	52

PIPE BEDDING MATERIAL GRADATIONS		
	5/8" MINUS NATURAL FINES	3/4" CRUSHED SCREENED GRAVEL
SCREEN – PERCENT PASSING		
3/4"	100	100
3/8"	–	20 – 55
#8	20 – 85	–
#200	5 – 15	3



- NOTES:
1. CLAY WALL EXTENDS A MINIMUM OF 1' INTO UNDISTURBED SOIL ON EACH SIDE AND ON BOTTOM OF TRENCH.
 2. CLAY MATERIAL TO BE CLASSIFIED AS SC, CL OR ML-CL
 3. CLAY CUT-OFF WALLS TO BE INSTALLED 10' FROM UPHILL WALL OF MANHOLES.
 4. CLAY CUT-OFF WALLS TO BE INSTALLED EVERY 200' IN WATERLINE TRENCHES

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MONTROSE, COLORADO

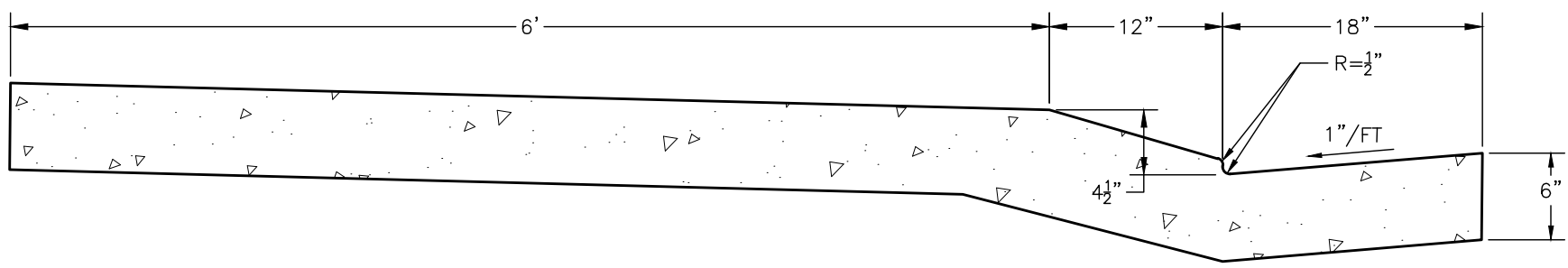
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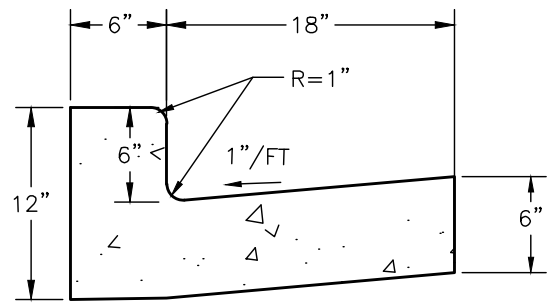
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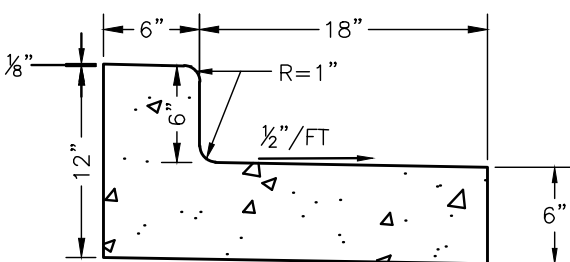
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NOTE: BASE AND SUBGRADE PER TYPICAL ROAD SECTION
TYPICAL DRIVE OVER CURB, GUTTER & SIDEWALK DETAIL
 N.T.S.

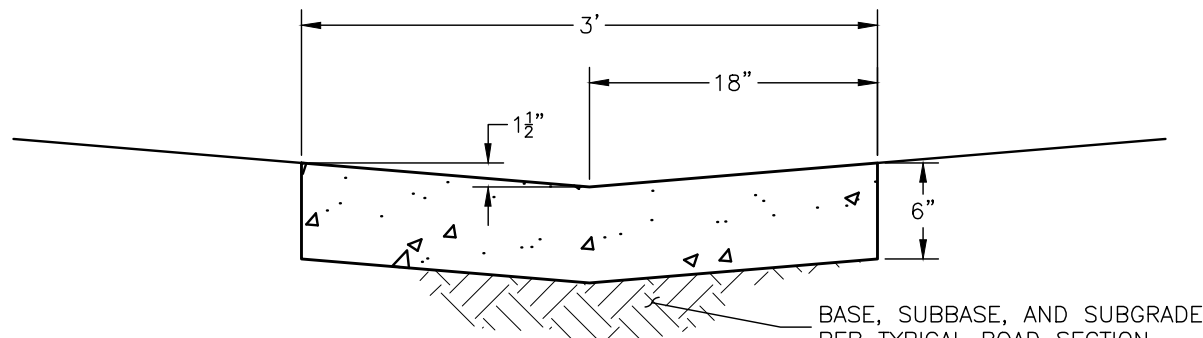


CATCH CURB & GUTTER
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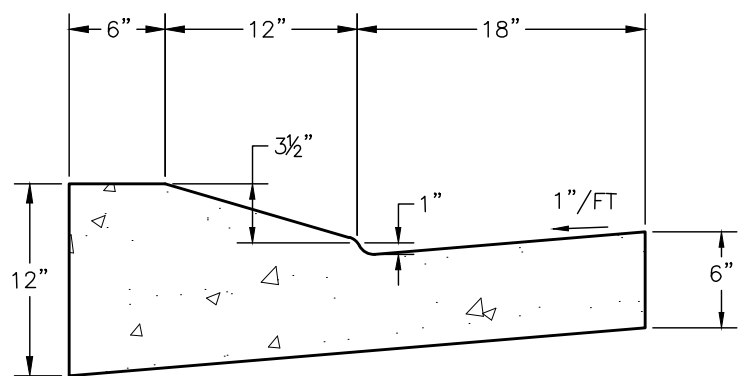


SPILL CURB & GUTTER
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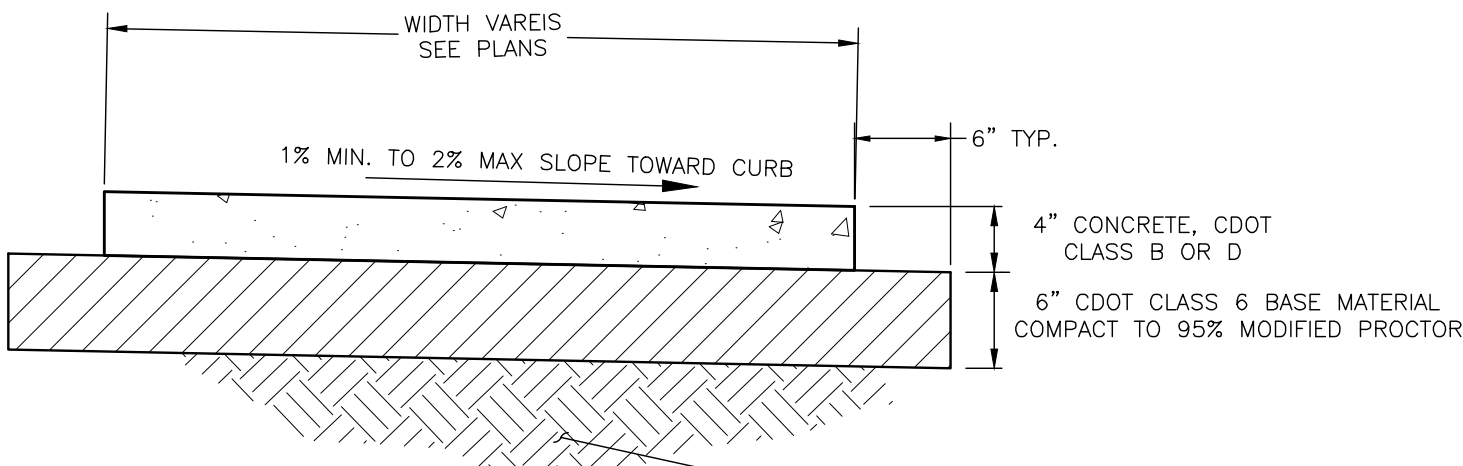
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TYPICAL CURB & GUTTER DETAILS
 N.T.S.



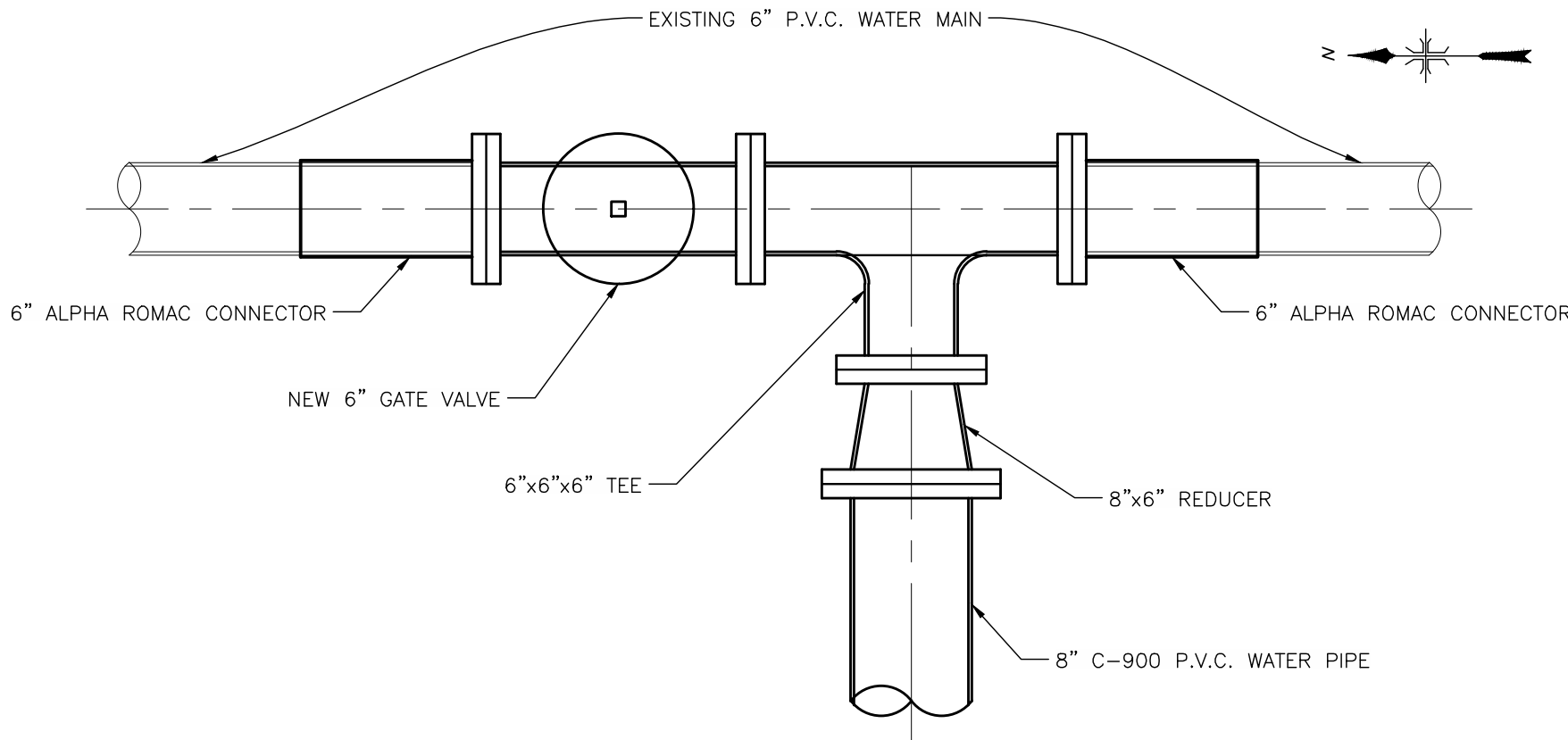
3' VALLEY PAN
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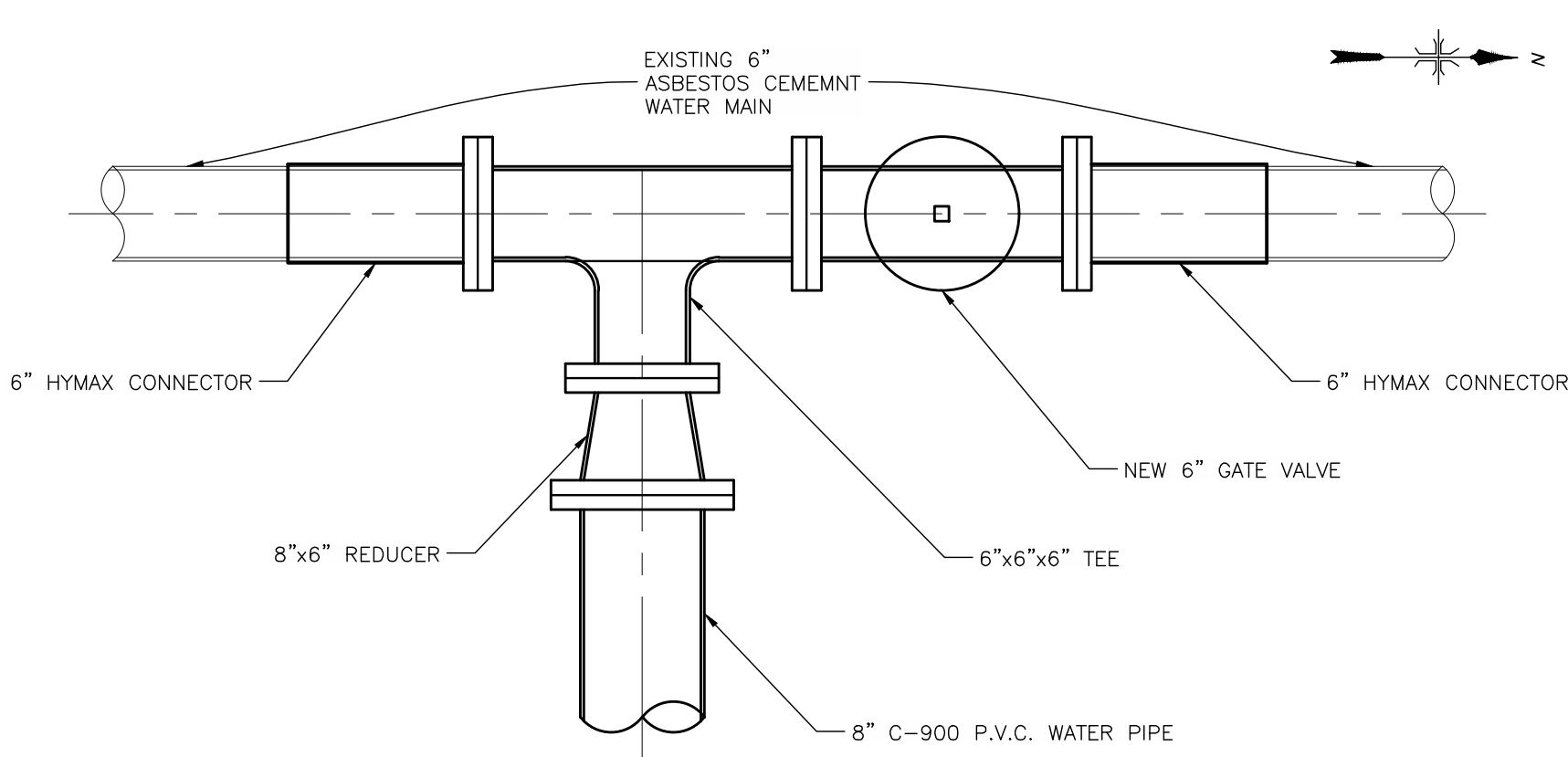
DRIVE OVER CURB & GUTTER
 SCALE 1" = 1'



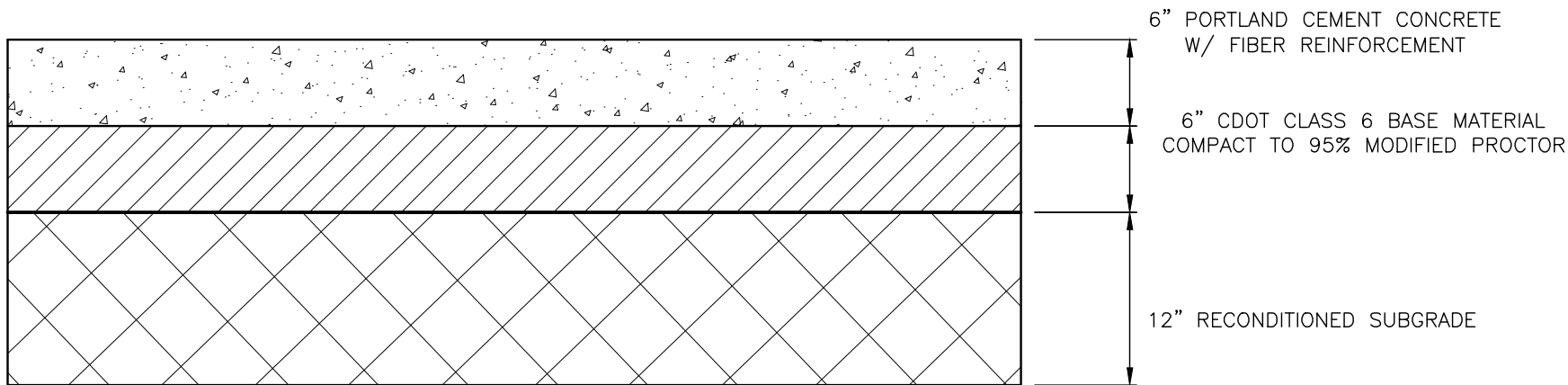
TYPICAL SIDEWALK SECTION
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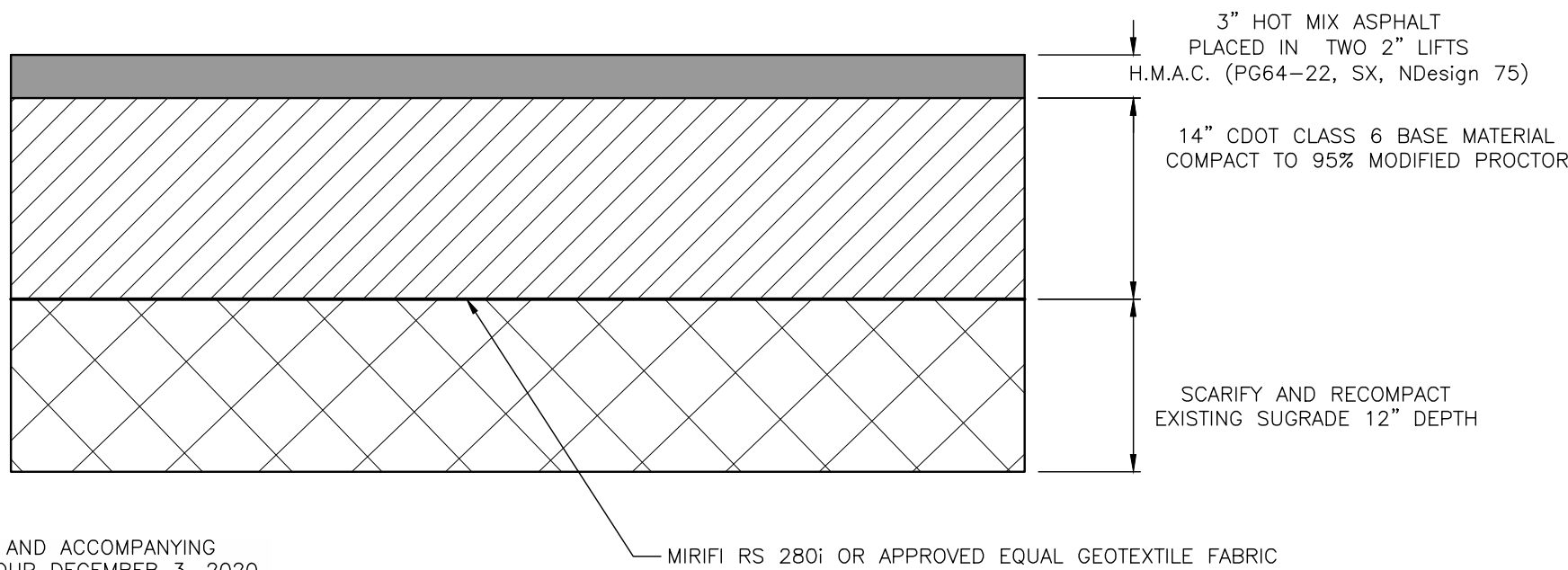
MARGO COURT WATER CONNECTION DETAIL
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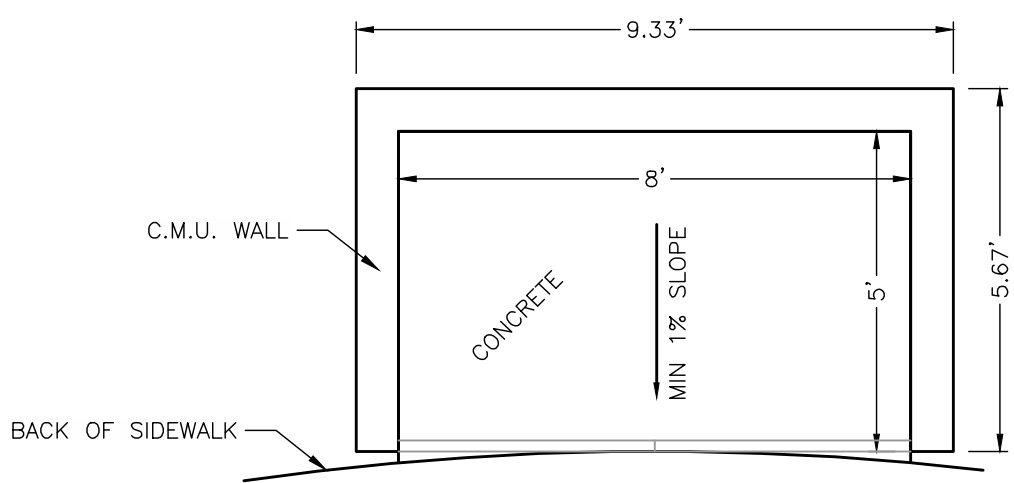
PHILLIPS COURT WATER CONNECTION DETAIL
 N.T.S.



TYPICAL CONCRETE PAVEMENT THICKNESS DETAIL
 N.T.S.



TYPICAL ASPHALT PAVEMENT THICKNESS DETAIL
 N.T.S.



TYPICAL DUMPSTER ENCLOSURE
 N.T.S.

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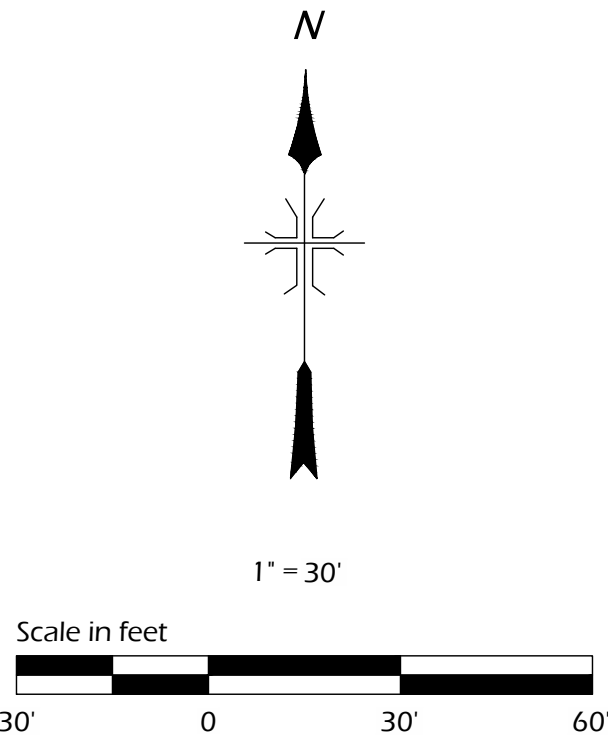
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CONSTRUCTION DETAILS

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PHILLIPS COURT



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MONTROSE, COLORADO

OVERALL GRADING PLAN

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SHEET NO.:

7

OF 16

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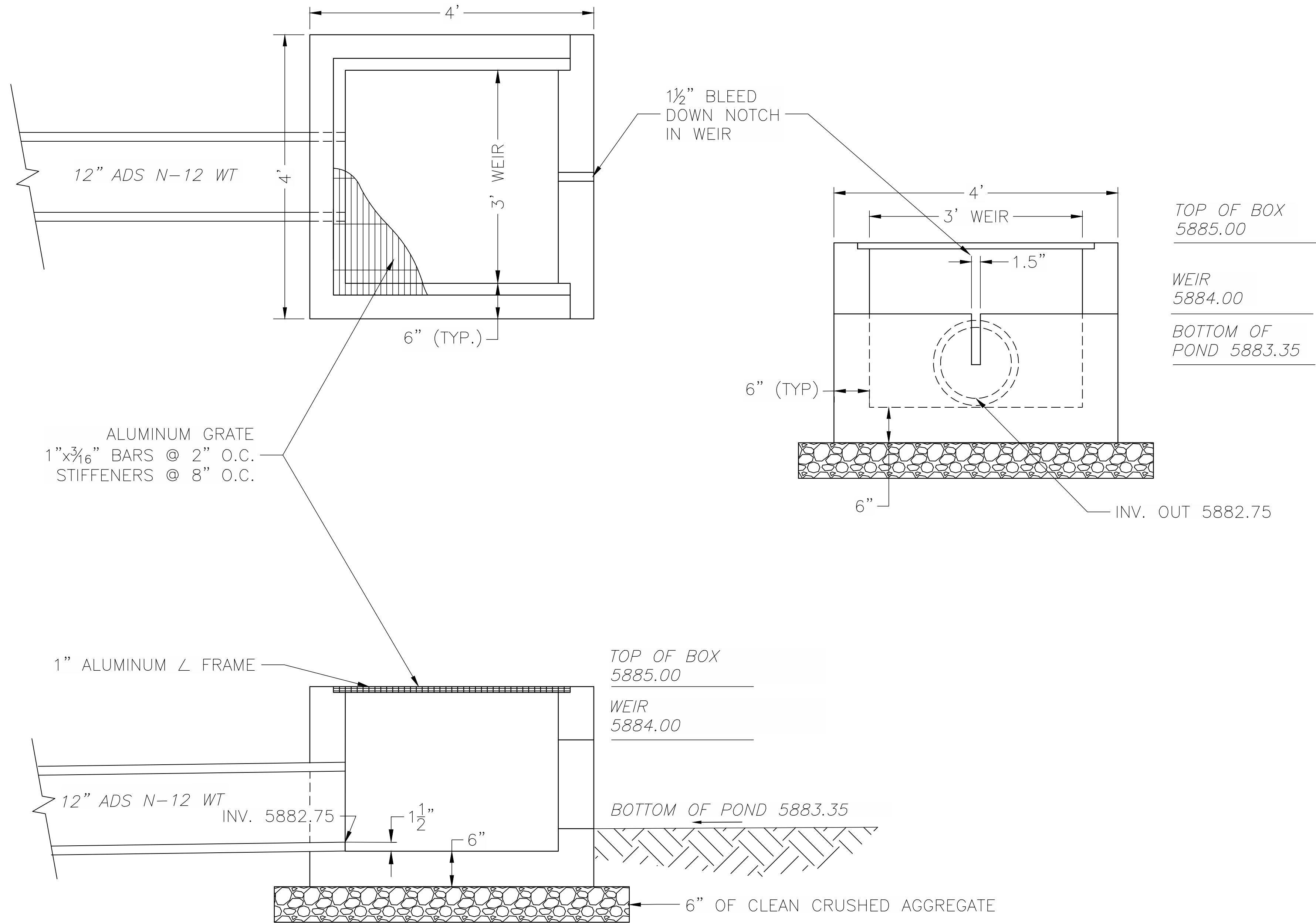
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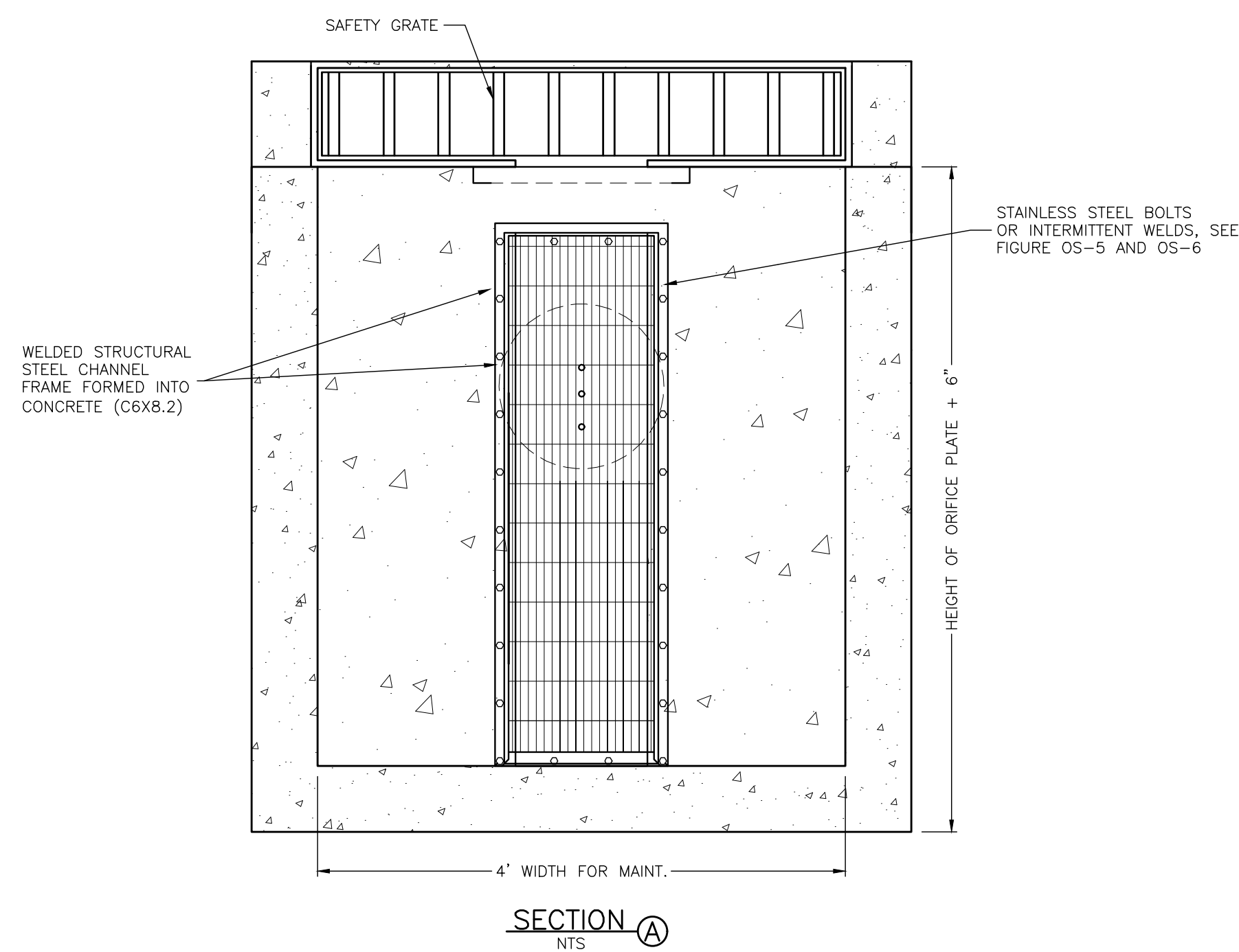
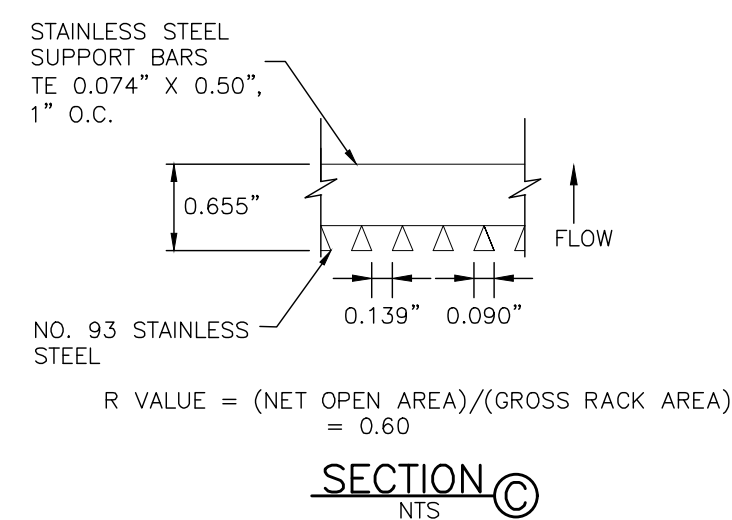
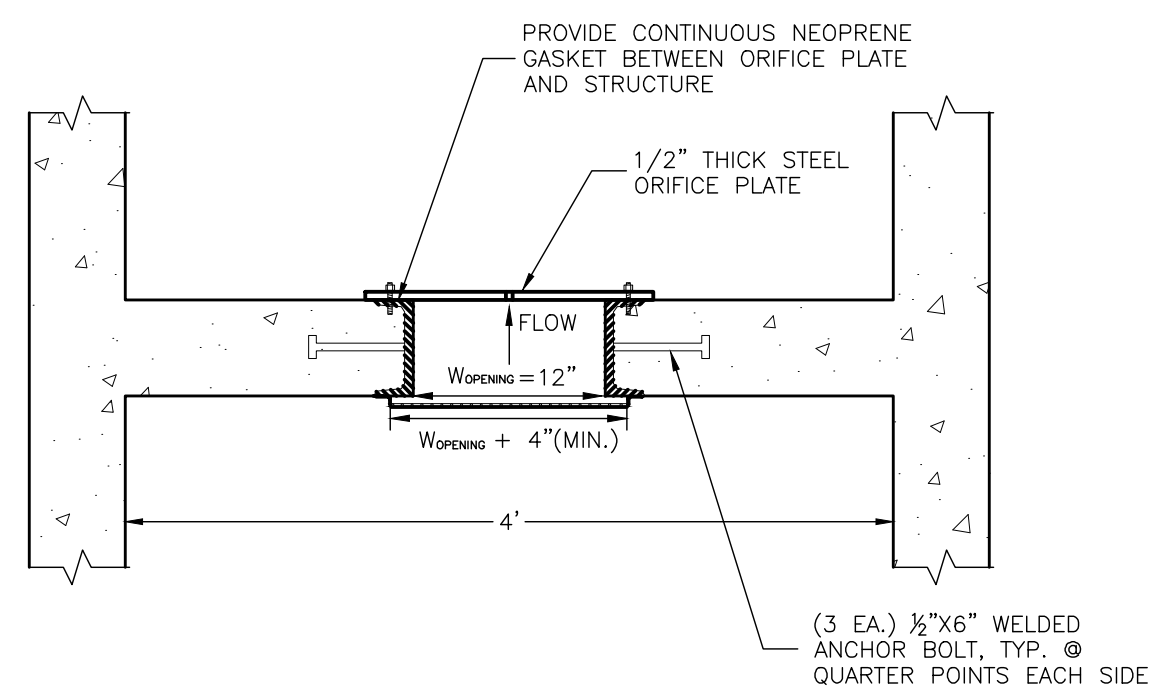
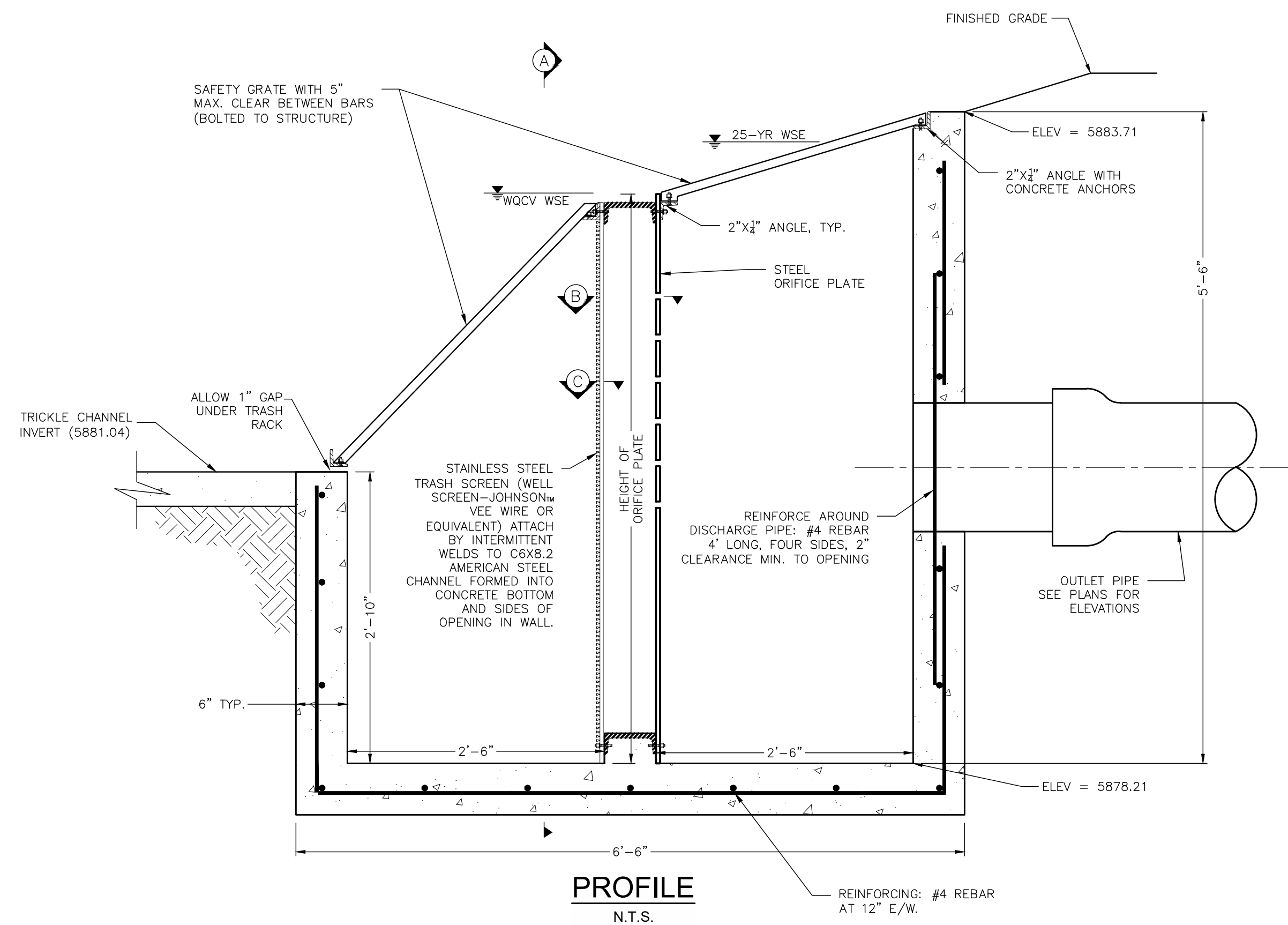
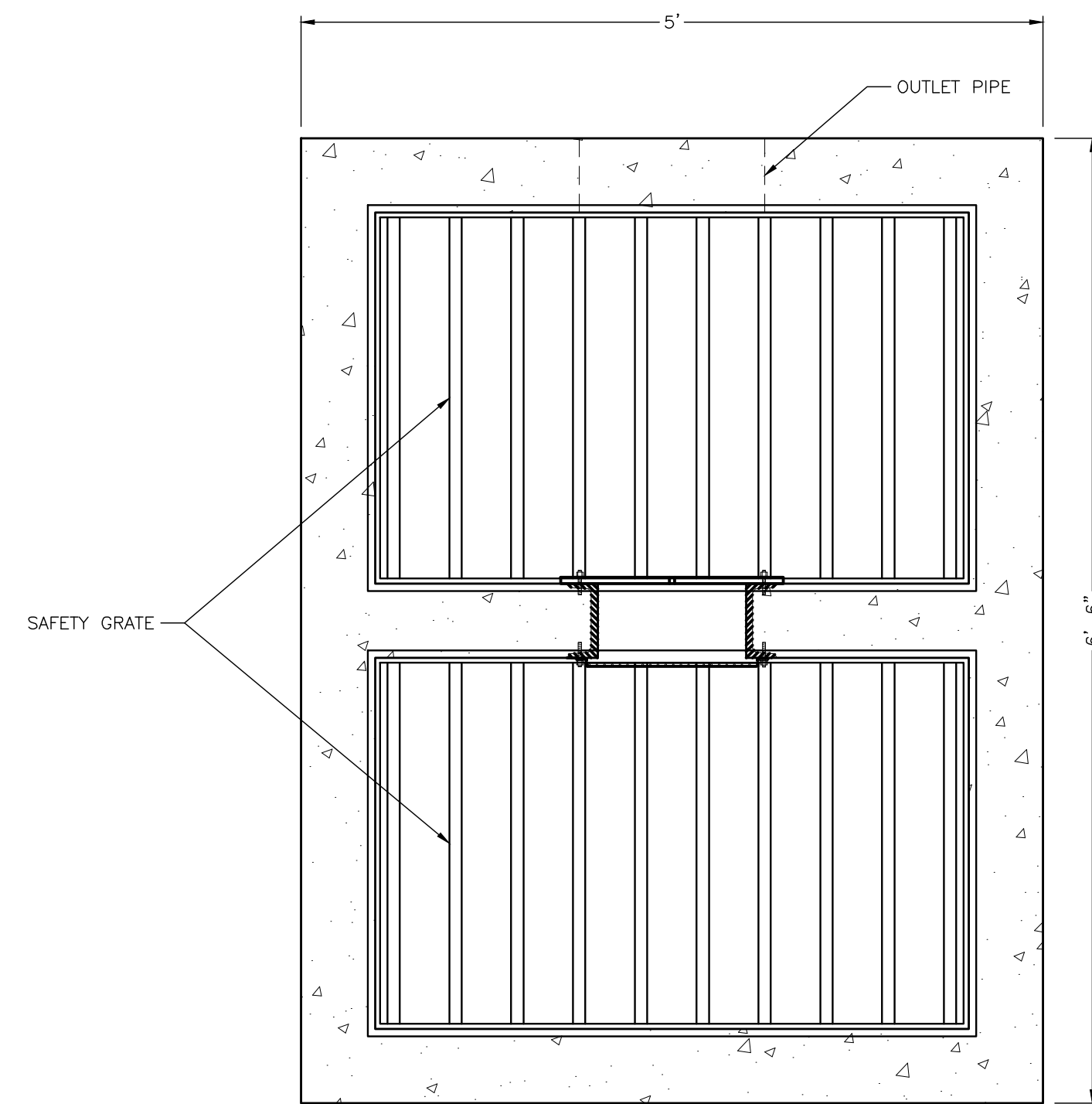
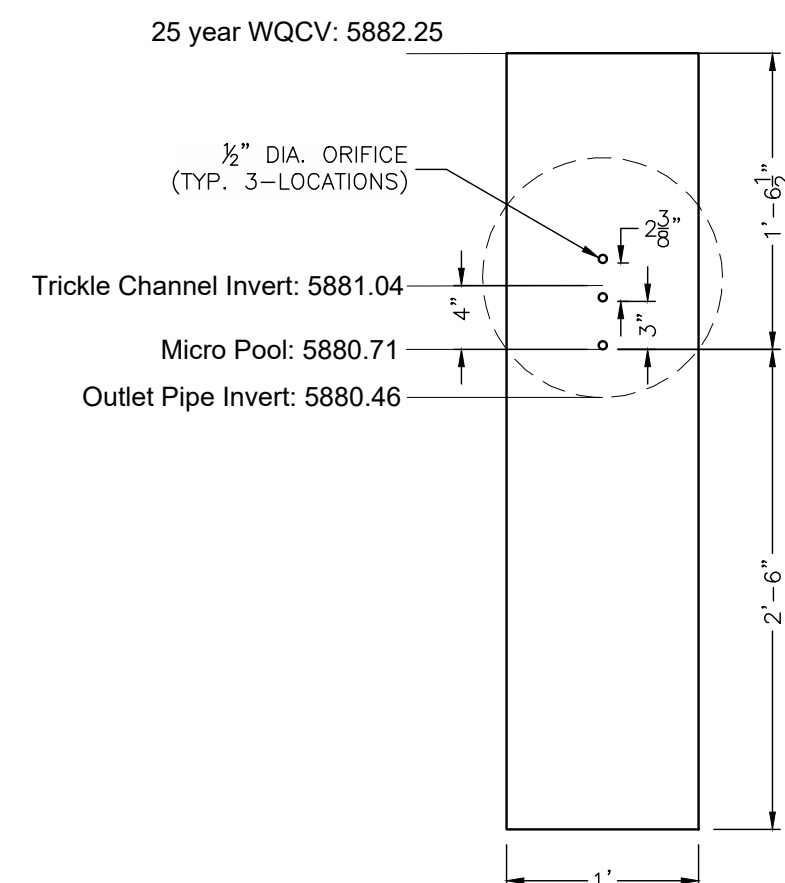
 $1'' = 5'$

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ORIFICE PLATE AND TRASH RACK
DETAILS AND NOTES

ORIFICE PLATE NOTES:

1. PROVIDE CONTINUOUS NEOPRENE GASKET MATERIAL BETWEEN THE ORIFICE PLATE AND CONCRETE.
2. BOLT PLATE TO CONCRETE 12" MAX. ON CENTER.

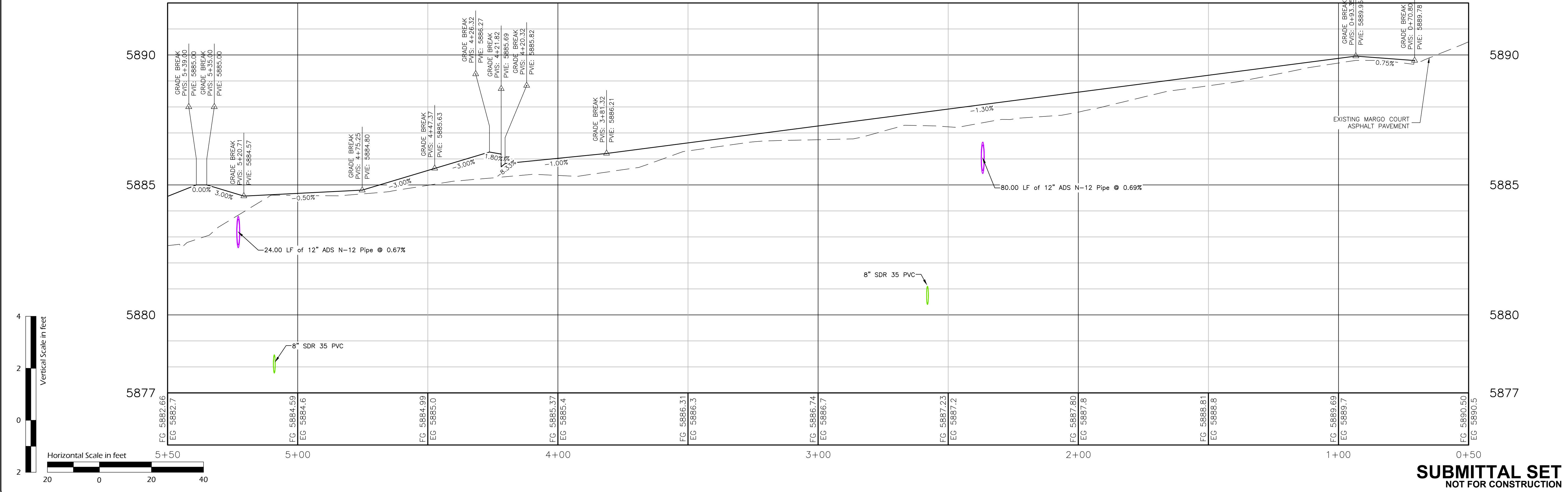
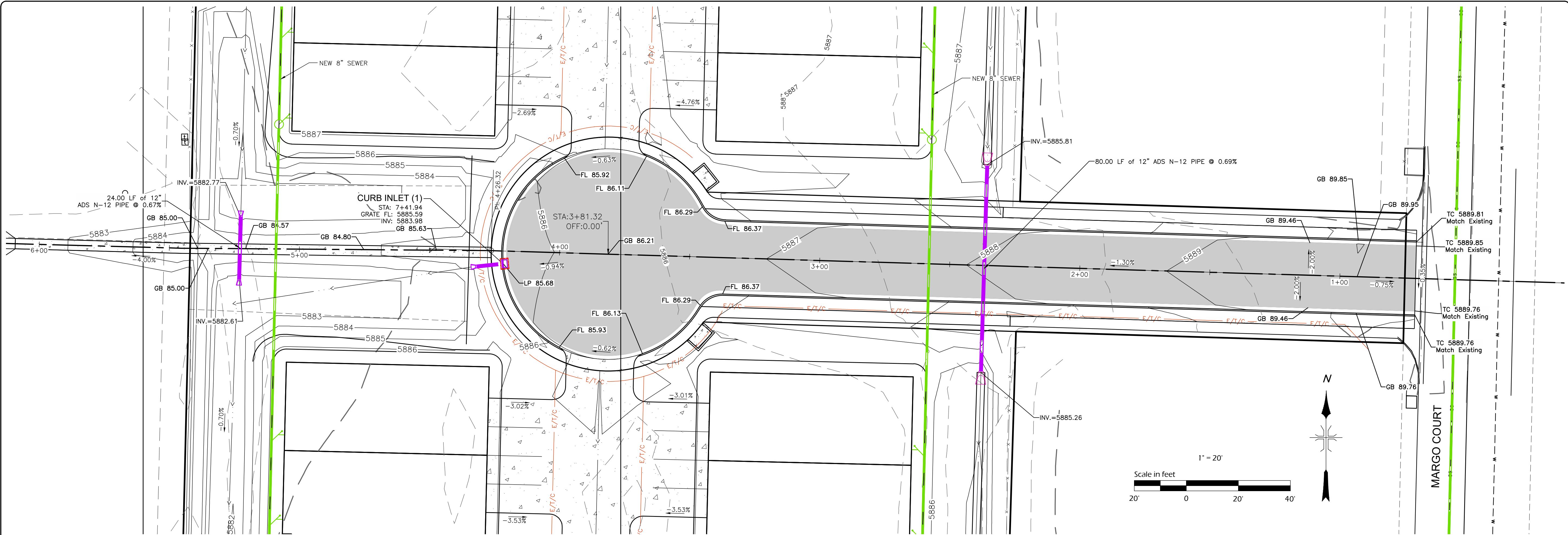
WQCV TRASH RACKS:

1. WELL-SCREEN TRASH RACKS SHALL BE STAINLESS STEEL AND SHALL BE ATTACHED BY INTERMITTENT WELDS ALONG THE EDGE OF THE MOUNTING FRAME.
2. TRASH RACK OPEN AREAS ARE FOR SPECIFIED TRASH RACK MATERIALS, TOTAL TRASH RACK SIZE MAY NEED TO BE ADJUSTED FOR MATERIALS HAVING DIFFERENT OPEN AREA/GROSS AREA RATIO (R VALUE).
3. STRUCTURAL DESIGN OF TRASH RACKS SHALL BE BASED ON FULL HYDROSTATIC HEAD WITH ZERO HEAD DOWNSTREAM OF THE RACK.

OVERFLOW SAFETY GRATES:

1. ALL SAFETY GRATES SHALL BE MOUNTED USING STAINLESS STEEL HARDWARE AND PROVIDED WITH HINGED AND LOCKABLE OR BOLTABLE ACCESS PANELS.
2. SAFETY GRATES SHALL BE STAINLESS STEEL, ALUMINUM, OR STEEL. STEEL GRATES SHALL BE HOT DIP GALVANIZED AND MAY BE HOT POWDER COATED AFTER GALVANIZING.
3. SAFETY GRATES SHALL BE DESIGNED SUCH THAT THE DIAGONAL DIMENSION OF EACH OPENING IS SMALLER THAN THE DIAMETER OF THE OUTLET PIPE.
4. STRUCTURAL DESIGN OF SAFETY GRATES SHALL BE BASED ON FULL HYDROSTATIC HEAD WITH ZERO HEAD DOWNSTREAM OF THE RACK.

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SANDOVAL CONSTRUCTION, LLC
CHELSEI LANE & TOWNHOMES
 MONTROSE, COLORADO

CHELSEI LANE
PLAN AND PROFILE

M/C JOB NO.: **24090**

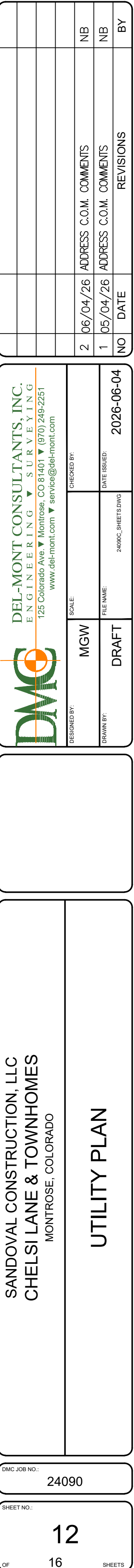
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NO. **11**

DATE: **2026-06-04**

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	NO	DATE	REVISIONS		BY

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SHEET NO.:	14
OF	16
	SHEETS



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CHAPTER 11-5. SUBDIVISION REGULATIONS¹

Sec. 11-5-1. General provisions.

- (A) This Chapter, as amended from time to time may be cited and referred to as the City's subdivision regulations.
- (B) The purposes of these subdivision regulations are to:
 - (1) Promote and protect public health, safety and welfare;
 - (2) Encourage the harmonious, orderly and progressive development of land;
 - (3) Ensure the development of economically sound and compatible neighborhoods;
 - (4) Require the construction of necessary improvements and utilities;
 - (5) Ensure safe and convenient circulation of vehicular and pedestrian traffic;
 - (6) Ensure that parks, open spaces, school sites and land needed for other public purposes are either reserved or dedicated;
 - (7) Ensure development is in accordance with the requirements of the City's Comprehensive Plan as such may be amended from time to time; and
 - (8) Ensure that new development bears its fair share of the costs of providing improvements and services necessitated by, or resulting from, the development of subdivisions.
- (C) References in this Chapter to the term "lot" include, as the context requires, "tracts" or "parcels" of real property, to the extent the same are or can be legally described and capable of individual transfer.

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

Sec. 11-5-2. Major subdivisions.

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

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

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

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

Sec. 11-5-3. Minor subdivisions.

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

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

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

- (1) Is proposed for development of properties contained within a previously approved and recorded subdivision plat.
- (2) Meets all applicable conditions of the plat governing the original subdivision.
- (3) Complies with the required City platting conditions in Subsection (A) above.

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- (4) Complies with the requirements of C.R.S. § 38-33.3-101 et seq. (sublots and common interest community units are not lots for purposes of compliance with this Section).
 - (5) Is consistent with the representations made by the property owner and/or applicant for subdivision approval which created the lot proposed to be further subdivided as a common interest community subdivision.
 - (6) Results in a change of ownership or marketing regime consistent with the basis upon which creation of the lot being proposed for common interest community subdivision was based.
- (C) *Minor Plat Amendments.* Previously-approved subdivision plats may be amended through the minor subdivision process if they meet the following criteria:
- (1) The plat, as amended, reduces the number of lots within the subdivision, i.e., a lot consolidation; or the nature of the amendment is de minimis, e.g., a boundary line adjustment, lot line correction, duplex conversion, easement adjustment, or similar minor plat modification.
 - (2) All lots are adjacent to a dedicated public street.
 - (3) The lots are part of a subdivision plat which has been approved and/or accepted by the City and recorded in the Montrose County Records.
 - (4) The improvements required by these regulations are already in existence and available to serve each lot, or if not yet constructed, are secured as a part of the original subdivision approval.
 - (5) Each lot will meet requirements of the applicable City zoning regulations without the necessity for any variance. No material changes to prior plat notes, restrictions or easements are proposed.
- (D) *Procedure.* Submittals of sketch plans and preliminary plats are not required for minor subdivisions. The minor subdivision application shall conform to all applicable final plat requirements. All fees related to this Section shall be as set forth in Chapter 3-1 of the City of Montrose Regulations Manual. The final plat for a minor subdivision shall contain certification on forms approved by the City to document approval of the plat.
- (1) The City Manager may either approve, disapprove or conditionally approve the final plat subject to compliance with any minimum design standards; dedication of additional right-of-way, easements, open space or park land; or installation of additional improvements. Final plats shall not be recorded until required public and private improvements are installed and approved by the City.
 - (2) Upon approval by the City land use staff, the plat of the minor subdivision shall be submitted in final form on one reproducible mylar, with all requisite signatures, and also in a digital format acceptable to the City, and compatible with City computer systems.
- (E) *Limitation of Eligibility.* Any subdivision not qualifying as a minor subdivision is a major subdivision. For the purpose of interpreting the requirements of this Section, any proposed minor subdivision which is clearly intended to evade the major subdivision regulations or would result in a de facto major subdivision through the combination of previous contiguous and/or consecutive minor subdivisions is not eligible for minor subdivision. A minor subdivision shall only be used one time on a previously unsubdivided parcel of land.

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

Sec. 11-5-4. Sketch plan.

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

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

Sec. 11-5-5. Preliminary plat.

- (A) *Purpose.* The purpose of the preliminary plat is to provide the City with an overall master plan for the proposed subdivision. The preliminary plat is more detailed than the sketch plan and should incorporate the comments and guidance provided during the sketch plan process. It includes the layout of the subdivision, engineering design studies, and final engineering design, with all bearings, distances and survey monumentation.
- (B) *Review Procedure.* The preliminary plat application shall be reviewed by the City in accordance with Section 11-4-2 of this Title.
- (C) *Review and Approval Criteria.* A preliminary plat shall comply with the following review and approval criteria:
 - (1) The plat shall be consistent with the City subdivision and zoning regulations, standards and other applicable ordinances and regulations;

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

Sec. 11-5-6. Final plat.

- (A) *Purpose.* The purpose of the final plat is to complete the subdivision of land in conformance with all the applicable requirements and standards of the City. The final plat shall correspond in every significant respect with the preliminary plat as previously approved. A complete review is conducted of the final subdivision design, with all bearings and distances, survey monumentation, and certificates of approval included on a document suitable for recordation.
- (B) *Review Procedure.* The final plat application shall be reviewed by the City in accordance with Section 11-4-2 of this Title.
- (C) *Review and Approval Criteria.* A final plat shall comply with the following review and approval criteria:

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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.
 - (c) In instances where completion of required improvements, utilities or road infrastructure within the outlot is determined by the City to be necessary as a condition of approval of that final plat, the developer shall be required to complete said improvements, utilities or road infrastructure upon approval of that final plat.

This may include, but not be limited to, completion of necessary road infrastructure, stormwater drainage system, trails and park development.

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

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

Sec. 11-5-7. Reserved.

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

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

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

Sec. 11-5-9. Land dedication and fees in lieu.**(A) Purpose and Intent.**

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

(B) Dedication Procedure.

- (1) The amount, location, and nature of land interests to be dedicated shall be established prior to final subdivision plat approval. Land dedications and/or conveyances shall be made as a condition of final plat approval and shall be implemented in one or more of the following ways, as appropriate and as provided in the final plat approval:
 - (a) A fee simple dedication to the City granted via plat note on the final plat;
 - (b) A fee simple conveyance to the City granted via general warranty deed;
 - (c) A fee simple dedication to the school district of a school site via plat note on the final plat;
 - (d) A fee simple conveyance to the school district via general warranty deed; and/or
 - (e) Payment of fees-in-lieu of land dedications where permitted and approved by the City.
- (2) Whenever a subdivision application involves land that is to be dedicated and/or conveyed to the City, the applicant shall submit, with the final plat application, a title insurance commitment indicating the land is owned by the applicant free and clear from all liens, encumbrances and restrictions.
 - (a) Title insurance shall be provided by the applicant in an amount equal to the approximate value of the property to be dedicated and/or conveyed, as approved by the City.
 - (b) The executed deed, if applicable, and the payment of the premium for the title insurance policy shall be delivered to the City prior to the recording of the final plat.

(C) Land Dedication Standards.

- (1) **General Requirements.** Every approved subdivision shall convey land for the purpose of providing parks, open space, trails, school sites, and other public uses. The

standards herein are minimum standards and the City may require dedications and improvements greater than the minimum to adequately meet the needs created by the development.

- (a) The City Council shall determine the suitability of the land and improvements proposed for dedication in consideration of the intended purpose of the dedication.
 - (b) The City may consider recommendations from other agencies which would be directly involved in the development and service of those areas.
 - (c) Parks, open space, and trails shall be dedicated to the City in conformance with the requirements herein and the adopted standards of the City Comprehensive Plan as may be updated from time to time.
 - (d) Parks, open space and trails shall be situated within floodplains instead of developed lots when reasonable to do so.
- (2) *Improvement Required.* Any land to be dedicated to the City shall be improved by the developer per the timetable specified at time of final plat subdivision approval for use as park, open space, and/or trails.
- (D) *Park Land Standards.* Dedication of land for park purposes shall be based upon the following standards. In the event the subdivider disagrees with the calculation provided by the City, the subdivider may request continuation of final plat review and fund an independent study under Section 11-5-9(I):
 - (1) Subdividers shall dedicate to the City developed park land based upon a formula of seven acres of developed and usable park land per density of 1,000 residents, calculated at build-out of the proposed subdivision. For the purpose of this calculation, it shall be assumed that each residential unit shall house an average of two and one-half residents.
 - (2) Those developments that dedicate adequate quantities and qualities of park land acceptable to the City, in the City's sole discretion, shall not be required to pay the money in lieu of park land dedication. Only park land dedicated to the City of Montrose, and approved by the City, in the City's sole discretion, that meets the City's Comprehensive Plan, the minimum design standards as set forth herein, and that is improved to meet the City's park standards and specifications, shall qualify to relieve the subdivider of payment of money in lieu of park land dedication.
 - (3) Developed park land proposed for dedication or conveyance to the City shall require prior submittal and approval of a park plan by the City, which plan shall address the City's park standards and specifications.
 - (4) When authorized by the City, the required dedication of developed park land may be partially or wholly substituted by alternative dedication and/or preservation of open space areas such as riparian habitat, wetlands habitat, wildlife habitat and view corridors as approved by the City.
 - (5) Parks that are sized, developed, and located to meet the needs of the City and constructed in accordance with City standards and specifications may be dedicated to the City, and if so dedicated, shall be available for use by the public.
- (E) *Trail and Sidewalk Standards.*
 - (1) Trails shall be dedicated as needed to serve the recreational and transportation needs of the subdivision in conformance with the Comprehensive Plan, and shall provide

links to schools, the local and regional trail system, parks and open space areas, commercial and employment areas, public transit, community facilities such as libraries, and other destinations. Trails should be provided adjacent to or within natural and scenic areas and open space areas, when possible, in a manner that provides a recreational corridor without degrading the natural or scenic resource.

- (2) Sidewalks and recreation trails shall be integrated with existing and planned sidewalks and recreation trails in accordance with the City's Comprehensive Plan. The owner of each project shall dedicate the appropriate easements and/or rights-of-way consistent with said plans.
- (3) All sidewalk and recreational trails shall be available for use by the public.

(F) *Open Space and Watercourse Standards.*

- (1) If required by the City, open space shall be dedicated as necessary to preserve significant natural areas such as buttes, bluffs, and other geologic formations, water bodies/resources, wildlife habitat areas, fragile ecosystems (wetlands) riparian areas, floodplains, native trees and shrubs and/or other significant native vegetation. Open space shall also be dedicated as necessary to preserve lands which preserve significant views, provide transitions between different densities and uses (buffers) and otherwise serve to give shape and form to the proposed development and surrounding community.
- (2) Public access is not required for open space dedications.
- (3) Natural watercourses may be developed and preserved consistent with City floodplain management regulations, Storm Drainage Requirements and Federal Clean Water Act Section 404 Permit requirements, to minimize safety, environmental, and other hazards, and shall be integrated with the City's Comprehensive Plan for such watercourses whenever feasible.

(G) *Fees in Lieu of Dedication.*

- (1) In the event the dedication of required park land is not deemed suitable or not in the public interest within the development, the City Manager is hereby authorized to require the applicant, in-lieu thereof, to pay the City a fee-in-lieu-of land based on the amount of required land dedication as calculated in Section 11-5-9(D) above, and pro-rated using the average value of land in the City plus the cost per acre of constructing the improvements for that type of facility. Such fee may be updated from time to time to reflect current market land values and costs of the improvements and shall be adopted by Resolution and included in the City's fee schedule.
- (2) Alternatively, and if approved by the City Manager, the subdivider may develop or contribute to the improvement of an off-site facility if said facility conforms to the adopted standards in the Comprehensive Plan. Nothing contained herein shall be construed to prevent the City Manager from requiring that part of the park land dedication requirement be made in the form of dedicated land, and that part of such requirement be made in the form of cash in-lieu of the remaining requirements for such land.
- (3) When in-lieu payments are permitted, the following standards apply:
 - (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.

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

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- (c) Request waiver of the requirement to provide for school land dedication or payment in lieu, per Section 11-5-9(K) below.
 - (2) The preliminary plat and final plat of a proposed subdivision shall designate specific areas proposed for use as school sites, the number of acres so designated, and the proposed number of lots by dwelling unit type in the subdivision; or, the waiver of this requirement and agreement to provide cash in-lieu-of land; or a plat note indicating that no children will be generated by the development.
 - (3) School sites dedicated through this procedure shall conform to the school site size requirements and site criteria policy adopted by the School District and incorporated herein by this reference.
 - (4) *Determination of School Land Dedication.* If the City Council determines that the dedication of land for school purposes is appropriate, then the applicant shall convey the property and all improvements located thereon in the manner permitted by Section 11-5-9(B) to the School District at the time of recording of the final plat.
 - (5) *Fees in-Lieu of Land or Guarantee of Future Land Dedication.* When, after recommendation of the School District, dedication of all or portions of required school lands is not deemed feasible or in the public interest, in that event the City Council shall require the payment of fees in-lieu thereof.
 - (6) Monies collected in lieu of school land dedication shall be collected at time of issuance of building permit (or Certificate of Occupancy for those buildings commenced prior to final plat approval) and disbursed to the School District on a quarterly basis. No security as set forth in Section 11-5-12 shall be required.
 - (7) The following shall be exempted from school land dedication requirements or payment in-lieu-of fees:
 - (a) Skilled nursing facilities as defined in the Section 11-15-2 of this Title;
 - (b) City-approved subdivisions that are subject to recorded covenants restricting the age of the residents of said dwelling units such that the dwelling may be classified as housing for older persons pursuant to the Federal Fair Housing Amendments Act of 1988.
- (K) *Waiver of Requirements.*
- (1) The City Council may waive the required dedication of land or the payment in lieu of dedication of open space, parks, trails and/or school lands in the following cases:
 - (a) When the project has already been fully developed and the subdivision of land is necessary to bring the land into conformance with the as-built or as-constructed development;
 - (b) When the development does not result in any increase in demand for parks, trails, or open space; or
 - (c) With respect to school land dedication, the School District approves a waiver request under Section 11-5-9(J).
- (Ord. No. 2677, § 1(exh. A), 12-17-2024)

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

- (A) All subdivisions shall be provided, at the expense of the subdivider, and subject to applicable zoning criteria, with the following public improvements as required to serve the subdivision and to mitigate its impacts.
- (1) Street improvements:
 - (a) Paved streets;
 - (b) Paved alleys, if required by the City;
 - (c) Street signs;
 - (d) Street lights; and
 - (e) On- and off-site traffic mitigation improvements as identified in the subdivision's Traffic Impact Study as necessary to safely support the development.
 - (2) Curbs, gutters, sidewalks and accessibility ramps.
 - (3) Parks, open space and recreation trails.
 - (4) Public utilities:
 - (a) A water system including fire hydrants and fire mains;
 - (b) A sanitary sewer system;
 - (c) A stormwater system; and
 - (d) Other public utilities, including gas, electricity, and a minimum of three conduits for telecommunications.
 - (5) Drainage facilities and waterways.
 - (6) Survey monuments.
 - (7) As applicable, off-street parking, mailbox location areas and bus stops with accessibility ramps.
- (B) Other improvements required as a condition of approval and found to be roughly proportional to the impacts being mitigated. All public improvements shall be subject to applicable City minimum design standards, regulations and specifications.
- (C) Public improvements shall be secured by warranty and security instruments as required by Section 11-5-12.

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

Sec. 11-5-11. Private improvements.

- (A) The subdivider may provide, or may be required to provide as a condition of certain private improvements, as specifically referenced below, to serve the subdivision and to mitigate its impacts, and in accordance with duly adopted City standards, if applicable, to include:
- (1) Recreational facilities, parks, open space and trails;
 - (2) Drainage facilities and waterways;
 - (3) Mailbox location areas;

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- (4) Berms, screening and buffers; and
 - (5) Other private improvements required as a condition of approval.
- (B) Such improvements shall be privately-owned and/or -maintained, and the plat shall contain appropriate restrictions and/or covenants, in form approved by the City Attorney, governing use, ownership and maintenance in perpetuity enforceable by the City, providing for recovery of the City's costs by liens or assessment against the property in the subdivision. Such improvements shall be completed prior to issuance of building permits pursuant to Section 11-5-8.
- (Ord. No. 2677, § 1(exh. A), 12-17-2024)

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

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

completed. It shall then be unlawful to sell any further lots in the subdivision until all necessary on- and off-site improvements are completed.

- (C) The City Council may authorize extensions of time to complete all improvements beyond the one and two-year limitations as set forth herein.
- (D) Following the completion of required improvements and submission of the as-built plans, the City Engineer shall conduct an inspection and if the improvements are in accordance with the requirements of these and other applicable regulations and good engineering and construction standards, shall issue a Preliminary Letter of Infrastructure Completion as provided herein.
 - (1) A Letter of Substantial Completion may be issued when only landscaping and irrigation facilities are incomplete and secured as provided in Subsection 11-5-12(A) of this Section.
 - (a) In the case of subdivisions that have been issued a Letter of Substantial Completion, upon completion of the outstanding improvements and submission of the as-built plans therefor; the City Engineer shall conduct an inspection and shall issue a Preliminary Letter of Infrastructure Completion, if all required improvements are in accordance with the requirements of these and other applicable codes and regulations and good engineering and construction standards.
 - (2) The subdivider shall warrant the public improvements against defects or failures in workmanship or materials for a period of two calendar years from the date of the Preliminary Letter of Infrastructure Completion. During this two-calendar-year construction warranty period, the City will, as applicable, assume the responsibility for snow removal within public rights-of-way in regard thereto, but the subdivider shall remain responsible for all other maintenance and to correct all defects or failures that appear in any such public improvements during the construction warranty period.
 - (a) The City shall determine what constitutes a defect or failure in its sole discretion, provided that such are not the result of public abuse, misuse or normal wear from use. The City Engineer shall notify the subdivider in writing of such defect or failure, setting forth a list of specific deficiencies. If within 30 days after the City has notified the subdivider of a defect or failure, the subdivider has not started or completed the required repairs, provided construction drawings and a proposed repair schedule for City review and approval, or submitted a written objection to the to the City's request for repair work, the City is hereby authorized to make the repairs or replacements or to order the work be done by a third party. The City may authorize a temporary repair if necessary due to weather conditions or materials availability. The subdivider shall pay the cost of any repair work. Any appeal of the City Engineer's repair or replacement requirements shall follow the appeal process pursuant to Chapter 4-1-6 of the City Code.
 - (b) At the end of the warranty period, the subdivider shall request, in writing, that the City Engineer perform a final inspection of the improvements to facilitate the completion of the construction warranty.
 - (i) The City Engineer shall conduct an inspection of all public improvements, and upon final approval, as evidenced by the City's issuance of a Letter of Infrastructure Completion and Acceptance, the City shall accept the improvements, and the security held by the City shall be returned to the subdivider.

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

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

- (A) *Minimum Standards, Conformity to Preliminary Plat, and Approval Required.* All public improvements shall be constructed in accordance with the minimum standards set forth below or other applicable City design and construction specifications and standards, and other applicable City ordinances or regulations. All public and private improvements shall be in substantial conformity with the preliminary plat as approved, the City Comprehensive Plan and amendments thereto, and in accordance with good engineering and construction practices. All plans must be approved in advance by the City Engineer.
- (B) *Minimum Standards.*
- (1) *Streets.*
- (a) Subdivider shall be required to make and install improvements to existing streets within and abutting the subdivision and/or other areas outside the subdivision or any filing thereof being considered, including, but not limited to, curbs, gutters, sidewalks and street paving improvements, when the subdivision and developments thereof will directly create a need for said improvements outside the subdivision itself, if necessary to properly serve the subdivision.
 - (b) In those cases where the City determines that the immediate improvement of the abutting street, or other on-site or off-site improvements, is not currently practical, or should be delayed, or the costs of such improvements should be shared with additional property likely to use and be benefited by the improvements, the developer may be allowed to execute recordable covenants on the plat or separately in a form provided by the City, binding the lots in the subdivision to future assessments or participation in an improvement district for the construction of such improvements.
 - (c) Wherever topography will permit, the arrangement of the streets shall provide for the dedication and construction of street stubs to align with existing or future streets to adjoining developing or developable areas.
 - (d) Cul-de-sacs shall terminate in a circular turn-around having a minimum right-of-way of at least 100 feet in diameter, and a paved turn-around with a minimum outside diameter of 80 feet. Cul-de-sacs shall be not less than 100 feet long, and not more than 500 feet long, as measured from the center of the cul-de-sac bulb to the center of the intersecting street; use of cul-de-sacs is limited to places where street connections would be impractical.
 - (i) Cul-de-sacs longer than 300 feet shall require a recreation trail connection at the end that provides connectivity to the nearest City street.
 - (e) Temporary dead-end streets which extend for a distance greater than the depth of one abutting lot shall be provided with a temporary turn-around having a diameter of at least 80 feet.
 - (f) Whenever a new street is proposed along the edge of the subdivision, the entire street shall be dedicated and improved within the subdivision.
 - (g) No more than two streets shall intersect at any point. Intersections shall be as near as practicable to 90 degrees. A street shall have a minimum straight distance of 100 feet from the intersection before it may be curved.

- (h) A straight section of 100 feet shall be provided between reverse curves on all streets.
- (i) All lots in the subdivision shall have direct access to a dedicated street, subject to the following exceptions:
 - (i) One or more private shared access drives may be used to provide access for up to no more than four dwelling units each, subject to City Manager approval, in residential zoning districts. Shared access drives shall not be used as an extension of a cul-de-sac.
 - (ii) Reciprocal access easements may be approved to accommodate subdivisions with multiple commercial units sharing a contiguous parking area in commercial zoning districts.
- (j) Any two local streets which intersect a common third local or collector street shall have centerlines no closer than 175 feet from one another. Any two local streets which intersect a common third minor arterial or major arterial street, shall have centerlines no closer than 350 feet from one another.
 - (i) The City may limit access to major arterial or minor arterial streets to facilitate traffic flows, or to promote public safety.
- (k) The maximum block length, as measured from the centerline of the nearest intersecting streets, shall be a maximum of 700 feet.
- (l) Street names must be approved by the City and respective 911 authority.
- (m) Streets shall be developed in accordance with the City's Comprehensive Plan roadway cross sections, the City's engineering specifications, as applicable, and the table below. The minimum dedicated rights-of-way and street widths shall be as shown in Table 5.1.

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

Street Classification	Minimum Right-of-Way	Minimum Street Width Urban = Width (Distance Between Curb Flowlines)
Major Arterial	124 feet*	92 feet
Minor Arterial	80 feet*	Varies with traffic volume and whether parking is allowed, see engineering specifications for road widths
Collector	70 feet	46 feet
Local	50 feet	28 feet with detached 5-foot sidewalk; 36 feet with attached 6-foot sidewalk
Planned Developments	40 feet	27 feet with attached 6-foot sidewalks. Supplemental off-street parking may be required.
* ROW width shall be increased by 12 feet within 500 feet of an arterial cross street intersection to allow a double left turn lane.		

- (n) Subdivisions which include any part of an existing platted street which does not conform to the minimum right-of-way requirements of these regulations may be required to provide additional width necessary to meet the minimum right-of-way requirements of these regulations.

- (o) No street grade shall be less than one-half of one percent or exceed the maximum grade shown in Table 5.2.

Table 5.2 Maximum Street Grade

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

- (p) Alleys shall be provided at the rear of lots within the commercial zoning districts, or as otherwise approved by the City. Alleys shall be 20 feet in width and shall be paved in accordance with City specifications.

(2) *Curb, Gutter, Sidewalks and Trails.*

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

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- (a) In residentially zoned districts, blocks shall be wide enough to permit two lots between lengthwise streets.
 - (b) The building line for residential lots on collector streets shall be set back 25 feet from the front property line.
 - (c) The building line on corner lots shall be set back 25 feet from both street front property lines.
 - (d) Lots which abut a street in the front and the rear shall be avoided except where a railroad right-of-way, a major arterial or minor arterial street is located to the rear of the lot, in which case such a lot shall have a minimum depth of 125 feet.
 - (e) Every lot shall front on a designated collector or local street, subject however, to the following exceptions:
 - (i) One or more private shared access drives may be used to provide access up to no more than four dwelling units each, subject to City approval, in residential zoning districts. Shared access drives shall not be used as an extension of a cul-de-sac.
 - (ii) Private access easements may be provided, subject to City approval, in subdivisions within commercial zoning districts across parking lot areas;
 - (iii) In such instances, the shared access improvements shall be subject to City specifications and the restrictions set forth in Section 11-5-11(B).
 - (f) No residential lot shall front on a major arterial or minor arterial street. No access shall be permitted directly from a residential lot to a major arterial or minor arterial street.
 - (g) The lot depth shall not be more than three times the lot width at the front of the building line of the principal structure.
 - (h) Access drives and intersections shall comply with City access standards and the transportation plan. In addition, accesses onto County roads shall comply with applicable County regulations.
 - (i) Lots shall be at least 50 feet in width at the front of the building line of the principal structure. Lots abutting cul-de-sacs shall have at least 25 feet of linear frontage to the cul-de-sac.
 - (j) Sight triangles shall be shown on the plat as per the engineering specifications.
- (4) *Public Utilities.*
- (a) All utilities shall be installed underground unless the City Engineer determines that soil or topographic conditions make that impracticable.
 - (b) Utilities shall be installed prior to the paving of any street under which they are to be located and the individual service lines shall be connected and stubbed out prior to paving, in order to avoid the necessity of cutting into the pavement to connect any abutting lots.
 - (c) Utilities will be sized and placed as necessary to facilitate connection with future subdivisions and developments. With the exception of terminal lines and fire hydrant laterals where sufficient hydraulic capacity can be demonstrated, all water mains shall be a minimum eight inches diameter in all zoning districts. At a minimum, eight-inch diameter sewer main lines shall be provided in all zoning

districts. Individually conveyable lots shall each require a singular water and sewer lateral connection to a public main line.

- (d) The City may elect to require over-sizing of the extended utility and pay for the cost of such materials accordingly.
 - (e) City water and sewer systems shall be provided except where the City has required an alternative supplier by service area agreement with such alternative provider. In cases where alternative utilities are provided on a temporary basis, connection to City services shall be required at such time they are made available to the subject property.
 - (f) In the event that City sewer service will not be available within a reasonable time period following final plat approval, engineered individual sewage disposal systems may be authorized by the City for those subdivisions occurring within the residential rural living zoning districts with lot sizes of five acres or greater. Advance City approval shall be required in each case.
 - (g) All extension of City utilities shall require City approval and proper execution of City utility extension agreements. The extension of utilities shall be at the sole expense of the subdivider.
 - (h) Prior to any installation or construction of utility extensions, the subdivider shall first submit proposed alignment location maps and engineered drawings for City approval. The subdivider shall acquire all necessary easements for the proposed utility location from all affected properties. The easements shall be conveyed to the City and executed on applicable City forms.
 - (i) All utility extensions shall be subject to City inspection and approval.
 - (j) All utility main line extensions, once approved by the City, shall be dedicated to the City with applicable utility easements. As-built plans and data shall be provided on hard copy in accordance with these provisions and in a digital format compatible with City computer systems.
 - (k) Following the completion of any utility extension and submission of the as-built plans, the City Engineer shall conduct an inspection, and if the improvements are in accordance with the requirements of these and other applicable regulations and good engineering and construction standards, shall issue a Preliminary Letter of Infrastructure Completion.
 - (i) For a period of two calendar years thereafter, the subdivider shall be responsible for correcting all defects or failures that appear in such improvements.
 - (ii) At the completion of this two-calendar-year construction warranty period, upon written request from the subdivider, all public and necessary on- and off-site improvements shall again be inspected by the City Engineer, and upon final approval, may be accepted by the City, as evidenced by issuance of a Letter of Infrastructure Completion and Acceptance. The provisions set forth in Section 11-5-12(D) shall apply to improvements and construction covered by this Section.
- (5) *Piped Drainage Facilities and Waterways.*
- (a) Stormwater discharge improvements shall be engineered and approved in accordance with City specifications, stormwater retention on site shall be

discouraged. When feasible to do so and when requested by the City Engineer, all ditches shall be piped and subject to platted easements to be dedicated either to the City or to the applicable owner of the ditch facilities. The City may elect to allow the location of piped ditch facilities within its rights-of-way at its discretion. Perpetual maintenance shall be provided pursuant to plat notes and/or City-approved covenants.

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

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

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

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

- (1) Unusual topography or a non-financial hardship exists;
- (2) Alternative standards will more effectively protect the quality of the subdivision and the public welfare and more effectively achieve the purposes of these regulations;
- (3) Alternative standards will more effectively implement provisions of the City's Comprehensive Plan; or