

MEGGAN HERINGTON, AICP, EXECUTIVE DIRECTOR

PLANNING AND COMMUNITY DEVELOPMENT

SUMMARY MEMORANDUM

TO: El Paso County Board of County Commissioners

FROM: Planning & Community Development

DATE: 07/23/26

RE: P2510 & SF2528; Searle Ranch Rezone and Final Plat

Project Description

A request by Searle Development, Inc for approval of a Rezoning (Map Amendment) from PUD to RR-2.5 and a request for approval of a 17.61-acre Final Plat creating 6 single-family lots. The subject property is located on Cherry Springs Ranch Road approximately 0.37 miles from the intersection of Cherry Springs Ranch Road and State Highway 105. (Parcel No. 6109000004) (Commissioner District No. 1)

Notation

Please see the Planning Commission Minutes for a complete discussion of the topic and the project manager's staff report for staff analysis and conditions.

Planning Commission Recommendation and Vote

Moraes moved / Whitney seconded for Approval of the Rezoning (Map Amendment) utilizing the resolution attached to the staff report, that this item be forwarded to the Board of County Commissioners for their consideration. The motion for Approval was approved (9-0). The item was heard as a consent agenda item.

Schuettpelz moved / Brew seconded for Approval of the Final Plat utilizing the resolution attached to the staff report, that this item be forwarded to the Board of County Commissioners for their consideration. The motion for Approval was approved (9-0). The item was heard as a consent agenda item.

Attachments

1. Planning Commission Minutes from 07/2/26.
2. Signed Planning Commission Resolution.
3. Planning Commission Staff Report.
4. Draft BOCC Resolutions.

MEGGAN HERINGTON, AICP, EXECUTIVE DIRECTOR

PLANNING AND COMMUNITY DEVELOPMENT

EL PASO COUNTY PLANNING COMMISSION

MEETING RESULTS (UNOFFICIAL RESULTS)

Planning Commission (PC) Meeting

Thursday, July 2nd, 2026, El Paso County Planning and Community Development Department
2880 International Circle, Colorado Springs, Colorado – Second Floor Hearing Room

REGULAR HEARING at 9:00 A.M.

PC MEMBERS PRESENT AND VOTING: Blaine Brew, Sarah Brittain Jack, Jim Byers, Suzanne Casagrande, Mae Emrick, Eric Moraes, Bryce Schuettpelez, Tim Trowbridge, and Christopher Whitney.

PC MEMBERS PRESENT AND NOT VOTING: None.

PC MEMBERS ABSENT: Thomas Bailey, Michael Brewer, and Jason Wulf.

STAFF PRESENT: Meggan Herington, Justin Kilgore, Erika Keech, Jeff Rice, Charlene Durham, Kylie Bagley, Joe Letke, and Tim Chambers.

OTHERS PRESENT AND SPEAKING: James McMurray.

1. REPORT ITEMS

Mr. Kilgore advised the board that the next PC Hearing is Thursday, July 16th, 2026, at 9:00 A.M.

2. PUBLIC COMMENT FOR ITEMS NOT ON THE HEARING AGENDA

NONE.

3. CONSENT ITEMS

A. Adoption of Minutes for meeting held on June 18th, 2026.

PC ACTION: THE MINUTES WERE APPROVED AS PRESENTED (9-0)

IN FAVOR: (9) Brew, Brittain Jack, Byers, Casagrande, Emrick, Moraes, Schuettpelz, Trowbridge, and Whitney.

IN OPPOSITION: (0) None.

B. P2510

LETKE

MAP AMENDMENT (REZONING)

SEARLE RANCH REZONE

A request by Searle Development, Inc for approval of a Rezoning (Map Amendment) from PUD to RR-2.5. The subject property is located on Cherry Springs Ranch Road approximately 0.37 miles from the intersection of Cherry Springs Ranch Road and State Highway 105. (Parcel No. 6109000004) (Commissioner District No. 1)

NO STAFF OR APPLICANT PRESENTATIONS OR DISCUSSION.

PC ACTION: MORAES MOVED / WHITNEY SECONDED TO RECOMMEND APPROVAL OF CONSENT ITEM 3B, FILE NUMBER P2510 FOR A MAP AMENDMENT (REZONING), SEARLE RANCH REZONE, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH TWO (2) CONDITIONS AND TWO (2) NOTATIONS, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (9-0).

IN FAVOR: (9) Brew, Brittain Jack, Byers, Casagrande, Emrick, Moraes, Schuettpelz, Trowbridge, and Whitney.

IN OPPOSITION: (0) None.

C. SF2528

LETKE

FINAL PLAT

SEARLE RANCH FINAL PLAT

A request by Searle Development, Inc for approval of a 17.61-acre Final Plat creating 6 single-family lots. The subject property is located on Cherry Springs Ranch Road approximately 0.37 miles from the intersection of Cherry Springs Ranch Road and State Highway 105. (Parcel No. 6109000004) (Commissioner District No. 1)

NO STAFF OR APPLICANT PRESENTATIONS OR DISCUSSION.

PC ACTION: SCHUETTELZ MOVED / BREW SECONDED TO RECOMMEND APPROVAL OF CONSENT ITEM 3C, FILE NUMBER SF2528 FOR A FINAL PLAT, SEARLE RANCH FINAL PLAT, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH EIGHT (8) CONDITIONS AND FOUR (4) NOTATIONS, AND A RECOMMENDED FINDING OF SUFFICIENCY WITH REGARD TO WATER QUALITY, QUANTITY, AND DEPENDABILITY, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (9-0).

IN FAVOR: (9) Brew, Brittain Jack, Byers, Casagrande, Emrick, Moraes, Schuettelz, Trowbridge, and Whitney.

IN OPPOSITION: (0) None.

4. CALLED-UP CONSENT ITEMS:

NONE.

5. REGULAR ITEMS

A. PUDSP255

BAGLEY

PLANNED UNIT DEVELOPMENT/PRELIMINARY PLAN

ANTELOPE RIDGE AND BULL HILL PHASE 1 PUDSP

A request by Matrix Design Group, for approval of a Map Amendment (Rezoning) of 165 acres from PUD (Planned Unit Development) to PUD (Planned Unit Development) with approval of a Preliminary Plan illustrating 472 single-family lots, tracts, including 36.48 acres of open space provisions, and 28.81 acres of land dedicated for public right-of-way. The property is located two miles east of the intersection of Marksheffel Road and Bradley Road and three miles west of the intersection of Curtis Road and Bradley Road. (Parcel No. 5500000324) (Commissioner District No. 4)

STAFF & APPLICANT PRESENTATIONS

DISCUSSION: Mr. Trowbridge asked for clarification on the location of drainage ponds and whether the pond is the entire tract or just located in the tract. **Ms. Durham** clarified the location of the water quality and detention facilities and explained that pond C on the drainage plan is part of the tract and

takes up most of the tract itself. **Mr. James McMurray**, senior planner at Matrix Design Group, explained the location of the stormwater drainage tracts in the development plan.

NO PUBLIC COMMENT OR APPLICANT REBUTTAL.

PC ACTION: MORAES MOVED / BRITTAIN JACK SECONDED TO RECOMMEND APPROVAL OF REGULAR ITEM 5A, FILE NUMBER PUDSP255 FOR A PLANNED UNIT DEVELOPMENT/PRELIMINARY PLAN, ANTELOPE RIDGE AND BULL HILL PHASE 1 PUDSP , UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH SIX (6) CONDITIONS AND FIVE (5) NOTATIONS, AND A RECOMMENDED FINDING OF SUFFICIENCY WITH REGARD TO WATER QUALITY, QUANTITY, AND DEPENDABILITY, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (9-0).

IN FAVOR: (9) Brew, Brittain Jack, Byers, Casagrande, Emrick, Moraes, Schuettpelz, Trowbridge, and Whitney.

IN OPPOSITION: (0) None.

6. NON-ACTION ITEMS

NONE.

MEETING ADJOURNED at 9:24 AM.

Minutes Prepared By: Tim Chambers

MAP AMENDMENT (REZONING) (RECOMMEND APPROVAL)

MORAES moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. P2510

SEARLE RANCH REZONE

WHEREAS, Searle Development Inc. did file an application with the El Paso County Planning and Community Development Department for approval of a Map Amendment (Rezoning) to amend the El Paso County Zoning Map for property in the unincorporated area of El Paso County as described in Exhibit A and depicted in Exhibit B, attached hereto and incorporated herein by reference, from the PUD (Planned Unit Development) zoning district to the RR-2.5 (Residential Rural) zoning district; and

WHEREAS, a public hearing was held by this Commission on July 2, 2026; and

WHEREAS, based on the evidence, testimony, exhibits, consideration of the Master Plan for the unincorporated area of the County, presentation and comments of the El Paso County Planning and Community Development Department and other County representatives, comments of public officials and agencies, comments from all interested persons, comments by the general public, and comments by the El Paso County Planning Commission Members during the hearing, this Commission finds as follows:

1. The application was properly submitted for consideration by the Planning Commission;
2. Proper posting, publication, and public notice were provided as required by law for the hearing before the Planning Commission;
3. The hearing before the Planning Commission was extensive and complete, that all pertinent facts, matters, and issues were submitted and that all interested persons and the general public were heard at that hearing;
4. All exhibits were received into evidence;
5. That changing conditions clearly require amendment to the Zoning Resolutions;

6. For the above-stated and other reasons, the proposed amendment of the El Paso County Zoning Map is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, this Commission further finds that the request meets the criteria for approval outlined in Section 5.3.5.B of the El Paso County Land Development Code (as amended), as follows:

1. The application is in general conformance with the El Paso County Master Plan including applicable Small Area Plans or there has been a substantial change in the character of the neighborhood since the land was last zoned;
2. The rezoning is in compliance with all applicable statutory provisions, including but not limited to C.R.S. § 30-28-111, § 30-28-113, and § 30-28-116;
3. The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions; and
4. The site is suitable for the intended use, including the ability to meet the standards as described in Chapter 5 of the Land Development Code, for the intended zone district.

NOW, THEREFORE, BE IT RESOLVED, that the El Paso County Planning Commission recommends that the petition of Searle Development Inc. for approval of a Map Amendment (Rezoning) to amend the El Paso County Zoning Map for property located in the unincorporated area of El Paso County from the PUD (Planned Unit Development) zoning district to the RR-2.5 (Residential Rural) zoning district meets the criteria for approval outlined in Section 5.3.5.B of the El Paso County Land Development Code and be approved by the Board of County Commissioners with the following conditions and notations:

CONDITIONS

1. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements. Applicable agencies include but are not limited to: the Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed threatened species.
2. Any future or subsequent development and/or use of the property shall be in accordance with the use, density, and dimensional standards of the Land Development Code and Engineering Criteria Manual. Specifically, development of the RR-2.5 lot shall be subject to the RR-2.5 (Residential Rural) zoning district standards.

NOTATIONS

1. If a zone or rezone petition has been disapproved by the Board of County Commissioners, resubmittal of the previously denied petition will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is a petition for a change to the same zone that was previously denied. However, if evidence is presented showing that there has been a substantial change in physical conditions or circumstances, the Planning Commission may reconsider said petition. The time limitation of one (1) year shall be computed from the date of final determination by the Board of County Commissioners or, in the event of court litigation, from the date of the entry of final judgment of any court of record.
2. Rezoning requests not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed withdrawn and will have to be resubmitted in their entirety.

BE IT FURTHER RESOLVED that this Resolution and the recommendations contained herein shall be forwarded to the El Paso County Board of County Commissioners for its consideration.

Whitney seconded the adoption of the foregoing Resolution.

The roll having been called, the vote was as follows: (circle one)

Thomas Bailey	aye / no / non-voting / recused / <u>absent</u>
Blaine Brew	<u>aye</u> / no / non-voting / recused / absent
Michael Brewer	aye / no / non-voting / recused / <u>absent</u>
Sarah Brittain Jack	<u>aye</u> / no / non-voting / recused / absent
Jim Byers	<u>aye</u> / no / non-voting / recused / absent
Suzanne Casagrande	<u>aye</u> / no / non-voting / recused / absent
Mae Emrick	<u>aye</u> / no / non-voting / recused / absent
Eric Moraes	<u>aye</u> / no / non-voting / recused / absent
Bryce Schuettpelz	<u>aye</u> / no / non-voting / recused / absent
Tim Trowbridge	<u>aye</u> / no / non-voting / recused / absent
Christopher Whitney	<u>aye</u> / no / non-voting / recused / absent
Jason Wulf	aye / no / non-voting / recused / <u>absent</u>

The Resolution was adopted by a vote of 9 to 0 by the El Paso County Planning Commission, State of Colorado.

DONE THIS 2nd day of July 2026 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By: 
Chair

EXHIBIT A

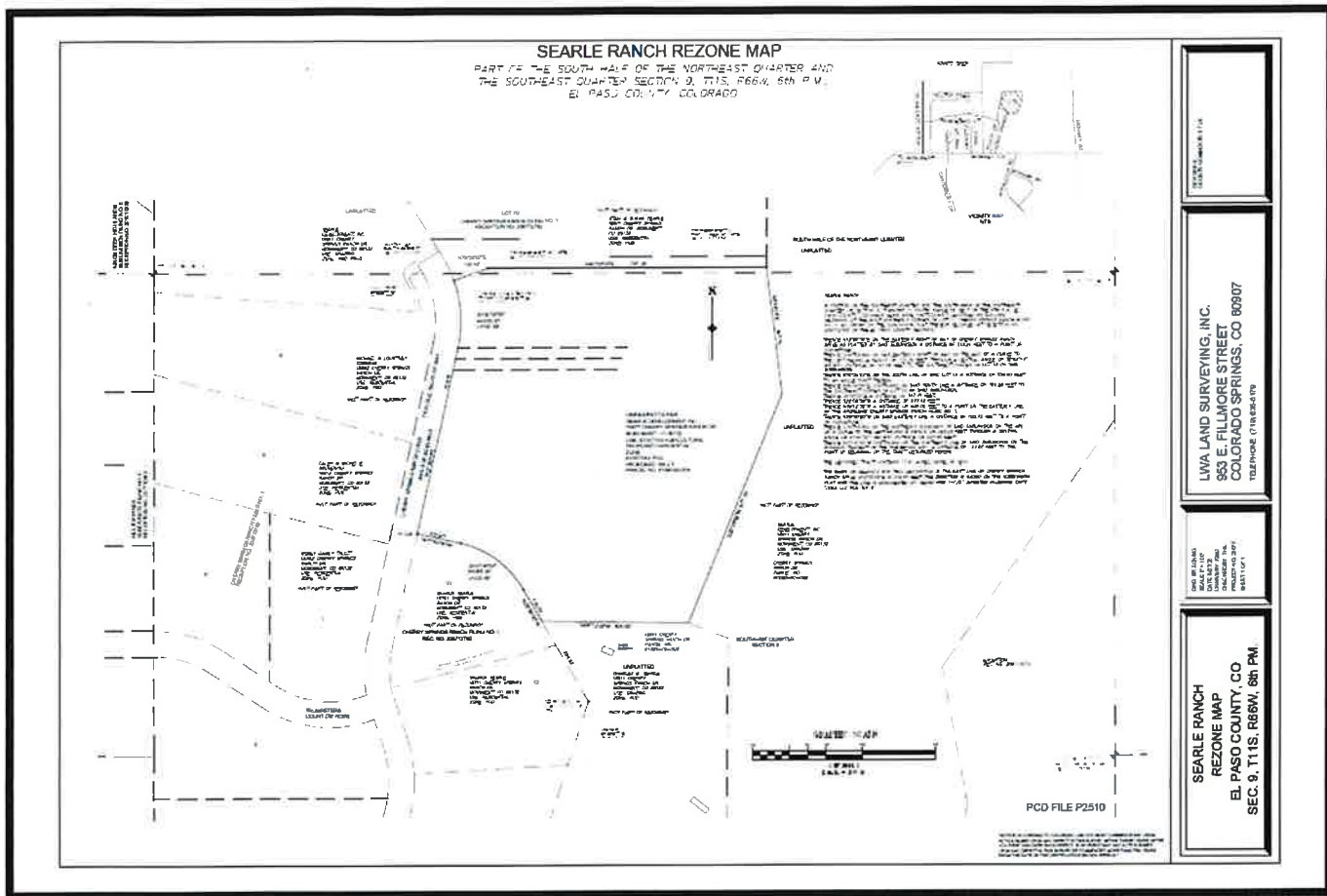
SEARLE RANCH SOUTH LOTS

A PORTION OF THE NORTH HALF OF THE SOUTHEAST QUARTER AND THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 11 SOUTH, RANGE 66 WEST OF THE 6th P.M., EL PASO COUNTY, COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;
BEGINNING AT THE MOST NORTHERLY CORNER OF LOT 11, CHERRY SPRINGS RANCH FILING NO. 1, AS SHOWN ON THE SUBDIVISION PLAT THEREOF RECORDED AT RECEPTION NO. 208712762 OF THE EL PASO COUNTY RECORDS;
THENCE N12°30'00"E ON THE EASTERLY RIGHT OF WAY OF CHERRY SPRINGS RANCH DRIVE AS PLATTED BY SAID SUBDIVISION A DISTANCE OF 519.91 FEET TO A POINT OF CURVATURE;
THENCE CONTINUING ON SAID EASTERLY RIGHT OF WAY ON THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 335.00 FEET, THROUGH A CENTRAL ANGLE OF 32°03'53", AN ARC DISTANCE OF 187.48 FEET TO THE SOUTHWEST CORNER OF LOT 10 OF SAID SUBDIVISION;
THENCE N70°26'07"E ON THE SOUTH LINE OF SAID LOT 10 A DISTANCE OF 100.00 FEET TO AN ANGLE POINT THEREIN;
THENCE N90°00'00"E CONTINUING ON SAID SOUTH LINE A DISTANCE OF 761.28 FEET TO THE SOUTHEAST CORNER OF LOT 10 OF SAID SUBDIVISION;
THENCE S6°58'25"E A DISTANCE OF 347.71 FEET; THENCE S22°08'59"W A DISTANCE OF 677.19 FEET;
THENCE N89°12'38"W A DISTANCE OF 400.00 FEET TO A POINT ON THE EASTERLY LINE OF THE AFORESAID LOT 11;
THENCE N29°50'00"W ON SAID EASTERLY LINE A DISTANCE OF 100.73 FEET TO A POINT OF CURVATURE;
THENCE CONTINUING ON THE NORTHERLY BOUNDARY OF SAID LOT ON THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 265.00 FEET, THROUGH A CENTRAL ANGLE OF 47°40'00", AN ARC DISTANCE OF 220.46 FEET;
THENCE N77°30'00"W CONTINUING ON THE NORTHERLY LINE OF SAID LOT ON THE FORWARD TANGENT OF THE PRECEEDING ARC, A DISTANCE OF 123.87 FEET TO THE POINT OF BEGINNING OF THE TRACT DESCRIBED HEREIN;

THE DESCRIBED TRACT CONTAINS 17.61 ACRES, MORE OR LESS.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS THE EAST LINE OF CHERRY SPRINGS RANCH DRIVE, N12°30'00"E - 519.91 FEET. THE DIRECTION IS BASED ON THE SUBDIVISION PLAT AND THE LINE IS MONUMENTED BY REBAR AND 1-1/2" DIAMETER ALUMINUM CAPS "CCES LLC PLS 30118"

EXHIBIT B



MEGGAN HERINGTON, AICP, EXECUTIVE DIRECTOR

PLANNING AND COMMUNITY DEVELOPMENT

TO: El Paso County Planning Commission
Timothy Trowbridge, Chair

FROM: Joseph Letke, Planner
Edward Schoenheit, Associate Engineer

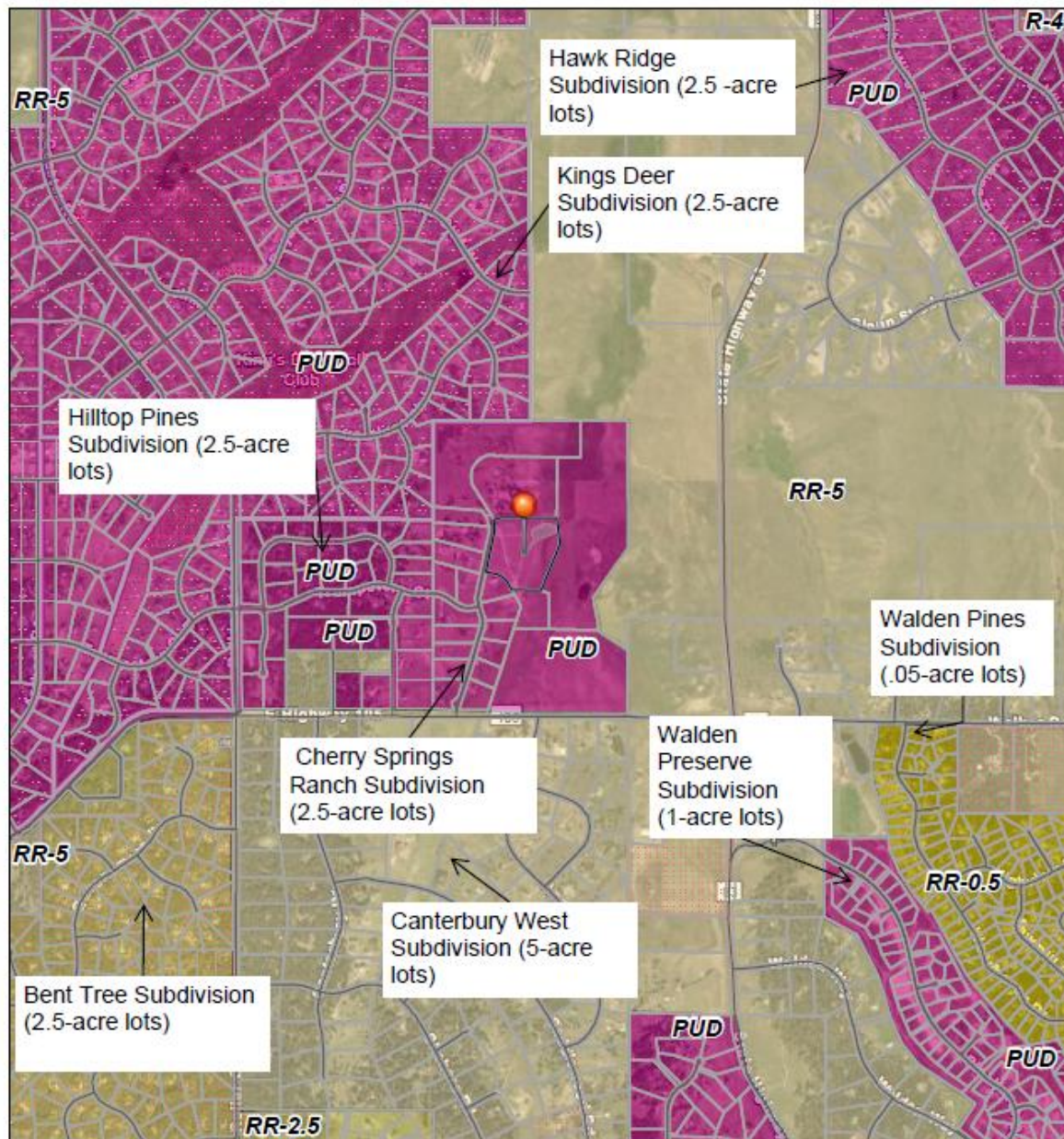
RE: Project File Number: P2510 & SF2528
Project Names: Searle Ranch Rezone & Searle Ranch Final Plat
Parcel Number: 6109000004
Commissioner District: 1

OWNER:	REPRESENTATIVE:
Searle Development Inc. 18911 Cherry Springs Ranch Drive Monument, CO 80132-8378	Patten Associates, Inc C/O Peter Patten ppatten@pattenassociates.com
Planning Commission Hearing Date: 7/2/2026	
Board of County Commissioners Hearing Date: 7/23/2026	

EXECUTIVE SUMMARY

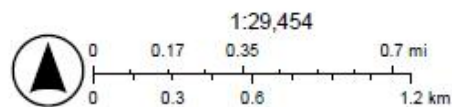
A request by Searle Development, Inc for approval of a Rezoning (Map Amendment) from PUD to RR-2.5 and approval of a 17.61-acre Final Plat creating 6 single-family lots. The subject property is located on Cherry Springs Ranch Road approximately 0.37 miles from the intersection of Cherry Springs Ranch Road and State Highway 105.

Zoning Map



6/25/2026, 8:13:39 AM

- | | |
|---------------------------------------|------------------------------|
| Override 1 | R-4: ** Planned Development |
| County Roads | Initial Zoning |
| Parcels | Special Use |
| County Zoning | Sketch Plans |
| PUD: Planned Unit Development | World Imagery |
| RR-0.5: Residential Rural (0.5 acres) | High Resolution 60cm Imagery |
| RR-2.5: Residential Rural (2.5 acres) | High Resolution 30cm Imagery |
| RR-5: Residential Rural (5 acres) | Citations |



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Vantor

A. AUTHORIZATION TO SIGN: Final Plat and any other documents necessary to carry out the intent of the Board of County Commissioners.

B. APPROVAL CRITERIA

In approving a Map Amendment (Rezoning), the Board of County Commissioners shall find that the request meets the criteria for approval outlined in Section 5.3.5 Map Amendment (Rezoning) of the El Paso County Land Development Code (as amended):

- *The application is in general conformance with the El Paso County Master Plan including applicable Small Area Plans or there has been a substantial change in the character of the neighborhood since the land was last zoned;*
- *The rezoning is in compliance with all applicable statutory provisions including, but not limited to C.R.S §30-28-111 §30-28-113, and §30-28-116;*
- *The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions; and*
- *The site is suitable for the intended use, including the ability to meet the standards as described in Chapter 5 of the Land Development Code, for the intended zone district.*

In approving a Final Plat, the BoCC shall find that the request meets the criteria for approval outlined in Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code (as amended):

- *The subdivision is in conformance with the goals, objectives, and policies of the Master Plan;*
- *The subdivision is in substantial conformance with the approved Preliminary Plan;*
- *The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of the County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials;*
- *Either a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. § 30-28-133(6)(a)] and the requirements of Chapter 8 of the Code, or, with respect to applications for administrative Final Plat approval, such finding was previously made by the BoCC at the time of Preliminary Plan approval;*

- *A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with State and local laws and regulations, [C.R.S. § 30-28-133(6)(b)] and the requirements of Chapter 8 of the Code;*
- *All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified and that the proposed subdivision is compatible with such conditions [C.R.S. § 30-28-133(6)(c)];*
- *Adequate drainage improvements are proposed that comply with State Statute [C.R.S. § 30-28-133(3)(c)(VIII)] and the requirements of the Code and the ECM;*
- *Legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with the Code and the ECM;*
- *Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;*
- *The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code;*
- *Off-site impacts were evaluated and related off-site improvements are roughly proportional and will mitigate the impacts of the subdivision in accordance with applicable requirements of Chapter 8 of the Code;*
- *Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or are financially guaranteed through the SIA so the impacts of the subdivision will be adequately mitigated;*
- *The subdivision meets other applicable sections of Chapter 6 and 8 of the Code; and*
- *The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§ 34-1-302(1), et seq.].*

C. LOCATION

North:	PUD (Planned Unit Development)	Single-Family Residential
South:	PUD (Planned Unit Development)	Vacant Land
East:	PUD (Planned Unit Development)	Vacant Land
West:	PUD (Planned Unit Development)	Single-Family Residential

D. BACKGROUND

The subject property is currently located in the Cherry Springs Ranch Planned Unit Development (PUD) (PCD File No. PUD05007) zoning district and is not platted. The Cherry Springs Ranch PUD was approved

on December 18, 2005, and the lots to the west were platted as part of the Cherry Springs Ranch Filing No. 1 (PCD File No. SF07002) which was approved September 13, 2007.

The applicant is requesting approval of a Rezoning (Map Amendment). The subject property is depicted as Phase Two in the conceptual Cherry Springs PUD. Phase Two is shown on the PUD Development Plan as future single-family development with a maximum of 24 lots on 131 acres. While the PUD established the maximum development potential for the site a conceptual development plan for Phase Two was not proposed. To develop the property as proposed, the applicant was provided the option to Rezone into the PUD or straight zone the property into the RR-2.5 zoning district. Due to concern over total lot count restrictions in the PUD the applicant opted to Rezone the property into the RR-2.5 zoning district.

Lastly, the applicant is requesting approval of a Final Plat to create six single-family residential lots. Lots 1 through 3 will take direct access from Cherry Ranch Road, while Lots 4 through 6 are proposed as flag lots with access provided from Cherry Springs Ranch Road via their flagpole extensions.

E. ZONING DISTRICT COMPARISON

The applicant is requesting to rezone 17.61 acres to the RR-2.5 (Residential Rural) zoning district. The RR-2.5 (Residential Rural) zoning district is intended to accommodate low-density, rural, single-family residential development. The density and dimensional standards for the existing and proposed zoning districts are as follows:

	Existing Zoning District: PUD (Planned Unit Development)	Proposed Zoning District: RR-2.5 (Residential Rural)
Maximum Density	N.A	N.A
Minimum Lot Size	2.5 Acres	2.5 Acres
Minimum Width at Front Setback	200 Feet	200 Feet
Front Setback	25 Feet	25 Feet
Rear Setback	50 Feet	25 Feet

Side Setback	15 Feet	15 Feet
Maximum Lot Coverage	None	None
Maximum Height	35 Feet	30 Feet

F. LAND DEVELOPMENT CODE AND ZONING ANALYSIS

Final Plat application meets the Final Plat submittal requirements, the standards for Divisions of Land in Chapter 7, and the standards for Subdivision in Chapter 8 of the El Paso County Land Development Code (as amended).

G. MASTER PLAN COMPLIANCE

1. Your El Paso Master Plan

a. Placetype Character: Large-Lot Residential

The Large-Lot Residential placetype consists almost entirely of residential development and acts as the transition between placetypes. Development in this placetype typically consists of single-family homes occupying lots of 2.5 acres or more, and are generally large and dispersed throughout the area so as to preserve a rural aesthetic. The Large-Lot Residential placetype generally supports accessory dwelling units as well. Even with the physical separation of homes, this placetype still fosters a sense of community and is more connected and less remote than Rural areas. Large-Lot Residential neighborhoods typically rely on well and septic, but some developments may be served by central water and wastewater utilities. If central water and wastewater can be provided, then lots sized less than 2.5 acres could be allowed if; 1.) the overall density is at least 2.5 acres/lot, 2.) the design for development incorporates conservation of open space, and 3.) it is compatible with the character of existing developed areas.

Conservation design (or clustered development) should routinely be considered for new development within the Large-Lot Residential placetype to provide for a similar level of development density as existing large-lot areas while maximizing the preservation of contiguous areas of open space and the protection of environmental features. While the Large-Lot Residential placetype is

defined by a clear set of characteristics, the different large-lot areas that exist throughout the County can exhibit their own unique characters based on geography and landscape.

Recommended Land Uses:

Primary

- *Single-family Detached Residential (typically 2.5-acre lots or larger)*

Supporting

- *Parks/Open Space*
- *Commercial Retail (Limited)*
- *Commercial Service (Limited)*
- *Agriculture*

Analysis:

The subject properties are located within the Large-Lot Residential placetype, and the proposed Rezoning (Map Amendment) and Final Plat would create six single-family residential lots. Proposed Lots 1 through 4 will be approximately 2.5 acres in size, while Lots 5 and 6 will be approximately 3.5 acres.

The request is generally consistent with the Large-Lot Residential placetype, which supports single-family detached residential development on lots of 2.5 acres or greater. The placetype also recommends that new development maintain a density comparable to surrounding large-lot residential areas. The proposed lot sizes are consistent with adjacent properties, which generally range from three to five acres.

b. Area of Change Designation: Minimal Change: Developed

These areas have undergone development and have an established character. Developed areas of minimal change are largely built out but may include isolated pockets of vacant or underutilized land. These key sites are likely to see more intense infill development with a mix of uses and scale of redevelopment that will significantly impact the character of an area. For example, a large amount of vacant land in a suburban division adjacent to a more urban neighborhood may be developed and change to match the urban character and intensity so as to accommodate a greater population. The

inverse is also possible where an undeveloped portion of an denser neighborhood could redevelop to a less intense suburban scale. Regardless of the development that may occur, if these areas evolve to a new development pattern of differing intensity, their overall character can be maintained.

Analysis:

The subject property is located within the Minimal Change: Developed Area of Change designation. The region east of the Tri-Lakes area is currently experiencing on-going redevelopment activity and transition, as evidenced by at least five development applications that are either under review or have recently received approval.

c. Key Area Influences: Tri-Lakes Area

Tri-Lakes is the northern gateway into the County along Interstate 25 and Highway 83. It is situated between Pike National Forest, the United States Air Force Academy, and Black Forest. With significant suburban development and some mixed-use development, this Key Area supports the commercial needs of many of the residents in northern El Paso County. Tri-Lakes also serves as a place of residence for many who commute to work in the Denver Metropolitan Area. It is also an activity and entertainment center with the three lakes (Monument Lake, Woodmoor Lake, and Palmer Lake) that comprise its namesake and direct access to the national forest. Tri-Lakes is the most well-established community in the northern part of the County with a mixture of housing options, easy access to necessary commercial goods and services, and a variety of entertainment opportunities. Future development in this area should align with the existing character and strengthen the residential, commercial, employment, and entertainment opportunities in the adjacent communities of Monument, Palmer Lake, and Woodmoor.

Analysis:

The subject property is located within the Tri-Lakes Key Area. This designation advises that “Future development in this area should align with the existing character” which includes the existing adjacent Large-Lot residential development. The development contributes to the variety of housing opportunities available within northern El Paso County while preserving the larger lot residential character that defines much of this key area.

2. Water Master Plan Analysis

The El Paso County Water Master Plan (2018) has three main purposes; better understand present conditions of water supply and demand; identify efficiencies that can be achieved; and encourage best practices for water demand management through the comprehensive planning and development review processes. Relevant policies are as follows:

Goal 1.1 – *Ensure an adequate water supply in terms of quantity, dependability and quality for existing and future development.*

Goal 4.5 – *Plan for water resources in a thoughtful way that recognizes the nonrenewable nature of water resources in the area, accommodates existing and historical uses, and allows for sustainable, planned growth.*

See the Water section below for a summary of the water findings and recommendations for the proposed subdivision.

3. Other Master Plan Elements

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a moderate wildlife impact potential. U.S Fish and Wildlife Service and Colorado Parks and Wildlife were each sent a referral and have no outstanding comments.

The Master Plan for Mineral Extraction (1996) identifies floodplain deposit in the area of the subject parcels. A mineral rights certification was prepared by the applicant indicating that, upon researching the records of El Paso County, no severed mineral rights exist.

H. PHYSICAL SITE CHARACTERISTICS

1. Hazards

During the review of the Final Plat geological hazards including seasonal groundwater and erosion were identified. These geological constraints are depicted both textually and graphically on the plat drawings. Additionally, areas subject to geological hazards which limit development potential are

graphically identified as no-build areas. Full recommendations regarding hazard areas can be found in the submitted Soils and Geology Report prepared by Entech Engineering dated May 5, 2025.

- 2. Floodplain:** The property is partially located within a floodplain area as determined by a review of the FEMA Flood Insurance Rate Map number 08041C0285G, effective December 7th, 2018. The eastern portion of Lots 4, 5, and 6 are located within Zone "A", which is within the 100-year floodplain with no base flood elevations (BFEs) Draft model BFEs have been developed as part of the Phase 1 El Paso County, Colorado, Risk MAP Project. These BFEs were used for this subdivision application and are shown on the Final Plat as indicated by the Floodplain Administrator. The BFE data has been reviewed and approved through FEMA's quality assurance and quality control process. The floodplain area within the respective lots will be contained in a drainage easement with no-build area restrictions.
- 3. Drainage and Erosion:** The development is located in the Cherry Creek Drainage Basin (CYCY0400). Cherry Creek is an unstudied basin with no drainage basin or bridge fees. Drainage within the development area flows easterly into the West Cherry Creek floodplain and then flows to the northeast. No public or private drainage improvements are proposed with the development due to the large single-family lots and low impervious nature. Additionally, permanent water quality was not required as the proposed subdivision qualifies for the large lot single family site exemption within section I.7.1.B of the Engineering Criteria Manual. A Final Drainage Report was prepared by JPS Engineering with the Final Plat application. The drainage report concluded that the proposed development will not negatively impact adjacent and downstream properties with respect to stormwater runoff.
- 4. Transportation:** The property is located along Highway 105 which is a County-maintained paved principal arterial road. Access to the development will be from Cherry Springs Ranch Road, a paved County-maintained local roadway. The developer has agreed to provide it's fair and equitable escrow contribution for the future connection of Peaceful Pines Road to Trumpeters Court East. This future connection will provide access to Highway 105 for the area subdivisions and provide the County with options should the need arise to change access points along Highway 105. The Searle Ranch development is expected to generate 57 daily trips to the surrounding road network. No public improvements are proposed with the development. A Traffic Impact Study was prepared by

LSC Transportation Consultants Inc. The development is subject to the El Paso County Road Impact Fee program, to be paid at time of building permit.

I. SERVICES

1. Water

Water will be provided by individual onsite wells. Water sufficiency has been analyzed with the review of the proposed subdivision. The applicant has shown a sufficient water supply for the required 300-year period. The State Engineer and the County Attorney's Office have recommended that the proposed subdivision has an adequate water supply in terms of quantity and dependability. El Paso County Public Health has recommended that there is an adequate water supply in terms of quality.

2. Sanitation

Wastewater is provided by on-site wastewater treatment systems.

3. Emergency Services

The property is within the Tri-Lakes Monument Fire Protection District, which is committed to providing fire protection services to the proposed development. The District was sent a referral and has no outstanding issues.

4. Utilities

Electric services will be provided by Mountain View Electric Association, Inc. and Black Hills Energy will provide natural gas.

5. Metropolitan Districts

The property is not located within a Metropolitan District.

5. Parks/Trails

Fees in lieu of park land dedication in the amount of \$3,030.00 for regional park fees (Area 2) will be due at the time of recording the Final Plat.

6. Schools

Fees in lieu of school land dedication in the amount of \$1,848.00 shall be paid to El Paso County for the benefit of District 38 at the time of recording the Final Plat.

J. STATUS OF MAJOR ISSUES

No major issues.

K. RECOMMENDED CONDITIONS AND NOTATIONS

Should the Planning Commission and Board of County Commissioners find that the request meets the criteria for approval outlined in Section 5.3.5 (Map Amendment, Rezoning) and Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code (as amended) staff recommends the following conditions and notations:

MAP AMENDMENT (REZONING) CONDITIONS AND NOTATIONS

CONDITIONS

1. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements. Applicable agencies include but are not limited to: the Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed threatened species.
2. Any future or subsequent development and/or use of the property shall be in accordance with the use, density, and dimensional standards of the Land Development Code and Engineering Criteria Manual. Specifically, development of the RR-2.5 lots shall be subject to the RR-2.5 (Residential Rural) zoning district standards.

NOTATIONS

1. If a zone or rezone petition has been disapproved by the Board of County Commissioners, resubmittal of the previously denied petition will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is a petition for a change to the same zone that was previously denied. However, if evidence is presented showing that there has been a substantial

change in physical conditions or circumstances, the Planning Commission may reconsider said petition. The time limitation of one (1) year shall be computed from the date of final determination by the Board of County Commissioners or, in the event of court litigation, from the date of the entry of final judgment of any court of record.

2. Rezoning requests not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed withdrawn and will have to be resubmitted in their entirety.

FINAL PLAT CONDITIONS AND NOTATIONS

CONDITIONS

1. All Deed of Trust holders shall ratify the plat. The applicant shall provide a current title commitment at the time of submittal of the Mylar for recording.
2. Colorado statute requires that at the time of the approval of platting, the subdivider provides the certification of the County Treasurer's Office that all ad valorem taxes applicable to such subdivided land, or years prior to that year in which approval is granted, have been paid. Therefore, this plat is approved by the Board of County Commissioners on the condition that the subdivider or developer must provide to the Planning and Community Development Department, at the time of recording the plat, a certification from the County Treasurer's Office that all prior years' taxes have been paid in full.
3. The subdivider or developer must pay, for each parcel of property, the fee for tax certification in effect at the time of recording the Final Plat.
4. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the appropriate El Paso County staff.
5. The Subdivision Improvements Agreement, including the Financial Assurance Estimate, as approved by the El Paso County Planning and Community Development Department, shall be filed at the time of recording the Final Plat.
6. Collateral sufficient to ensure that the public improvements as listed in the approved Financial Assurance Estimate shall be provided when the Final Plat is recorded.
7. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations, dated May 14, 2026, as provided by the County Attorney's Office.

8. The Subdivider or Developer shall pay escrow at the time of Final Plat recordation in the amount of Thirteen Thousand Five Hundred Seventy dollars and Eighty Six cents (\$13,570.86) (which represents an escrow contribution of \$2,261.81 per lot for each of the six lots in the Final Plat) as it's fair, equitable and proportionate contributions toward the cost of the construction of the Peaceful Pines Road Extension.

NOTATIONS

1. The following fees are required to be paid to El Paso County at the time of Final Plat recordation:
 - a. Drainage Fees in the amount of \$0.00 and bridge fees in the amount of \$0.00 for the Cherry Creek Drainage basin. Cherry Creek Drainage Basin, is an unstudied basin with no drainage basin or bridge fees.
 - b. Park fees in lieu of land dedication for regional parks (Area 2) in the amount of \$3,030.00.
 - c. Fees in lieu of school land dedication in the amount of \$1,848.00 shall be paid for the benefit of District 38.
2. Final Plats not recorded within 24 months of Board of County Commissioners approval shall be deemed expired unless an extension is approved.
3. Site grading or construction, other than installation or initial temporary control measures, may not commence until a Preconstruction Conference is held with Planning and Community Development Inspections and a Construction Permit is issued by the Planning and Community Development Department.
4. Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assignees that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the Road Impact Fee Resolution No. 25-377, or any amendments thereto, at or prior to the time of building permit submittals. The fee obligation, if not paid at Final Plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.

L. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified seven (7) adjoining property owners on June 17, 2026, for the Planning Commission and Board of County Commissioner meetings. Responses will be provided at the hearing.

M. ATTACHMENTS

Map Series

Rezoning (Map Amendment) Map

Letter of Intent

Plat Drawing

State Engineer's Letter

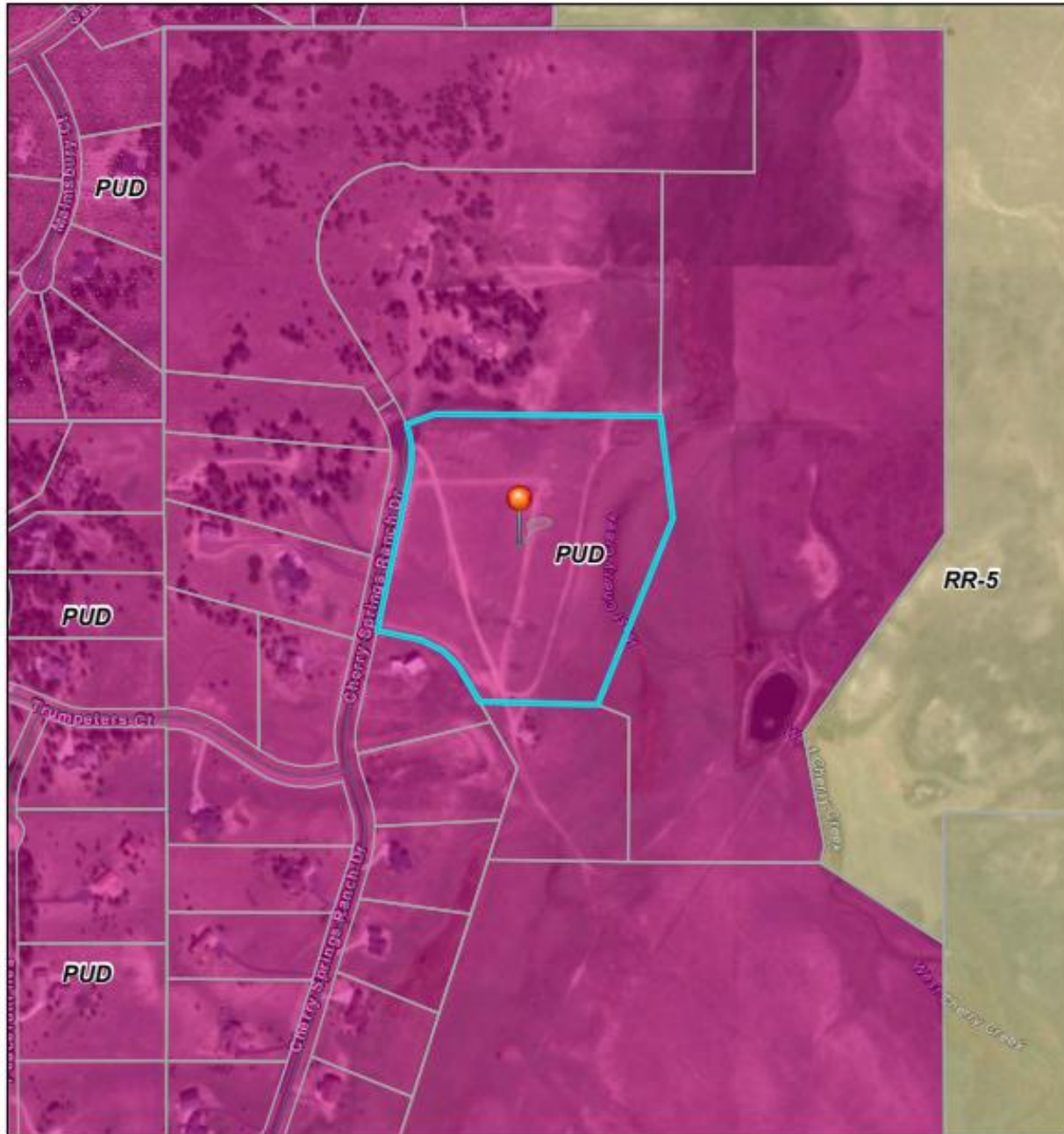
County Attorney's Letter

Public Health Water Quality Letter

Draft Resolution

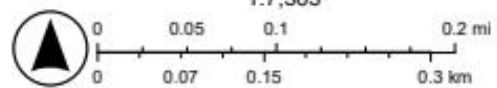
MAP SERIES

Zoning Map



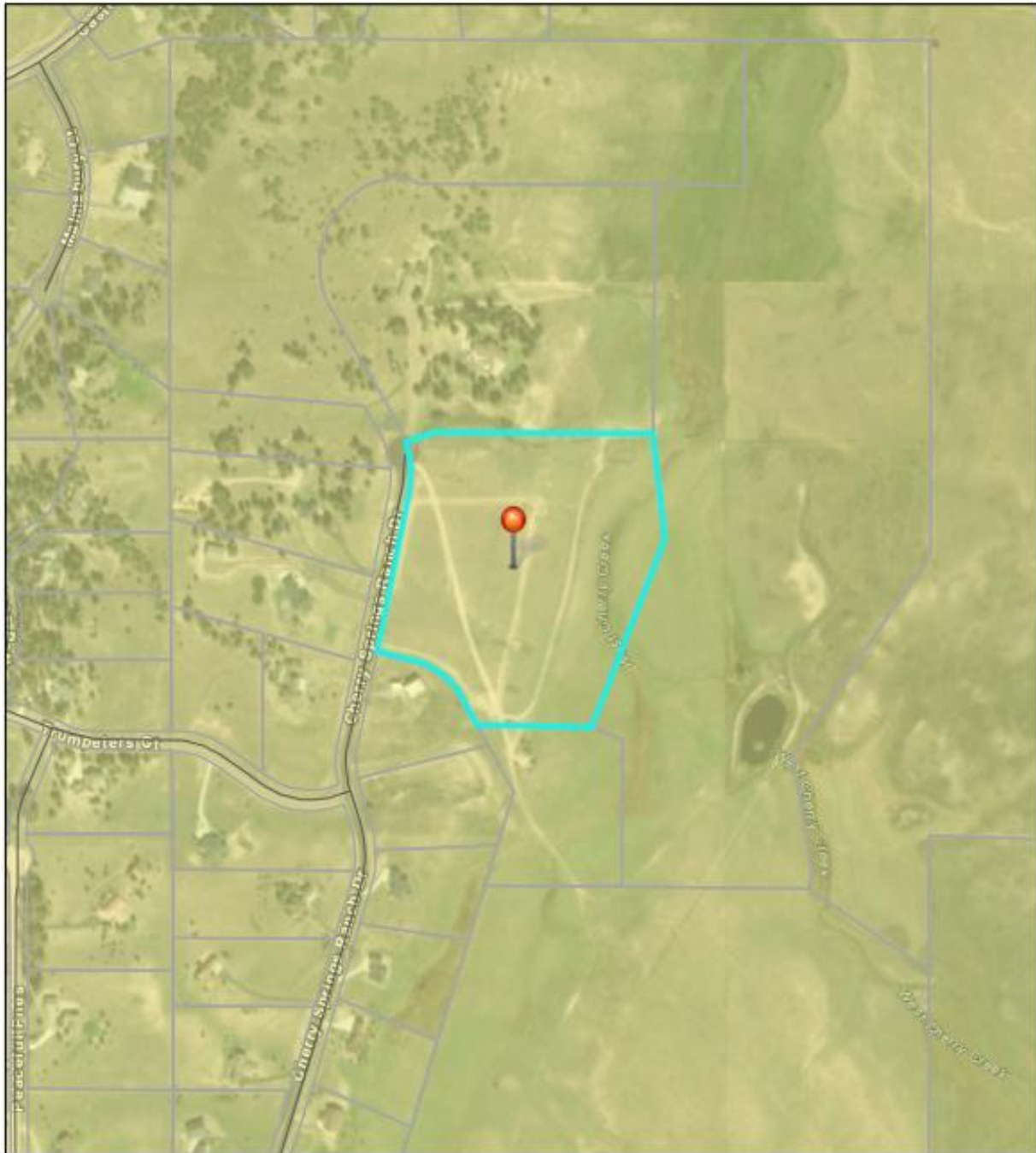
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-  Override 1
-  County Roads
-  Parcels
-  County Zoning
-  PUD: Planned Unit Development
-  RR-5: Residential Rural (5 acres)
-  Initial Zoning
-  Sketch Plans
-  World Imagery
-  Low Resolution 15m Imagery
-  High Resolution 60cm Imagery
-  High Resolution 30cm Imagery
-  Citations



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Vantor

Placetypes Map



5/27/2026, 10:53:32 AM

County Roads

Parcels

Placetypes

Large-Lot Residential

World Imagery

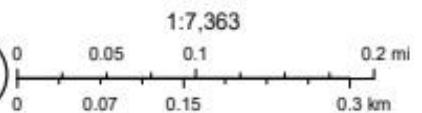
Low Resolution 15m Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

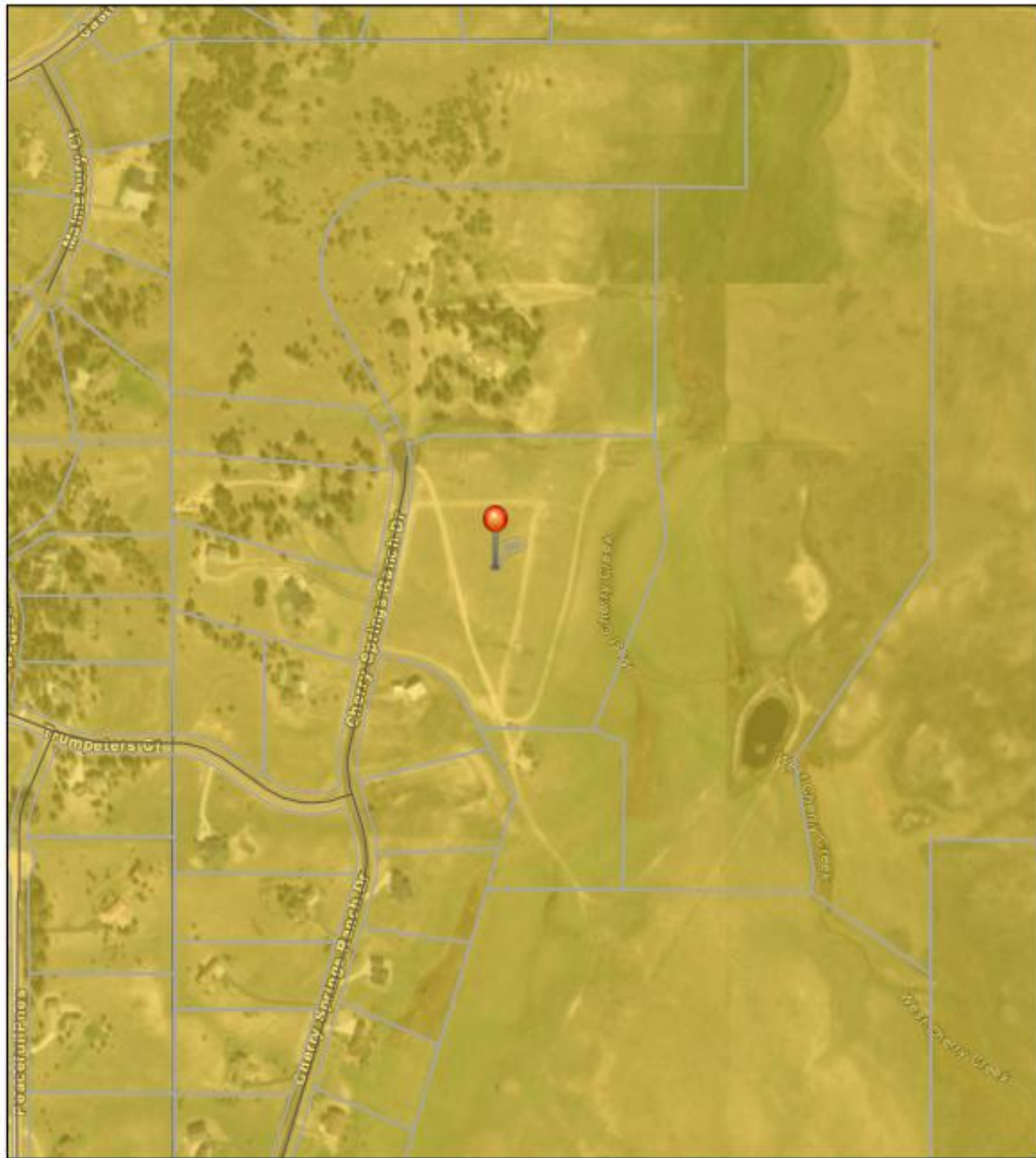
Citations

2.4m Resolution Metadata



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Areas of Change Map



5/27/2026, 10:50:42 AM

— County Roads

 Parcels

Areas Of Change

Minimal Change: Developed

World Imagery

Low Resolution 15m Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

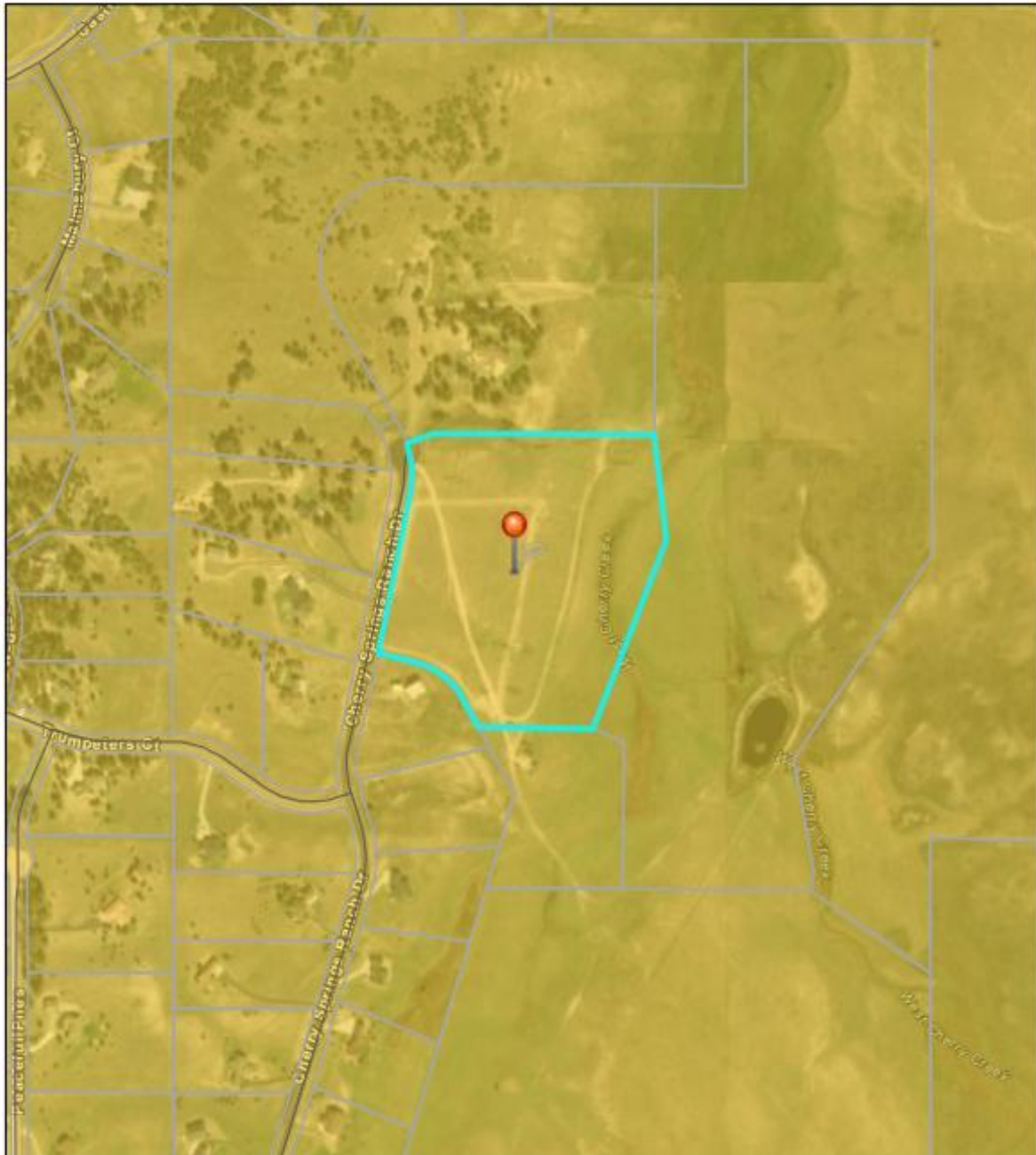
Citations



1:7,363

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Vantor

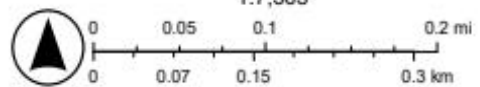
Key Areas Map



5/27/2026, 10:58:40 AM

— County Roads
 □ Parcels
 KeyAreas
 ■ Tri-Lakes Area
 World Imagery

Low Resolution 15m Imagery
 High Resolution 60cm Imagery
 High Resolution 30cm Imagery
 Citations



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Vantor

El Paso County

PART OF THE SOUTH HALF OF THE NORTHEAST QUARTER AND
THE SOUTHEAST QUARTER SECTION 9, T11S, R66W, 6th P.M.,
EL PASO COUNTY, COLORADO

LWLA LAND SURVEYING, INC.
 953 E. FILLMORE STREET
 COLORADO SPRINGS, CO 80907

DWG: SR ZONING
SCALE 1" = 100'
DATE: 8/27/25
DRAWN BY: KMO
CHECKED BY: THK
PROJECT NO. 23076
SHEET 1 OF 1

SEARLE RANCH
REZONE MAP
EL PASO COUNTY, CO
SEC. 9, T11S, R66W, 6th PM.



Letter of Intent

Searle Ranch Final Plat and Zoning Amendment

Revised April 2026

Owner/Applicants: Searle Development, Inc. (Stan Searle)

Telephone: (719) 649-9590; email: stansearle@gmail.com

Consultant: Peter Patten, Patten Associates, Inc. (970)846-9111; ppatten@pattenassociates.com

Property Address: No address

Parcel Number: 6109000004

Current Zoning and Acreage: PUD RR-5/17.61 acres

Background: Searle Ranch is a proposed 6 lot subdivision on an existing 17.61 acre parcel that was originally within the Cherry Springs Ranch (CSR) Planned Unit Development. The applicant is Searle Ranch Development, Inc., represented by Stan Searle. The CSR PUD (PCD File #PUD05007) was approved in 2006. CSR Filing 1 for 16 lots was approved in 2007 and is essentially built out. The proposed subdivision is “stand-alone” and independent of the PUD. No additional density is proposed over and above the approved PUD. Concurrent applications have been submitted for a Zoning Amendment from the current PUD to RR 2.5 and a Minor PUD Amendment.

Specific Requests

1. Approval of a Final Plat for Searle Ranch

Searle Ranch will add 6 lots that all access from existing Cherry Springs Ranch Drive (CSRDR). There are no new roads proposed. Driveways for the lots will intersect with CSRDR. Lots 4, 5 and 6 are PU lots meeting the requirements in the LDC and ECM. Each lot is at least 2.5 acres. Lots 4 and 5 will share a driveway. The shared driveway for Lots 4/5 and the driveway for Lot 6 is over 300 feet and will have emergency vehicle turnarounds. The turnarounds have been reviewed and approved by the Monument Fire District.

The site is directly adjacent to CSRDR. It is vacant with natural grasses and used for cattle grazing. There are no trees on the site. The eastern portion of the site has a 100 year floodplain for a tributary of West Cherry Creek. Floodplain area within lots will be designated as “no-build area.” is currently used for grazing cattle. The images below show the site location from the EPC Assessor site as well as a site photo.

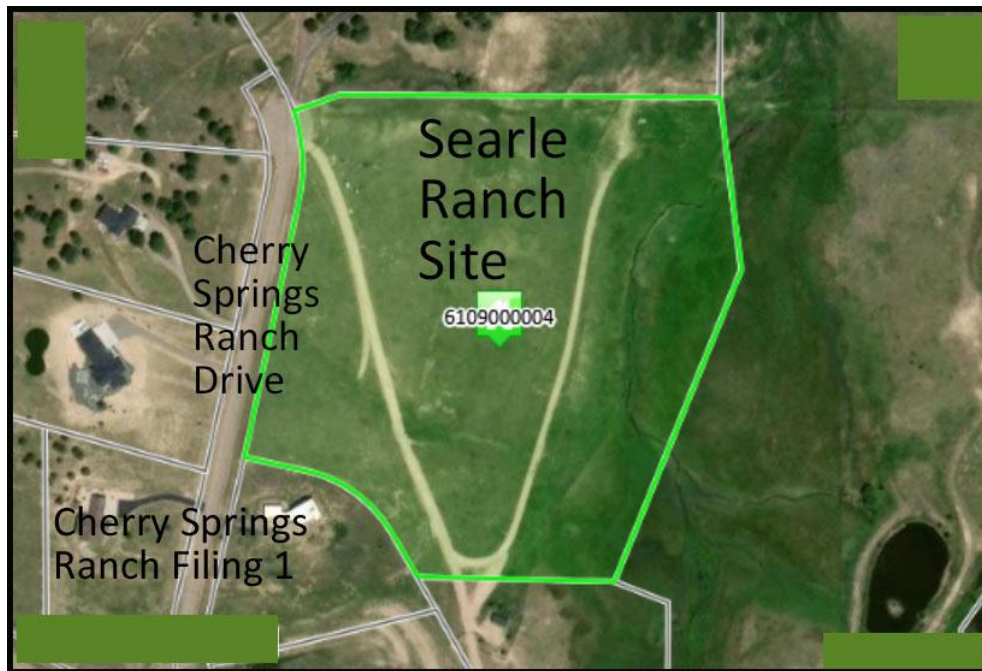
2. Zoning Amendment

The site is currently zoned PUD as part of the Cherry Springs Ranch PUD approved in 2006. A zoning amendment is proposed to RR 2.5. Several years ago, the applicant was informed that any additional development on the PUD site would be required to be platted because of the following EPC regulation:

“PUD Zoning and Conceptual Plans (ZCP) Approved Prior to the Adoption of this Code

Any ZCP approved prior to the adoption of this Code or as otherwise amended, shall be governed by the conditions of Board approval as contained in the recorded Board Resolution of the same and the Code in effect at the time of approval. No building permits or uses shall be authorized within such ZCP prior to approval and recordation of a PUD development plan and final plat in conformance with the provisions and requirements of the Land Development Code.”

It is not the applicant's desire to pursue development on any other portion of the remaining PUD land (other than Searle Ranch) at this time, making the subdivision and platting process unnecessary for other areas zoned PUD. At the Early Assistance Meeting with EPC Planning and Community it was agreed that the property would require rezoning.



Searle Ranch Subdivision Site
Looking northeast from Cherry Springs Ranch Drive



3. Minor PUD Amendment

The purpose of the Minor PUD Amendment is to remove a section of road shown as a northerly extension of Appaloosa Road on the original 2006 PUD Development Plan. The road shown is impractical, infeasible and environmentally harmful as it would cross a 100-year floodplain, wetlands and a creek.

The applicant has agreed to an Escrow Agreement created by EPC staff that assesses a \$13,570 fee toward the future completion of a section of Peaceful Pines Road to the west. The Peaceful Pines Road extension will provide an additional connection between Highway 105 and Trumpeter's Court/Cherry Springs Ranch Drive. The Peaceful Pines Road connection is proposed by EPC staff and provides an alternative to the Appaloosa Road connection between Highway 105 and Cherry Springs Ranch Drive shown on the original PUD Development Plan. This negates the need for the northerly extension of Appaloosa Road and eliminates significant environmental impacts from the road as shown on the original PUD.

The cabin located on Parcel #6109000006 has had a legal, historic access onto Highway 105 for over 100 years. This is an existing and future access to the cabin parcel. The access from Cherry Springs Ranch Drive was a secondary, temporary access only and has now been removed. The address for the cabin will soon be changed back to the previous one from Highway 105.

Project Description and County Requirements

- A Traffic Impact Study has been prepared by LSC. Traffic generation is exceptionally low. No road improvements to CSR Drive are proposed. Driveways will be off CSRD and constructed by lot owners. No Deviations are requested.
- This project will be required to participate in the El Paso County Road Improvement Fee Program. The applicant intends to annex into the 10 mil PID. The current 10 Mil PID up-front fee rate per dwelling unit is \$293 per lot. Based on 6 lots, the total up-front fee amount would be \$1,758. Upon recording of the plat, the six lots would be added to the 10 mil PID, and assessment of 10 mil property taxes would begin.
- Community outreach efforts: The applicant has sent an email to neighbors informing them of the proposed subdivision.

Utilities

Water/Wastewater

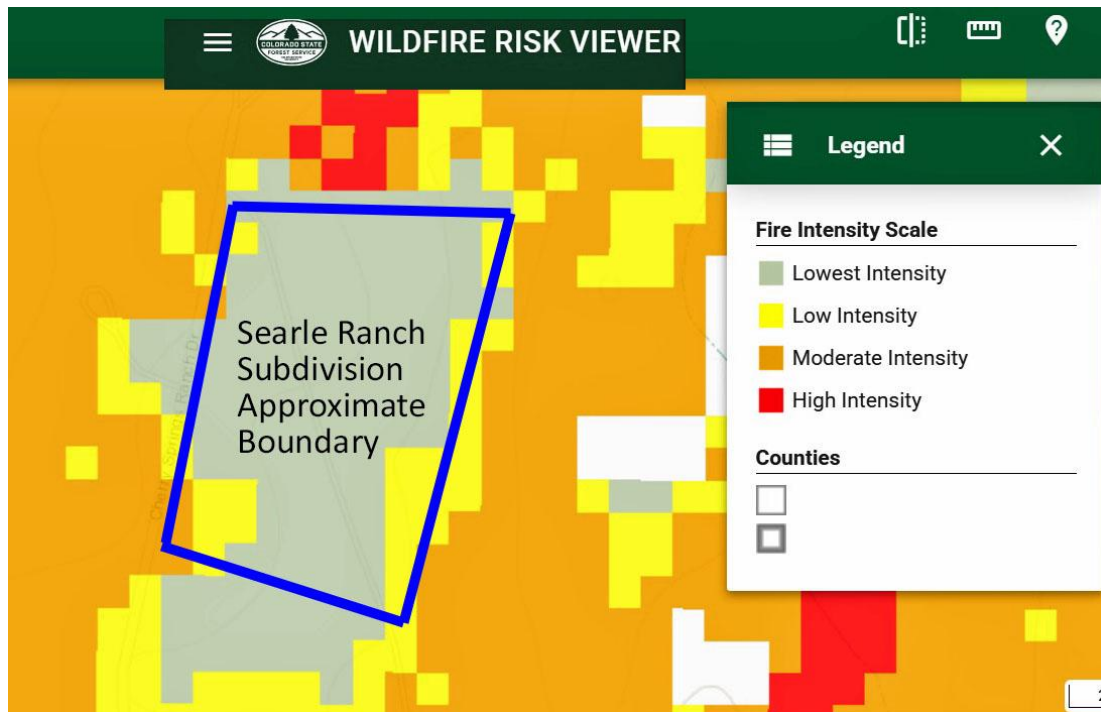
Individual wells and septic systems are proposed. Please see Water Resources Report and Wastewater Study.

Electric and Gas

Letters committing to service have been submitted by from Black Hills Energy and Mountain View Electric Association.

Wildfire

Below is the Wildfire Risk Viewer Map from the Colorado State Forest indicating the site is predominantly in the "Lowest Intensity" scale. There are no trees on the site.



Soils and Geology

Entech has completed a Soils and Geology Study of the site. The report states:

“It is our opinion that the existing geologic engineering and geologic conditions will impose some constraints on development and construction of the site. The majority of these conditions can be mitigated through proper engineering design and construction practices. The proposed development and use are consistent with anticipated geologic and engineering geologic conditions.”

The applicant agrees to follow the recommendations in this report.

Searle Ranch Areas

Lot #	Gross Lot Area In Acres	Comment
1	2.52	Meets minimum 200' lot width
2	2.52	Meets minimum 200' lot width
3	2.51	Meets minimum 200' lot width
4	2.83	Flag lot. 30' Frontage on CSR Drive. Shared driveway with Lot 4. Includes existing corral. Floodplain on lot designated No-build Area.
5	3.55	Flag lot. 30' Frontage on CSR Drive. Shared driveway with Lot 5. Floodplain on lot designated No-build Area.
6	3.67	Flag lot. 30' Frontage on CSR Drive. Floodplain on lot designated No-build Area.
Lot Total	17.61	

Total Subdivision Acreage	17.61	
Lot Size Average	2.93	

Compliance with Criteria

Applicant responses are in *italics* below each criterion.

1. Final Plat

➤ **The Subdivision is in general conformance with the goals, objectives, and policies of the Master Plan.**
Searle Ranch is in general conformance with the goals, objectives, and policies of the Master Plan – please see analysis below under Zoning Amendment. Also, the overall PUD was found to be in general conformance with the goals, objectives, and policies of the Master Plan in effect at the time of approval of the PUD.

➤ **The subdivision is in substantial conformance with the approved preliminary plan;**
Not applicable.

➤ **The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of the County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials;**

Searle Ranch meets the subdivision design and zoning dimensional standards and regulations and meets all planning, engineering, and surveying requirements of the County for maps, data, surveys, analyses, studies, reports, plans, designs, documents and other supporting materials. Required information regarding the 100 year floodplain has been submitted. All reports required have been completed and submitted.

➤ **A sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in water supply standards [C.R.S. §30-28-133(6)(a)] and requirements of Chapter 8 of this Code**

Sufficient water supply—including quantity and dependability for the type of subdivision proposed—has been verified by the State Engineer's Office. The PUD and Filing 1 approvals include review of water supply adequacy. Water quality has been established as conforming to State standards by an independent test laboratory. A report from Ryan Farr, water attorney, has been submitted concluding that there is adequate water supply for Searle Ranch.

➤ **A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with State and local laws and regulations, [C.R.S. §30-28-133(6)(b)] and the requirements of Chapter 8 of this Code;**

Individual wells and septic systems will be subject to County and State permitting requirements. Please see Wastewater Study by Entech.

➤ **All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified and that the proposed subdivision is compatible with such conditions [C.R.S. §30-28-133(6)(c)];**

Floodplain and wetland areas have been identified and will be within No-build Areas. There are no topographical conditions presenting hazards.

➤ **Adequate drainage improvements are proposed that comply with State Statute [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of this Code and the ECM;**

Drainage improvements are proposed as shown on the Final Plat, Construction Drawings and Grading & Erosion Control Plans. A Drainage Report and Storm Water Management Plan have been submitted.

- **Legal and physical access is provided to all parcels by public rights-of-way or recorded easements, acceptable to the County in compliance with this Code and the ECM;**

Legal and physical access via driveways will be provided to all lots from Cherry Springs Ranch Drive, the existing access road to the subdivision.

- **Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;**

Necessary services will be provided. Letters confirming service availability have been provided by all applicable fire protection and utility companies.

- **The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code;**

The Monument Fire District has reviewed the proposed road and turnaround drawings for Searle Ranch. Their letter states: "The provided site plan is acceptable for fire apparatus access and emergency egress according to the adopted 2015 IFC and local amendments." Wildfire Risk is very low as discussed above.

- **Off-site impacts were evaluated and related off-site improvements are roughly proportional and will mitigate the impacts of the subdivision in accordance with applicable requirements of Chapter 8;**

Studies have identified no off-site impacts requiring mitigation.

- **Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or are financially guaranteed through the SIA so the impacts of the subdivision will be adequately mitigated;**

No public improvements or infrastructure are proposed.

- **The subdivision meets other applicable sections of Chapter 6 and 8; and**

Searle Ranch meets the other applicable sections of Chapter 6 and 8.

- **The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§34-1-302(1), et seq.]**

There is no extraction of any mineral or hydrocarbon deposits occurring on or near the proposed subdivision. There are no third-party mineral rights owners.

2. Zoning Amendment

Compliance with Purpose and Criteria for Approval LDC Section 5.2.5

Applicant responses are in *italics* below each criterion.

“Purpose

Generally, rezoning is justifiable under one of the following circumstances:

- When the requested rezoning is in general conformance or consistency with the County's Master Plan;
- If inconsistent with the Master Plan, a material change in the character of the area since the date of the current zoning is demonstrated;
- When there was an error or oversight in the original zoning of the property; or
- The zone change is necessary for the general health, safety, or welfare of the community.”

The rezoning is consistent with “Your El Paso Master Plan” – see below. Additionally, the rezoning is in compliance with all applicable statutory provisions.

Criteria for Approval

“In approving a Map Amendment, the following findings shall be made:

- The application is in general conformance with the El Paso County Master Plan including applicable Small Area Plans or there has been a substantial change in the character of the neighborhood since the land was last zoned;”

The application is in conformance with the Your El Paso Master Plan (YEPMP) Land Use Chapter including Key Areas, Areas of Change and Placetypes.

Compliance with Your El Paso Master Plan

Key Areas

The site is in the Tri-Lakes Area. Searle Ranch Subdivision and the proposed RR 2.5 zoning is consistent the following description of the Tri-Lakes Area in the YEPMP:

“Future development in this area should align with the existing character and strengthen the residential, commercial, employment, and entertainment opportunities in the adjacent communities of Monument, Palmer Lake, and Woodmoor.”

Areas of Change

The site is in the “Minimal Change Developed” Area, described as:

“These areas have undergone development and have an established character. Developed areas of minimal change are largely built out but may include isolated pockets of vacant or underutilized land.”

Searle Ranch is consistent with Minimal Change Developed Area. Despite the proposed rezone from PUD to RR 2.5, the lot sizes, subdivision layout and character are consistent with the surrounding level of development and land uses.

Placetypes

The site is in the “Large-Lot Residential” Placetype, described as:

“Character

The Large-Lot Residential placetype consists almost entirely of residential development and acts as the transition between placetypes. Development in

this placetype typically consists of single-family homes occupying lots of 2.5 acres or more, and are generally large and dispersed throughout the area so as to preserve a rural aesthetic

Land Uses

Primary

- Single-family Detached Residential (typically 2.5-acre lots or larger)”

Searle Ranch is consistent with this Placetype description.

- “The rezoning is in compliance with all applicable statutory provisions, including but not limited to C.R.S. §30-28-111 §30-28-113, and §30-28-116;”

The rezoning is in compliance with all applicable statutory provisions.

- “The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions; and”

As previously determined by prior approvals by EPC of the overall PUD and CSR Filing 1, the site and general location are suitable for single family development at the 2.5 acre + size lot. Searle Ranch fits in seamlessly with the neighborhood including the adjacent Filing 1 residences and the adjacent vacant land to the east through the provision of open space/no-build areas which incorporate 100 year floodplain and wetlands.

- “The site is suitable for the intended use, including the ability to meet the standards as described in Chapter 5 of the Land Development Code, for the intended zone district.”

Searle Ranch’s site is suitable for the proposed lots. It is essentially an in-fill development utilizing the existing County Road for access and is located in area previously approved for development through the existing PUD. The floodplain will be designated a “no-build” zone and other recommendations in the Soils and Geology Report will be adhered to.

Tri-Lakes Comprehensive Planning Area

The property lies within the Tri-Lakes Comprehensive Planning Area - West Cherry Creek Sub-Area 8. *The PUD approval in 2006 found the PUD to be in compliance with the Tri-Lakes Comprehensive Plan and specifically the goals and objectives of the West Cherry Creek Sub-Area (Sub-Area 8). Searle Ranch is consistent with the overall PUD approval as well as the RR 2.5 Zone District. The lot layout and site design is rural in nature and is in harmony with the surrounding development of Filing 1 and adjacent neighborhoods.*

El Paso County Water Master Plan

The rezoning is consistent with the following goals and policies of the El Paso County Water Master Plan (EPCWMP). Applicant responses are shown in italics following the list of goals and policies.

Goal 1.1 – Ensure an adequate water supply in terms of quantity, dependability and quality for existing and future development.

Goal 6.0 – Require adequate water availability for proposed development.

Policy 6.0.1 – Continue to require documentation of the adequacy or sufficiency of water, as appropriate, for proposed development.

Policy 6.0.2 – Encourage developments to incorporate water efficiency principles.

Policy 6.0.3 – Encourage water and wastewater infrastructure projects to be sited and designed in a manner which promotes compatibility with adjoining uses, and provides reasonable mitigation of any adverse visibility and other environmental impacts.

Policy 6.0.4 – Encourage development that incentivizes and incorporates water efficient landscaping principles.

Policy 6.0.7 – Encourage the submission of a water supply plan documenting an adequate supply of water to serve a proposed development at the earliest stage of the development process as allowed under state law.

Policy 6.0.10 – Encourage land use proposals to expressly declare water source(s), quality, quantity, and sustainability in terms of years and number of single-family equivalents.

Policy 6.0.11– Continue to limit urban level development to those areas served by centralized utilities.

Searle Ranch is consistent with the goals and policies above. All lots are in conformance with the RR 2.5 Zone District dimensional standards. Growth in the Cherry Springs Ranch area is anticipated and has been planned for in the EPCWMP:

“Additional growth areas are located near Colorado State Highway 83. Low-density developments are expected by 2040 for both the north and south sides of Hodgen Road, along the Highway 83 corridor. Substantial growth is projected along Highway 83 in northwestern El Paso County. Planned growth areas are expected to be low density and would currently rely on well and septic systems, as no centralized well or sewer systems are available.”

An adequate water supply exists for Searle Ranch. Please refer to the Water Resources Report.

3. Flag Lots

Regulations for Flag Lots are found in LDC Section 8.4.3.B.4. as shown below. Applicant response is shown in red text below each criterion.

(4) Flag Lots

(a) Only Allowed Where Other Options Impractical

Flag lots shall only be used where other lot layouts are impractical.

Other lot layouts are impractical and do not comply with the LDC. The 10% slope from Cherry Springs Ranch Drive to the lower lots (4, 5 and 6) prohibits meeting County Road standards but not driveways. The maximum centerline grade for a Rural Local Roadway is 8% while the maximum grade for driveways is 10%. The “flag driveways” for Lots 4, 5 and 6 are just below the 10% maximum. **So, there is no alternative available to the flag lots that meets the LDC.**

(b) Not Used to Avoid Public Road or Utilities Construction

The flag lots are being used to avoid public road or utilities construction because, as explained above, **a public road is not possible under the LDC.**



October 9, 2025

Joe Letke, Project Manager

El Paso County Development Services Department

Transmitted via the EPC EDARP Portal: <https://epcdevplanreview.com>

RE: Searle Ranch Subdivision

Case No. SF2528

Part of the SE ¼, Section 9, T11S, R66W, 6th P.M.

Water Division 1, Water District 8

Dear Joe Letke,

We have reviewed the submittal documents related to Searle Ranch Subdivision, concerning the above reference proposal to subdivide approximately 17.61 acres into six single-family residential lots. The 17.61-acre parcel was originally within the Cherry Spring Ranch PUD, however the proposal under this referral is not part of the PUD.

Water Supply Demand

Based on the water supply information summary the estimated annual water requirements totals 1.8 acre-feet for in-house use, 5.84 acre-feet for irrigation of up to 2.37 acres, and 0.352 acre-feet for the watering of 32 horses or equivalent livestock (0.24 acre-feet/lot). In addition, according to the April 9, 2025 Water Resource Report from Monson, Cummins, Shohet & Farr, LLC ("Report"), each lot will utilize a minimum 0.26 acre-feet and up to 1.0 acre-foot annually for domestic purposes, irrigation of lawn and garden, watering of livestock.



Source of Water Supply

The proposed water source is individual on lot wells constructed in the Dawson aquifer operating pursuant to the decreed augmentation plan in case no. 2004CW299 as modified by case no. 2008CW188, for groundwater that was previously adjudicated in case no. 2004CW299.

The decreed augmentation plan in case no. 2004CW299 as modified by case no. 2008CW188 allows for the total annual withdrawal of 42 acre-feet from the nontributary Dawson aquifer, based on a 300-year allocation approach for a maximum of 42 lots. The augmentation plan states that the maximum annual diversions from the wells shall not exceed 1.0 acre-feet per well for a total of 42 annual acre-feet for all 42 wells.

The proposed source of water for this subdivision is a bedrock aquifer in the Denver Basin. The State Engineer's Office does not have evidence regarding the length of time for which this source will be a physically and economically viable source of water. According to 37-90-137(4)(b)(I), C.R.S., "Permits issued pursuant to this subsection (4) shall allow withdrawals on the basis of an aquifer life of one hundred years." Based on this allocation approach, the annual amount of water decreed in case no. 2004CW299 in the Dawson aquifer is equal to one percent of the total amount, as determined by rules 8.A and 8.B of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7. Therefore, the water may be withdrawn in those annual amounts for a maximum of 100 years.

The *El Paso County Land Development Code*, Section 8.4.7.(B)(7)(b) states:

“(7) Finding of Sufficient Quantity

(b) Required Water Supply. The water supply shall be of sufficient quantity to meet the average annual demand of the proposed subdivision for a period of 300 years.”

The State Engineer's Office does not have evidence regarding the length of time for which this source will "meet the average annual demand of the proposed subdivision." However, treating El Paso County's requirement as an allocation approach based on three hundred years, the proposed annual water demand is equal with the allowed average annual amount of withdrawal of 42 acre-feet/year, allowed by the augmentation plan in case no. 2004CW299 as modified by case no. 2008CW188. As a result, the water may be withdrawn in that annual amount for a maximum of 300 years. The six wells of the 42 augmented wells will be used to serve the proposed Searle Ranch Subdivision. In addition according to our records 16 wells of the 42 augmented wells are being used to supply the Cherry Spring Ranch Filing 1 Subdivision.

Any application for on lot well permits for Searle Ranch Subdivision, submitted by entities other than the water court Applicants in case no. 2004CW299 and 2008CW188 (Searle Ranch, Inc.) must include evidence that the Applicant has acquired the right to the portion of the water being requested on the application.

Additional Comments

The Applicant should be aware that any proposed detention pond for this project must meet the requirements of a "storm water detention and infiltration facility" as defined in section 37-92-602(8), C.R.S., otherwise the structure may be subject to administration by this office. The Applicant should review DWR's *Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado*, attached, to ensure that the notification, construction and operation of the proposed structure meets statutory and administrative requirements. The Applicant is encouraged to use *Colorado Stormwater Detention and Infiltration Facility Notification Portal* to meet the notification requirements, located at <https://maperture.digitaldataservices.com/gvh/?viewer=cswdif>.

State Engineer's Office Opinion

Based upon the above and pursuant to Section 30-28-136(1)(h)(I), C.R.S., it is our opinion that the proposed water supply is adequate and can be provided without causing injury to decreed water rights.

Our opinion that the water supply is **adequate** is based on our determination that the amount of water required annually to serve the subdivision is currently physically available, based on current estimated aquifer conditions.

Our opinion that the water supply can be **provided without causing injury** is based on our determination that the amount of water that is legally available on an annual basis, according to the statutory **allocation** approach, for the proposed uses is greater than the annual amount of water required to supply existing water commitments and the demands of the proposed subdivision.

Our opinion is qualified by the following:

The Division 1 Water Court has retained jurisdiction over the final amount of water available pursuant to the above-referenced decree, pending actual geophysical data from the aquifer.

The amounts of water in the Denver Basin aquifer, and identified in this letter, are calculated based on estimated current aquifer conditions. The source of water is from a non-renewable aquifer, the allocations of which are based on a 100 year aquifer life. The county should be aware that the economic life of a water supply based on wells in a given Denver Basin aquifer may be less than the 100 years (or 300 years) used for allocation due to anticipated water level declines. We recommend that the county determine whether it is appropriate

to require development of renewable water resources for this subdivision to provide for a long-term water supply.

Should you or the Applicant have any questions, please contact me at this office at 303-866-3581 x8246 or ioana.comaniciu@state.co.us

Sincerely,

A handwritten signature in dark ink, appearing to read "Ioana Comaniciu", written in a cursive style.

Ioana Comaniciu, P.E.
Water Resource Engineer

Ec: Subdivision file: 34424



KENNETH R. HODGES, COUNTY ATTORNEY

Nathan J. Whitney, First Assistant County Attorney | Steven A. Klaffky, Chief Deputy County Attorney

March 10, 2026

SF-25-28 Searle Ranch

Reviewed by: Lori L. Seago, Senior Assistant County Attorney
 April Willie, Paralegal

WATER SUPPLY REVIEW AND RECOMMENDATIONS

Project Description

1. This is a proposal by Searle Development Inc. ("Applicant") for subdivision of 6 residential lots on an existing 17.61-acre parcel of land (the "property"). The property is zoned PUD RR-5 (Planned Unit Development - Rural Residential).

Estimated Water Demand

2. Pursuant to the Water Supply Information Summary ("WSIS"), the water demand for the subdivision is 6 acre-feet/year, comprised of 0.3 acre-feet/year for household use for each of the residential lots totaling 1.8 acre-feet/year, 3.87 acre-feet/year for irrigation of 1.57 acres, and 0.33 acre-feet/year for stock watering of 30 animals (0.011 acre-feet per animal). Based on this total demand, Applicant must be able to provide a supply of 1,800 acre-feet of water (6 acre-feet per year x 300 years) to meet the County's 300-year water supply requirement.

Proposed Water Supply

3. The Applicant has provided for the source of water to derive from the not-nontributary Dawson aquifer as provided in Findings of Fact, Conclusions of Law, Ruling of Referee and Decree: Adjudicating Denver Basin Groundwater and Approving Plan for Augmentation in Division 1 Case No. 2004CW299 as amended in 2008CW188 ("Decree and Augmentation Plan"). The Decree and Augmentation Plan allocate 19,826 acre-feet of water in the Dawson aquifer to the overlying property, of which Searle Ranch is a part. The Decree and Augmentation Plan allows the withdrawal of Dawson aquifer water in the amount of 12,600 acre-feet or 42 acre-feet annually for up to 300 years for up to 42 wells, of which six (6) are to be constructed for Searle Ranch.

The approved Decree and Augmentation Plan has a term of 300 years and requires that return flows from in-house use of groundwater shall occur through individual on-lot non-evaporative septic

systems to augment depletions to affected stream systems during pumping. The Applicant must reserve 6,930 acre-feet of water from the Laramie-Fox Hills aquifer and 5,928 acre-feet of water from the Arapahoe aquifer for the purpose of replacement of injurious post-pumping depletions.

The Applicant's Water Resource Report notes that 16 lots in the Cherry Springs Ranch Filing No. 1 subdivision have been approved under the Decree and Augmentation Plan. 4,800 acre-feet of Dawson aquifer and 4,899 acre-feet of Laramie-Fox Hills aquifer water were allocated to Cherry Springs Ranch Filing No. 1, leaving 7,800 acre-feet of Dawson aquifer water, 2,031 acre-feet of Laramie-Fox Hills aquifer water, and the entire 5,928 acre-feet of Arapahoe aquifer water uncommitted.

Because this application is subject to only six of the 42 allowable wells, the reservations have been divided by 42 in order to accurately note how much Searle Ranch, with six wells, would require for post-pumping depletions. Based on this, the Applicant must reserve 1,837 acre-feet and has chosen to do so from the Laramie-Fox Hills aquifer for Searle Ranch.

State Engineer's Office Opinion

5. In a letter dated October 9, 2025, the State Engineer reviewed the proposal to subdivide the 17.61 acres into six single-family residential lots. The State Engineer stated that "[t]he proposed water source is individual on lot wells constructed in the Dawson aquifer operating pursuant to the decreed augmentation plan in case no. 2004CW299 as modified by case no. 2008CW188, for groundwater that was previously adjudicated in case no. 2004CW299."

The State Engineer stated that "[b]ased upon the above and pursuant to Section 30-28-136(1)(h)(I), C.R.S., it is our opinion that the proposed water supply is adequate and can be provided without causing injury to decreed water rights."

The State Engineer notes that according to their records, "...16 wells of the 42 augmented wells are being used to supply the Cherry Spring Ranch Filing 1 Subdivision."

Recommended Findings

6. Quantity and Dependability. Applicant's water demand for Searle Ranch is 6.0 acre-feet per year from the Dawson aquifer for a total demand of 1,800 acre-feet for the subdivision for 300 years. The Augmentation Plan allows for up to 42 wells limited to an annual withdrawal of 1.0 acre-feet per year or 42 acre-feet per year total of which only 16 have been constructed, leaving 26 available wells to be constructed.

Based on the water demand of 6.0 acre-feet/year for Searle Ranch and the Augmentation Plan permitting these withdrawals, the County Attorney's Office recommends a finding of sufficient water quantity and dependability for Searle Ranch.

7. Quality. The water quality requirements of Section 8.4.7.B.10 of the Land Development Code must be satisfied. **El Paso County Public Health shall provide a recommendation as to the sufficiency of water quality.**

8. Basis. The County Attorney's Office reviewed the following documents in preparing this review: a Water Resources Report dated October 28, 2025, the Water Supply Information Summary, the State Engineer Office's Opinion dated October 9, 2025, and Findings of Fact, Conclusions of Law, Ruling of Referee and Decree: Adjudicating Denver Basin Groundwater and Approving Plan for Augmentation in Division 1 Case No. 2004CW299 as modified by case no. 2008CW188 dated February 24, 2009. The recommendations herein are based on the information contained in such documents and on compliance with the requirements set forth below. ***Should the information relied upon be found to be incorrect, or should the below requirements not be met, the County Attorney's Office reserves the right to amend or withdraw its recommendations.***

REQUIREMENTS:

A. Applicant and its successors and assigns shall comply with all requirements of the Findings of Fact, Conclusions of Law, Ruling of Referee and Decree: Adjudicating Denver Basin Groundwater and Approving Plan for Augmentation in Division 1 Case No. 2004CW299 as modified by case no. 2008CW188, specifically, that water withdrawn from the Dawson aquifer by each of the proposed six wells permitted shall not exceed a total combined annual withdrawal of 6 acre-feet. Depletions during pumping shall be replaced by individual on-lot non-evaporative septic systems.

B. Applicant must create a homeowners' association ("HOA") for the purpose of enforcing covenants and assessing any necessary fees related to compliance with the water determinations and replacement plans for the property.

C. Applicant shall create restrictive covenants upon and running with the property which shall advise and obligate future lot owners of this subdivision, their successors and assigns, and the HOA regarding all applicable requirements of Findings of Fact, Conclusions of Law, Ruling of Referee and Decree: Adjudicating Denver Basin Groundwater and Approving Plan for Augmentation in Division 1 Case Nos. 2004CW299 as modified by case no. 2008CW188, including the limitations on diversions and use of water for each well and lot, the requirement to meter and record all well pumping, and information on how records are to be recorded.

Covenants shall specifically address the following:

1) Identify the water rights associated with the property. The Covenants shall reserve 1,800 acre-feet of Dawson aquifer water and 1,837 acre-feet of Laramie-Fox Hills aquifer water to satisfy El Paso County's 300-year water supply requirement for the six lots of Searle Ranch. The Covenants shall further identify that 300 acre-feet (1.0 acre-feet/year)

of Dawson aquifer water is allocated to each of the six lots. Said reservations shall not be separated from transfer of title to the property and shall be used exclusively for primary water supply.

2) Advise of responsibility for costs. The Covenants shall advise the HOA, lot owners and their successors and assigns of their obligations regarding the costs of operating the plans for augmentation, which include pumping of the Dawson wells in a manner to replace depletions during pumping and the cost of drilling Laramie-Fox Hills aquifer wells in the future to replace post-pumping depletions.

3) Require non-evaporative septic systems and reserve return flows from the same. The Covenants shall require each lot owner to use a non-evaporative septic system to ensure that return flows from such systems are made to the stream system to replace actual depletions during pumping and shall state that said return flows shall not be separately sold, traded, assigned, or used for any other purpose. The Covenants shall also include the following or similar language to ensure that such return flows shall only be used for replacement purposes: "Return flows shall only be used for replacement purposes, shall not be separated from the transfer of title to the land, and shall not be separately conveyed, sold, traded, bartered, assigned, or encumbered in whole or in part for any other purpose."

4) Address future lot conveyances. The following or similar language shall be included in the Covenants to address future conveyances of the lots subsequent to the initial conveyance made by Applicant/Declarant:

"The water rights referenced herein shall be explicitly conveyed; however, if a successor lot owner fails to so explicitly convey the water rights, such water rights shall be intended to be conveyed pursuant to the appurtenance clause in any deed conveying said lot, whether or not the Findings of Fact, Conclusions of Law, Ruling of Referee and Decree: Adjudicating Denver Basin Groundwater and Approving Plan for Augmentation in Division 1 Case No. 2004CW299 as modified by case no. 2008CW188 and the water rights therein are specifically referenced in such deed. The water rights so conveyed shall be appurtenant to the lot with which they are conveyed, shall not be separated from the transfer of title to the land, and shall not be separately conveyed, sold, traded, bartered, assigned or encumbered in whole or in part for any other purpose. Such conveyance shall be by special warranty deed, but there shall be no warranty as to the quantity or quality of water conveyed, only as to the title."

5) Advise of monitoring requirements. The Covenants shall advise the HOA, future lot owners of this subdivision and their successors and assigns of their responsibility for any metering and data collecting that may be required regarding water withdrawals from Dawson and Laramie-Fox Hills aquifers.

6) Address amendments to the covenants. The Covenants shall address amendments using the following or similar language:

“Notwithstanding any provisions herein to the contrary, no changes, amendments, alterations, or deletions to these Covenants may be made which would alter, impair, or in any manner compromise the water supply for Searle Ranch pursuant to Findings of Fact, Conclusions of Law, Ruling of Referee and Decree: Adjudicating Denver Basin Groundwater and Approving Plan for Augmentation in Division 1 Case No. 2004CW299 as modified by case no. 2008CW188. Further, written approval of the proposed amendments must first be obtained from the El Paso County Planning and Community Development Department, and as may be appropriate, by the Board of County Commissioners, after review by the County Attorney’s Office. Any amendments must be pursuant to the District Court, Water Divisions 1 and/or 2, approving such amendment, with prior notice to the El Paso County Planning and Community Development Department for an opportunity for the County to participate in any such adjudication.”

7) Address termination of the Covenants. The Covenants shall address termination using the following or similar language:

“These Covenants shall not terminate unless the requirements of Findings of Fact, Conclusions of Law, Ruling of Referee and Decree: Adjudicating Denver Basin Groundwater and Approving Plan for Augmentation in Division 1 Case No. 2004CW299 as modified by case no. 2008CW188 are also terminated by the Division 1 Water Court and a change of water supply is approved in advance of termination by the Board of County Commissioners of El Paso County.”

D. Applicant and its successors and assigns shall reserve in any deeds of the property Dawson aquifer water in the decreed amount of 1,800 acre-feet (1.0 acre-feet per year per lot). Said reservation shall recite that this water shall not be separated from transfer of title to the Property and shall be used exclusively for primary and replacement supply.

E. Applicant and their successors and assigns shall convey by recorded warranty deed the reserved Dawson aquifer water rights at the time of lot sales. Specifically, Applicant and future lot owners shall convey sufficient water rights in the Dawson aquifer underlying the respective lots to satisfy El Paso County’s 300-year water supply requirement, which amount is 300 acre-feet (1.0 acre-feet per year) per lot.

Any and all conveyance instruments shall recite as follows:

For the water rights and return flows conveyed for the primary supply (Dawson aquifer):
“These water rights conveyed, and the return flows therefrom, are intended to provide a 300-year supply and replacement during pumping for each lot of Searle Ranch. The water rights so conveyed, and the return flows therefrom, shall be appurtenant to each of the

respective lots with which they are conveyed, shall not be separated from the transfer of title to the land, and shall not be separately conveyed, sold, traded, bartered, assigned or encumbered in whole or in part for any other purpose. Such conveyance shall be by special warranty deed, but there shall be no warranty as to the quantity or quality of water conveyed, only as to the title.”

F. Applicant shall convey or provide proof of conveyance of 1,837 acre-feet of Laramie-Fox Hills aquifer water to the HOA for use in the augmentation plan to replace post-pumping depletions.

G. Applicant and its successors and assigns shall submit a Declaration of Covenants, Conditions, and Restrictions, form deeds, and any plat notes required herein to the Planning and Community Development Department and the County Attorney’s Office for review, and the same shall be approved by the Planning and Community Development Department and the County Attorney’s Office prior to recording the final plat. Said Declaration shall cross-reference the Findings of Fact, Conclusions of Law, Ruling of Referee and Decree: Adjudicating Denver Basin Groundwater and Approving Plan for Augmentation in Division 1 Case No. 2004CW299 as modified by case no. 2008CW188 and shall identify the obligations of the individual lot owners thereunder.

H. Applicant and their successors and assigns shall record all applicable documents, including but not limited to Findings of Fact, Conclusions of Law, Ruling of Referee and Decree: Adjudicating Denver Basin Groundwater and Approving Plan for Augmentation in Division 1 Case No. 2004CW299 as modified by case no. 2008CW188, agreements, assignments, and warranty deeds regarding the water rights, and Declaration of Covenants in the land records of the Office of the Clerk and Recorder of El Paso County, Colorado.

I. Applications for well permits submitted by persons other than the Applicant must include evidence that the permittee has acquired the right to the portion of the water being requested.

J. The following plat note shall be added that addresses the State Engineer’s admonition to advise landowners of potential limited water supplies in the Denver Basin:

“Water in the Denver Basin aquifers is allocated based on a 100-year aquifer life; however, for El Paso County planning purposes, water in the Denver Basin aquifers is evaluated based on a 300-year aquifer life. Applicant and all future owners in the subdivision should be aware that the economic life of a water supply based on wells in a given Denver Basin aquifer may be less than either the 100 years or 300 years used for allocation indicated due to anticipated water level declines. Furthermore, the water supply plan should not rely solely upon non-renewable aquifers. Alternative renewable water resources should be acquired and incorporated

in a permanent water supply plan that provides future generations with a water supply.”

cc: Joe Letke, Project Manager, Planner

Environmental Health Review Comments

SF2528: Searle Ranch Final Plat

Please accept the following comments from El Paso County Public Health (EPCPH) regarding the project referenced above:

- There is a finding for sufficiency in terms of water quality. The analytical results dated 6.15.2025 by Summa Water Services with results by Colorado Analytical Laboratories, SGS North America, and Hazen Research Inc, met the drinking water standards required by Colorado Primary Drinking Water Regulations as verified by EPCPH.
 - The water supply at Searle Ranch has a low pH of 6.52 and a Langelier index indicative of moderate corrosivity. While this is within the acceptable range for drinking water, corrosive water can leach heavy metals (such as lead and copper) from plumbing systems and household pipes. This leaching could pose long-term health risks if the water is consumed regularly, it is recommended that in home point of use filters be utilized.
- No additional comments to those previously submitted 10.23.2025.

For any additional questions or comments, please contact us at HEAEH_Landuse@elpasoco.com. While every effort is made for timely responses, allow 2 to 3 business days for a response from our field staff.

RESOLUTION NO. 26-

BOARD OF COUNTY COMMISSIONERS
COUNTY OF EL PASO, STATE OF COLORADO

APPROVAL OF MAP AMENDMENT (REZONING)
SEARLE RANCH REZONE (P2510)

WHEREAS, Searle Development Inc. did file an application with the El Paso County Planning and Community Development Department for an amendment to the El Paso County Zoning Map to rezone property located within the unincorporated area of the County, more particularly described in Exhibit A, which is attached hereto and incorporated by reference from the PUD (Planned Unit Development) zoning district to the RR-2.5 (Residential Rural) zoning district; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on July 2, 2026, upon which date the Planning Commission did by formal resolution recommend approval of the subject map amendment application; and

WHEREAS, a public hearing was held by the El Paso County Board of County Commissioners on July 23, 2026; and

WHEREAS, based on the evidence, testimony, exhibits, consideration of the Master Plan for the unincorporated area of the County, presentation and comments of the El Paso County Planning and Community Development Department and other County representatives, comments of public officials and agencies, comments from all interested persons, comments by the general public, comments by the El Paso County Planning Commission Members, and comments by the Board of County Commissioners during the hearing, this Board finds as follows:

1. That the application was properly submitted for consideration by the Board of County Commissioners;
2. That proper posting, publication, and public notice were provided as required by law for the hearings before the Planning Commission and the Board of County Commissioners;
3. That the hearings before the Planning Commission and the Board of County Commissioners were extensive and complete, that all pertinent facts, matters, and issues were submitted and reviewed, and that all interested persons were heard at those hearings;
4. That all exhibits were received into evidence;
5. That the proposed land use does not permit the use of any area containing a commercial mineral deposit in a manner, which would interfere with the present or future extraction of such deposit by an extractor;

6. That changing conditions clearly require amendment to the Zoning Resolutions;
7. That for the above-stated and other reasons, the proposed Amendment to the El Paso County Zoning Map is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County; and

WHEREAS, this Board further finds that the request meets the criteria for approval outlined in Section 5.3.5.B of the Land Development Code (as amended):

1. The application is in general conformance with the El Paso County Master Plan including applicable Small Area Plans or there has been a substantial change in the character of the neighborhood since the land was last zoned;
2. The rezoning is in compliance with all applicable statutory provisions, including but not limited to C.R.S. § 30-28-111 § 30-28-113, and § 30-28-116;
3. The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions; and
4. The site is suitable for the intended use, including the ability to meet the standards as described in Chapter 5 of the Land Development Code, for the intended zone district.

NOW, THEREFORE, BE IT RESOLVED that the El Paso County Board of County Commissioners hereby approves the petition of Searle Development Inc. to amend the El Paso County Zoning Map to rezone property located in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated by reference, from the PUD (Planned Unit Development) zoning district to the RR-2.5 (Residential Rural) zoning district.

BE IT FURTHER RESOLVED that the following conditions and notations shall be placed upon this approval:

CONDITIONS

1. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements. Applicable agencies include but are not limited to: the Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed threatened species.
2. Any future or subsequent development and/or use of the property shall be in accordance with the use, density, and dimensional standards of the Land Development Code and Engineering Criteria Manual. Specifically, development of the RR-2.5 lots shall be subject to the RR-2.5 (Residential Rural) zoning district standards.

NOTATIONS

1. If a zone or rezone petition has been disapproved by the Board of County Commissioners, resubmittal of the previously denied petition will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is a petition for a change to the same zone that was previously denied. However, if evidence is presented showing that there has been a substantial change in physical conditions or circumstances, the Planning Commission may reconsider said petition. The time limitation of one (1) year shall be computed from the date of final determination by the Board of County Commissioners or, in the event of court litigation, from the date of the entry of final judgment of any court of record.
2. Rezoning requests not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed withdrawn and will have to be resubmitted in their entirety.

DONE THIS 23rd day of July 2026, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST:

By: _____
Chair

By: _____
County Clerk & Recorder

EXHIBIT A

SEARLE RANCH SOUTH LOTS

A PORTION OF THE NORTH HALF OF THE SOUTHEAST QUARTER AND THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 11 SOUTH, RANGE 66 WEST OF THE 6th P.M., EL PASO COUNTY, COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE MOST NORTHERLY CORNER OF LOT 11, CHERRY SPRINGS RANCH FILING NO. 1, AS SHOWN ON THE SUBDIVISION PLAT THEREOF RECORDED AT RECEPTION NO. 208712762 OF THE EL PASO COUNTY RECORDS;

THENCE N12°30'00"E ON THE EASTERLY RIGHT OF WAY OF CHERRY SPRINGS RANCH DRIVE AS PLATTED BY SAID SUBDIVISION A DISTANCE OF 519.91 FEET TO A POINT OF CURVATURE;

THENCE CONTINUING ON SAID EASTERLY RIGHT OF WAY ON THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 335.00 FEET, THROUGH A CENTRAL ANGLE OF 32°03'53", AN ARC DISTANCE OF 187.48 FEET TO THE SOUTHWEST CORNER OF LOT 10 OF SAID SUBDIVISION;

THENCE N70°26'07"E ON THE SOUTH LINE OF SAID LOT 10 A DISTANCE OF 100.00 FEET TO AN ANGLE POINT THEREIN;

THENCE N90°00'00"E CONTINUING ON SAID SOUTH LINE A DISTANCE OF 761.28 FEET TO THE SOUTHEAST CORNER OF LOT 10 OF SAID SUBDIVISION;

THENCE S6°58'25"E A DISTANCE OF 347.71 FEET; THENCE S22°08'59"W A DISTANCE OF 677.19 FEET;

THENCE N89°12'38"W A DISTANCE OF 400.00 FEET TO A POINT ON THE EASTERLY LINE OF THE AFORESAID LOT 11;

THENCE N29°50'00"W ON SAID EASTERLY LINE A DISTANCE OF 100.73 FEET TO A POINT OF CURVATURE;

THENCE CONTINUING ON THE NORTHERLY BOUNDARY OF SAID LOT ON THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 265.00 FEET, THROUGH A CENTRAL ANGLE OF 47°40'00", AN ARC DISTANCE OF 220.46 FEET;

THENCE N77°30'00"W CONTINUING ON THE NORTHERLY LINE OF SAID LOT ON THE FORWARD TANGENT OF THE PRECEEDING ARC, A DISTANCE OF 123.87 FEET TO THE POINT OF BEGINNING OF THE TRACT DESCRIBED HEREIN;

THE DESCRIBED TRACT CONTAINS 17.61 ACRES, MORE OR LESS.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS THE EAST LINE OF CHERRY SPRINGS RANCH DRIVE, N12°30'00"E - 519.91 FEET. THE DIRECTION IS BASED ON THE SUBDIVISION PLAT AND THE LINE IS MONUMENTED BY REBAR AND 1-1/2" DIAMETER ALUMINUM CAPS "CCES LLC PLS 30118"

EXHIBIT B

