



REGULAR CITY COUNCIL MEETING AGENDA
Tuesday, October 19, 2021 6:00 PM
City Council Chambers, Elks Civic Building - 107 S. Cascade Ave.

The Montrose City Council is pleased to have residents of the community take time to attend City Council Meetings. We encourage your attendance and participation. Individuals wishing to be heard during public hearing proceedings are encouraged to be prepared and will generally be limited to three minutes to allow everyone the opportunity to be heard. Additional written comments are welcome and will be received at any time.

Public Participation for this meeting will be in person in the City Council Chambers and via Zoom at the following link: https://us02web.zoom.us/webinar/register/WN_dZ6EHDBsQdm3wWG87sAf3A.

The 11:00 p.m. rule will be enforced. All agenda items scheduled and noticed to be heard today must begin prior to 11:00 p.m. or they will be rescheduled. At 11:00 p.m., if the meeting has not already been adjourned, further proceedings shall be conducted as follows: 1) If the City Council is discussing an agenda item, but has not voted on the item before 11:00 p.m., the City Council may take a vote to decide whether to continue the item to the next meeting. 2) The City Council may also consider additional agenda items that require action in a specified time period due to legal requirements. 3) All other agenda items not previously opened shall be placed first on the next City Council Agenda.

- 1) City Council meeting called to order by Mayor Doug Glaspell
- 2) The Pledge of Allegiance
- 3) Roll call by the City Clerk
- 4) Changes to the agenda including additions and deletions
- 5) CALL FOR PUBLIC COMMENT FOR NON-AGENDA ITEMS Document added to final packet

The “Call for Public Comment” agenda item is a time when concerned members of the community may publicly voice their concerns and discuss items of interest. Please note that no formal action will be taken on the matters raised during this time.

Comments made during this time should be addressed to the Council and pertain to matters of at least general importance to the City and its operations. Please be aware that neither City Council nor City staff are expected to respond or engage in discussion or debate.

Personal attacks and disagreements, personnel and employment matters, the use of profanity or ethnic, racial or gender-oriented slurs are prohibited, as is any “disorderly conduct” which violates state or local law and shall not be permitted.

**Please note that the times listed are estimates of approximately how long each item may take. This time is intended to serve as a guide for the Mayor in an effort to help keep the meeting moving.*

**Hearing assistance devices are available for public use. Please let us know if you need accommodation.*



6) APPROVAL OF MINUTES (3 minutes)

City Council consideration of the minutes of the October 5, 2021 regular City Council meeting. *Staff: City Clerk Lisa DelPiccolo*

Action: Consider making a motion to approve the minutes of the October 5, 2021 regular City Council meeting as presented.

7) SPECIAL EVENTS ALCOHOL PERMIT (3 minutes)

City Council consideration of an application for a Special Events Permit to sell and serve alcohol in conjunction with the closure of the Block 93 alley for the Envision Block 93 - A Montrose Block Party event on Thursday, October 21. *City Clerk Lisa DelPiccolo*

Action: Accept public comment. Consider making a motion to approve a Special Events Permit for the Envision Block 93 - A Montrose Block Party event on October 21 as presented.

8) HISTORIC PRESERVATION COMMISSION APPOINTMENTS (5 minutes)

City Council consideration of applicants Jon Horn, Amanda Lloyd, Danielle Godt and Jeremy Omvig for three vacancies on the Historic Preservation Commission.

Action: Consider making a motion to appoint three of the applicants to the Historic Preservation Commission for terms that expire on October 16, 2024.

9) ORDINANCE 2561 - SECOND READING (10 minutes)

City Council consideration of Ordinance 2561 on second reading, an Ordinance of the City of Montrose, Colorado, repealing and replacing Title 4 Chapter 4 Sections 1-18 (4-4-1-18) of the Official Code of the City of Montrose. *Staff: Senior Planner Amy Sharp*

Action: Accept public comment. Consider making a motion to adopt Ordinance 2561 on second reading as presented.

10) ORDINANCE 2562 - SECOND READING (10 minutes)

City Council consideration of Ordinance 2562 on second reading, an Ordinance of the City of Montrose, Colorado, repealing and replacing Title 4 Chapter 1 Section 3 (4-1-3) of the Official Code of the City of Montrose. *Staff: Senior Planner Amy Sharp*

Action: Accept public comment. Consider making a motion to adopt Ordinance 2562 on second reading as presented.



11) ORDINANCE 2564 - SECOND READING (10 minutes) Document added to final packet

City Council consideration of Ordinance 2564 on second reading, an Ordinance of the City of Montrose, Colorado, amending the zoning designation of Lot 1 and Outlot A of Yocum Subdivision and adjacent right-of-ways from "R-1A" Large Estate District to "B-4" Neighborhood Shopping District. *Staff: Senior Planner Amy Sharp*

Action: Accept public comment. Consider making a motion to adopt Ordinance 2564 on second reading as presented.

12) McCRACKEN ADDITION ANNEXATION (10 minutes)

City Council will hold a hearing on the annexation of the McCracken Addition. *Staff: Senior Planner Amy Sharp*

Resolution 2021-22: City Council considered Resolution 2021-22, Findings of Fact for the McCracken Addition.

Action: Accept public comment. Consider making a motion to adopt Resolution 2021-22 as presented.

Ordinance 2565: City Council consideration of Ordinance 2565 on first reading, an Ordinance of the City of Montrose, Colorado for the annexation of the McCracken Addition.

Action: Hold a hearing. Consider making a motion to pass Ordinance 2565 on first reading as presented.

13) ORDINANCE 2566 - FIRST READING (10 minutes)

City Council consideration of Ordinance 2566 on first reading, an Ordinance of the City of Montrose, Colorado providing for the zoning of the McCracken Addition as a "B-3" General Commercial District. *Staff: Senior Planner Amy Sharp*

Action: Hold a hearing. Consider making a motion to pass Ordinance 2566 on first reading as presented.

14) SUNRISE CREEK II FILING NO. 5 FINAL PLAT (10 minutes)

City Council consideration of the Sunrise Creek II Filing No. 5 Final Plat to create six new residential lots. *Staff: Senior Planner Amy Sharp*

Action: Accept public comment. Consider making a motion to approve the Sunrise Creek II Filing No. 5 Final Plat expressly conditioned upon City staff ensuring that all policies, regulations, ordinances and Municipal Code provisions are met and that the applicant adequately addresses all of staff's concerns prior to the execution of the Final Plat. The City staff is not authorized by this approval to execute the Final Plat prior to all conditions being satisfied.

15) SUNRISE CREEK III FILING NO. 2 FINAL PLAT (10 minutes)

City Council consideration of the Sunrise Creek III Filing No. 2 Final Plat to create 14 new residential lots. *Staff: Senior Planner Amy Sharp*

Action: Accept public comment. Consider making a motion to approve the Sunrise Creek III Filing No. 2 Final Plat expressly conditioned upon City staff ensuring that all policies, regulations, ordinances and Municipal Code provisions are met and that the applicant adequately addresses all of staff's concerns prior to the execution of the Final Plat. The City staff is not authorized by this approval to execute the Final Plat prior to all conditions being satisfied.

16) MONTROSE BOTANICAL SOCIETY LEASE AGREEMENT (10 minutes)

City Council consideration of a lease agreement between the City of Montrose and Montrose Botanical Society for use of the Montrose Botanic Gardens at 1800 Pavilion Drive. *Staff: Community Engagement Specialist Ross Valdez*

Action: Accept public comment. Consider making a motion to approve a lease agreement between the City of Montrose and Montrose Botanical Society for use of the Montrose Botanic Gardens at 1800 Pavilion Drive as presented.

17) BIRCH STREET BRIDGE REPLACEMENT CONSTRUCTION CONTRACT
(10 minutes)

City Council consideration of a contract award to Oldcastle SW Group in the amount of \$447,976.38 for construction of the Birch Street Bridge Replacement Project. *Staff: City Engineer Scott Murphy*

Action: Accept public comment. Consider making a motion to award a contract to Oldcastle SW Group in the amount of \$447,976.38 for construction of the Birch Street Bridge Replacement Project as presented.

18) 2021 SANITARY SEWER CURED IN PLACE PIPE BID AWARD (10 minutes)

City Council consideration of the contract renewal to Insituform Technologies, LLC in the amount not to exceed \$250,000.00 for cured in place lining of sanitary sewers. *Staff: Utilities Manager David Bries*

Action: Accept public comment. Consider making a motion to approve the contract renewal to Insituform Technologies, LLC in the amount not to exceed \$250,000.00 for cured in place lining of sanitary sewers as presented.



19) LANDSCAPING SERVICES CONTRACT AWARD RECOMMENDATION (10 minutes)

City Council consideration of a contract to S&E Wards Landscaping Management, Inc. for landscaping services at City facilities in the amount not to exceed \$65,007.00. *Staff: Public Works Manager Jim Scheid*

Action: Accept public comment. Consider making a motion to award a contract to S&E Wards Landscaping Management, Inc. for landscaping services at City facilities in the amount not to exceed \$65,007.00 as presented.

20) STAFF REPORTS

A) Sales, Use, and Excise Tax Report (5 minutes)
Staff: Finance Director Shani Wittenberg

21) YOUTH CITY COUNCIL COMMENTS

22) CITY COUNCIL COMMENTS

23) MOTION TO ADJOURN

Zoom Meeting Details

https://us02web.zoom.us/webinar/register/WN_dZ6EHDBsQdm3wWG87sAf3A

Join by phone:

1 669 900 9128

1 253 215 8782

1 346 248 7799

1 646 558 8656

1 301 715 8592

1 312 626 6799

Webinar ID: 880 8837 0265

International numbers available: <https://us02web.zoom.us/j/kejL49kTgk>

10/19/21 City Council Meeting
Matt Goldasich

Open Recommendation

Montrose City Code 4-4-24B(2): 20% of gross Planned Development area preserved as parks or open space.

- Code doesn't define open space.... so it can be loosely interpreted and the target 20% compromised.
- For lifestyle quality, and consistency with Envision 2040 Guiding Principle # 1 ("**retain Montrose's small-town character in a rural setting**"), extend open space requirements to other residential developments including subdivisions, minor subdivisions and manufactured homes and mobile home parks.
- Include in the city code what constitutes open space - based on these parameters:

Open Space

	Yes	No
20% of total site area	✓	
Area common to all residents for recreation and relation. Not in close proximity to their residence.	✓	
Retention ponds and wetland with access for residents.	✓	
Total of individual areas within development with same character as the 2 above	✓	
Roads		✓
Parking Areas		✓
Sidewalks		✓
Right of way		✓
Easement		✓
Area between buildings		✓
Front Yards		✓
Back yards		✓
Clubhouse		✓
Semi private courtyards used mainly for home entry purposes		✓

A regular meeting of the Montrose City Council was held on Tuesday, October 5, 2021 at 6:00 p.m. in the City Council Chambers of the Elks Civic Building. Said meeting was posted in accordance with the Sunshine Law. Public participation for this meeting was held in person and via Zoom. The meeting agenda included a Zoom link and phone numbers for public participation.

PRESENT: Doug Glaspell, Dave Frank, J. David Reed, Ann Morgenthaler, Stephen Alcorn, Greg Story, Lisa DelPiccolo, Blaine Hall, Matt Smith, Amy Sharp, Scott Murphy, Jim Scheid, Ross Valdez, Chris Dowsey, William Reis, Shani Wittenberg

ABSENT: Barbara Bynum, Anthony Russo

GUESTS: Cassie Knust, Melissa Alcorn

CALL TO ORDER

Mayor Doug Glaspell called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

CHANGES TO THE AGENDA

No changes were made to the agenda.

CALL FOR PUBLIC COMMENT

No comments were received.

APPROVAL OF MINUTES

City Council considered the minutes of the September 20, 2021 special City Council Meeting, the September 20, 2021 regular City Council meeting, and the September 21, 2021 special City Council meeting.

A motion was made by Dave Frank, seconded by J. David Reed, to approve the minutes of the September 20, 2021 special City Council Meeting, the September 20, 2021 regular City Council meeting, and the September 21, 2021 special City Council meeting as presented. All voted yes. Motion passed.

RESOLUTION 2021-21

City Council considered Resolution 2021-21, setting November 16, 2021 as the hearing date for the annexation of the Grace Community Church Addition II.

Senior Planner Amy Sharp reviewed the annexation schedule and location of the 3.48 acres on Woodgate Road across from Johnson Elementary School and north of Grace Community Church. Ms. Sharp stated that the property is completely surrounded by City limits, and annexation allows for future development and expansion of church services.

Ms. Sharp reviewed the zoning of the surrounding area and the proposed zoning of R-3, Medium Density District. Ms. Sharp stated that staff will recommend approval of the annexation and proposed zoning designation.

Public comment was accepted. No comments were received.

A motion was made by J. David Reed, seconded by Dave Frank to adopt Resolution 2021-21 as presented. All voted yes. Motion passed.

ORDINANCE 2561 -FIRST READING

City Council considered Ordinance 2561 on first reading, an Ordinance of the City of Montrose, Colorado, repealing and replacing Title 4 Chapter 4 Sections 1-18 (4-4-1-18) of the Official Code of the City of Montrose. A hearing was held.

Senior Planner Amy Sharp reported that Ordinance 2561 adds a definition for family childcare homes, updates the definition for childcare facilities, and defines where these uses are allowed. Ms. Sharp stated that these amendments are in response to House Bill 21-1222 which expands opportunities to access childcare in family childcare homes and states that they shall be treated as residential property use.

Ms. Sharp confirmed that state licensing requirements still apply, but childcare homes will be a use by right and will no longer require a conditional use permit.

Mayor Doug Glaspell opened the hearing.

Public comment was accepted. No comments were received.

Mayor Glaspell closed the hearing.

A motion was made by Dave Frank, seconded by J. David Reed, to pass Ordinance 2561 on first reading as presented. All voted yes. Motion passed.

ORDINANCE 2562 - FIRST READING

City Council considered Ordinance 2562 on first reading, an Ordinance of the City of Montrose, Colorado, repealing and replacing Title 4 Chapter 1 Section 3 (4-1-3) of the Official Code of the City of Montrose. A hearing was held.

Senior Planner Amy Sharp reported that this item is similar to the previous agenda item and is also in response to House Bill 21-1222. Ms. Sharp stated that Ordinance 2562 updates the number of children allowed at various daycare, childcare, adult day care and residential group facilities from 5 to 12 to reflect the current state law.

Mayor Doug Glaspell opened the hearing.

Public comment was accepted. No comments were received.

Mayor Glaspell closed the hearing.

A motion was made by J. David Reed, seconded by Dave Frank, to pass Ordinance 2562 on first reading as presented. All voted yes. Motion passed.

ORDINANCE 2564 - FIRST READING

City Council considered Ordinance 2564 on first reading, an Ordinance of the City of Montrose, Colorado, amending the zoning designation of Lot 1 and Outlot A of Yocum Subdivision and adjacent right-of-ways from "R-1A" Large Estate District to "B-4" Neighborhood Shopping District. A hearing was held.

Senior Planner Amy Sharp reviewed the location of the Yocum Subdivision south of Ogden Road and South of Bridges Drive. Ms. Sharp stated that the subject property is 6.4 acres, with Lot 1 and Outlot A totaling 5.6 acres and the remainder being right of way. The rezone will allow for future development of a neighborhood center and potential housing. Ms. Sharp said the developer intends to establish a sales office for future residential property development.

Ms. Sharp recommended approval stating that the request meets rezone criteria, meets the intent of B-4 zoning district, is in compliance with Comprehensive Plan, and is compatible with existing uses in surrounding area. Ms. Sharp said that due to a noticing error, the request was heard by the Planning Commission on two occasions, and the Planning Commission recommended approval both times.

City Council and staff discussed whether the request is adverse to public health, safety, and welfare and the requirement for connectivity to sidewalks and trails.

Mayor Doug Glaspell opened the hearing.

Public comment was accepted. No comments were received.

Mayor Glaspell closed the hearing.

A motion was made by Dave Frank, seconded by J. David Reed, to pass Ordinance 2564 on first reading as presented. All voted yes. Motion passed.

HAWK PARWAY SIDEWALK EXTENSION CONSTRUCTION CONTRACT

City Council considered a contract award to Agave Construction in the amount of \$75,900.00 for construction of the Hawk Parkway Sidewalk Extension Project.

City Engineer Scott Murphy reported that this project will fill in a missing section of sidewalk on Townsend between Ogden Road and Hawk Parkway. Mr. Murphy stated that the project was designed by Buckhorn Engineering and supports the Golden Gate Petroleum development.

Mr. Murphy reviewed the bid process. Four bids were received with Agave Construction submitting the low bid. Mr. Murphy said the project will not require any street closures and is scheduled for completion by the end of the year. Mr. Murphy stated that \$50,000.00 was budgeted for the project, and the additional cost will be covered by funds retained from other sidewalk projects.

Public comment was accepted. No comments were received.

A motion was made by J. David Reed, seconded by Dave Frank, to award a contract to Agave Construction in the amount of \$75,900.00 for construction of the Hawk Parkway Sidewalk Extension Project as presented. All voted yes. Motion passed.

STAFF REPORTS

Public Works Manager Jim Scheid reported that a ribbon cutting ceremony is scheduled for the Montrose Rotary Amphitheater later in the week, and the venue will host Oktoberfest on Saturday, October 9. Mr. Scheid stated that the facility is fully functional, but the contractors are completing some final items.

Deputy City Manager Ann Morgenthaler reported that Oktoberfest is the first event at the Montrose Rotary Amphitheater and is a fundraiser for All Points Transit. Beginning next spring, the venue will host a variety of events, both ticketed and free of charge. Ms. Morgenthaler said City staff members are finalizing rental processes, and the proposed fees will be discussed with fee schedule revisions at the next work session.

Police Chief Blaine Hall reported that the Montrose Police Department is looking for a gray Jeep Wrangler with suspected involvement in shooting incidents including the shooting of a juvenile with a pellet gun. Anyone with information was asked to contact Crime Stoppers. Chief Hall also commended Officers Jamie Kent and Cameron Pensyl for providing life-saving medical assistance to an individual being transported to the Montrose County Jail.

CITY COUNCIL COMMENTS

No City Council comments were provided.

MOTION TO ADJOURN

At 6:53 p.m., a motion was made by J. David Reed to adjourn the meeting with no further action taken.

ATTEST:

Douglas Glaspell, Mayor

Lisa DelPiccolo, City Clerk



CITY OF MONTROSE
CITY CLERK

MEMO

DATE: September 28, 2021
TO: City Council
FROM: Lisa DelPiccolo, City Clerk
RE: Special Events Alcohol Permit for Envision Block 93 - A Montrose Block Party

The City of Montrose Development and Revitalization Team (DART) has applied for a Special Events Permit to sell and serve alcohol during the Envision Block 93 - A Montrose Block Party event on Thursday, October 21, 2021. As part of this event, the Block 93 alley will be closed from Townsend to Cascade Avenue. According to the Municipal Code and Regulations Manual, City Council approval is required for a Special Events Permit in conjunction with a street or alley closure.

The event and alcohol permit applications are attached and include a premises map showing the perimeter for the alcohol permit and a plan for control of the premises. The premises were posted in compliance with state statute.



Application for a Special Events Permit

Departmental Use Only

In order to qualify for a Special Events Permit, You **Must Be a Qualifying Organization Per 44-5-102 C.R.S. and One of the Following (See back for details.)**

- | | | |
|------------------------------------|---|---|
| ☐ Social | ☐ Athletic | ☐ Philanthropic Institution |
| ☐ Fraternal | ☐ Chartered Branch, Lodge or Chapter | ☐ Political Candidate |
| ☐ Patriotic | ☐ National Organization or Society | ☐ Municipality Owned Arts Facilities |
| ☐ Political | ☐ Religious Institution | |

RECEIVED SEP 16 2021

LIAB Type of Special Event Applicant is Applying for:

- 2110 ☒ Malt, Vinous And Spirituous Liquor Fee: \$100.00 per event
2170 ☐ Fermented Malt Beverage Payable to the City of Montrose

DO NOT WRITE IN THIS SPACE

Liquor Permit Number

1. Name of Applicant Organization or Political Candidate

City of Montrose- DART

State Sales Tax Number (Required)

2. Mailing Address of Organization or Political Candidate
(include street, city/town and ZIP)

107 S Cascade Avenue
Montrose, CO 81401

3. Address of Place to Have Special Event
(include street, city/town and ZIP)

Block 93 Public Parking Lot & Alley
312 N. 1st
Montrose, CO 81401

4. Authorized Representative of Qualifying Organization or Political Candidate

City of Montrose

Date of Birth

Phone Number

970-240-1400

Authorized Representative's Mailing Address (if different than address provided in Question 2.)

433 S 1st Street, Montrose, CO 81401

5. Event Manager

City of Montrose

Date of Birth

Phone Number

970-240-1400

Event Manager Home Address (Street, City, State, ZIP)

433 S 1st Street, Montrose, CO 81401

Email Address of Event Manager

6. Has Applicant Organization or Political Candidate been
Issued a Special Event Permit this Calendar Year?

☒ No ☐ Yes How many days? _____

7. Is the premises for which your event is to be held currently licensed under the
Colorado Liquor or Beer codes?

☒ No ☐ Yes License Number _____

8. Does the Applicant Have Possession or Written Permission for the Use of The Premises to be Licensed? ☐ Yes ☐ No

List Below the Exact Date(s) for Which Application is Being Made for Permit

Date 10/21/20 Hours From 3:30 pm .m. To 7:30 pm .m.	Date Hours From .m. To .m.	Date Hours From .m. To .m.	Date Hours From .m. To .m.	Date Hours From .m. To .m.
Date Hours From .m. To .m.	Date Hours From .m. To .m.	Date Hours From .m. To .m.	Date Hours From .m. To .m.	Date Hours From .m. To .m.
Date Hours From .m. To .m.	Date Hours From .m. To .m.	Date Hours From .m. To .m.	Date Hours From .m. To .m.	Date Hours From .m. To .m.

Oath of Applicant

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

Signature

Kendall Cramer

Title

Community Program Manager

Date

09/16/21

Report and Approval of Local Licensing Authority (City or County)

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 44, Article 5, C.R.S., as amended.

THEREFORE, THIS APPLICATION IS APPROVED.

Local Licensing Authority (City or County)

☐ City
☐ County

Telephone Number of City/County Clerk

Signature

Title

Date

DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY

Liability Information

License Account Number

Liability Date

State

Total

-750 (999)

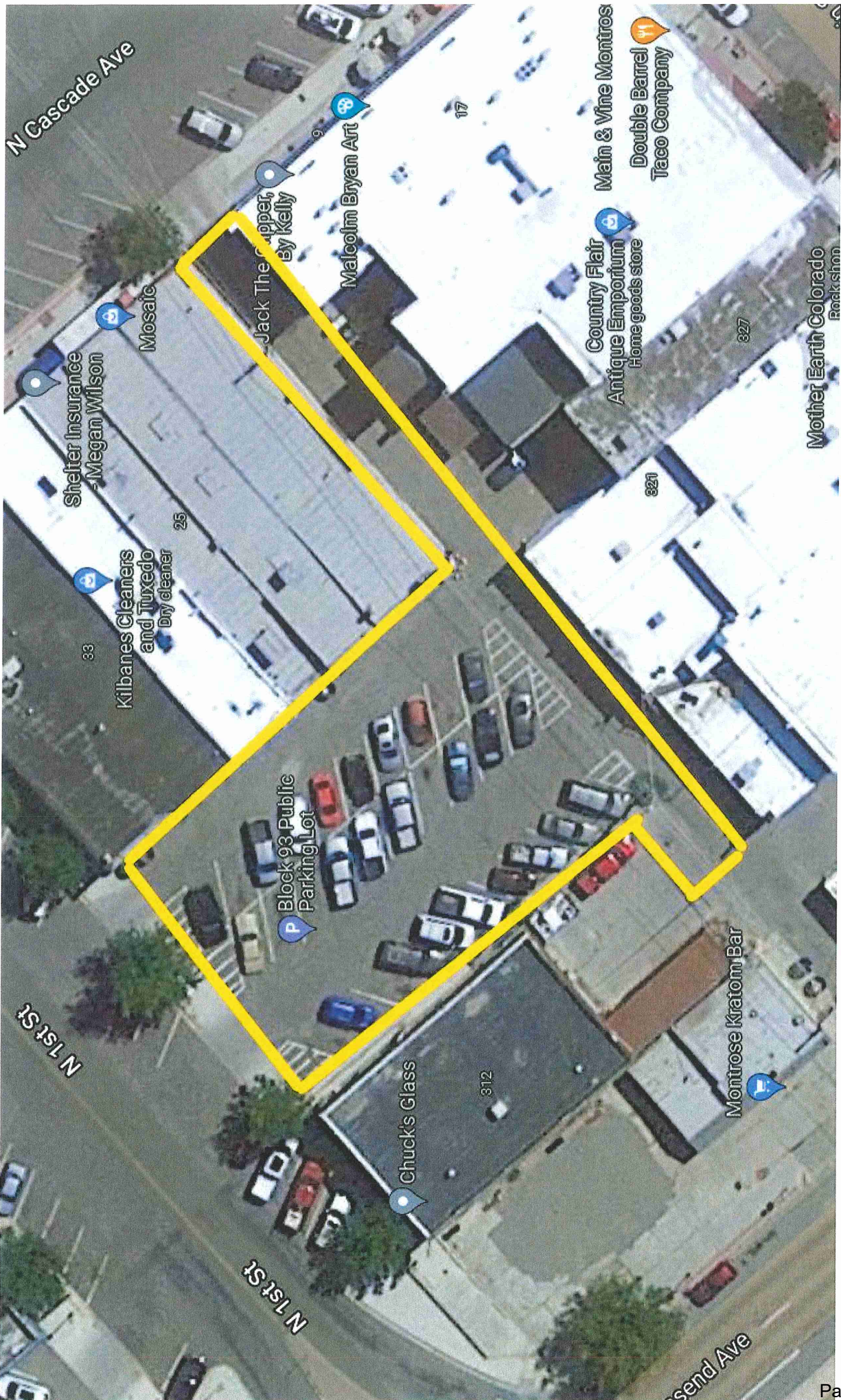
\$

.

(Instructions on Reverse Side)

Special Event Permit Questionnaire

1. Name of Event: Envision Block 93
2. Type of Event (i.e., annual, quarterly, benefit, etc.): A Block Party
3. Explain in detail the nature of your organization, its function, and who or what benefits from its operations (attach a separate sheet if necessary): DART- Development and Revitalization Team is putting on the event.
4. Who or what organization will be the recipient of funds derived from this event? City of Montrose
- DART
5. How many attendees are expected at this event? 200-300
6. Describe the premises of this event: Public Parking lot & alley
7. If this is an outdoor event, describe how the exterior boundaries of the premises be marked (i.e., roped, fenced, etc.):
We will have signs posted throughout the premises and caution tape will be used to mark the permitted area.
8. What type of entertainment, if any, will be provided at this event? Live music -
Donny Morales
9. What method will be used to check identification for proper age of attendees (i.e., at the door, at the bar, etc.), and how will underage patrons be identified so as not to be served alcohol beverages (i.e., stamp or mark on the hand, etc.)?
We will have one volunteer checking IDs and providing wristbands to 21+ citizens.
10. How will the conduct and level of intoxication of attendees be monitored, and by whom? Volunteers
and City employees will be monitoring attendees.
11. Have volunteers or members of your organization been trained in the sale/service of alcohol beverages? If yes, what training have they received, and by whom? Yes, alcohol server training
12. What types of alternate beverages and food/snacks will be available? Three food trucks
will be providing a variety of food items and beverages.
13. Have State and City Sales Tax Numbers been initiated by you or a member of your organization? If yes, please provide the numbers in the space provided. _____
14. Explain how this event will be marketed by describing what kinds of advertising material will be distributed and the targeted recipients of such material. Social media posts, Main street banner
"Save the Date" flyers





EVENTS USE PERMIT APPLICATION – SECTION A

Part I – Event Information

Type of event:

- | | |
|---|--|
| ☐ Main Street Closure – see page 8 | ☐ Centennial Plaza Event - see page 10 |
| ☐ Parade – see page 9 | ☐ Uncompahgre Event Plaza Event - see page 11 |
| ☐ Street Closure – see page 9 | ☐ Athletic Field Event - see page 12 |
| ☐ Park Shelter/Park Area | ☐ Other |

Date(s) of Event October 21, 2021 **Date of Application** September 8, 2021

Name of event: Envision Block 93 - A Montrose Block Party

Desired location: "Block 93"

Legal entity to hold permit: City of Montrose

Contact Person: Kendall Cramer

Mailing Address: 433 S. 1st Street, Montrose, CO 81401

Phone Number: Daytime ext 8531 Evening 970-975-1090

Email Address: krcramer@cityofmontrose.org Website Link:

Brief description of your event: Block party, food vendors, activities, music

Is this a private event? ☐ Yes ☒ No **Advertised to the public?** ☒ Yes ☐ No

Anticipated attendance: Per Day: 300 Total: 300

Dates and times:

Setup: Date: October 21, 2021 Time: 11:00 AM- 3:30 PM

Start of Event: Date: October 21, 2021 Time: 4:00 PM

End of Event: Date: October 21, 2021 Time: 7:00 PM

Cleanup Completed by: Date: October 21, 2021 Time: 10:00 PM

Is this an annual event? ☐ Yes ☒ No How Many Years?

Will admission be charged? ☐ Yes ☒ No Amount (s):

Are vendor or other fees required? ☐ Yes ☒ No Amount (s):

Will your event include food preparation, concession and/or merchandise vendors?

☒ Yes ☐ No *If yes, please see page 6.*

Please describe any mobile vending devices or other structures to be used including kiosks, carts, stands, stages, fences and barriers. (Attach diagrams or pictures if necessary.)

food vendors, 20 x 40 tent, popup tents, city stage (used in Pocket Park), mobile vendor trucks, bar

Will alcohol beverages be sold or served at this event? ☒ Yes ☐ No

Which nonprofit organization will sponsor the liquor license? City of Montrose

Exact time alcohol will be on location*: 3:30 PM (a.m./p.m.) to 8:30 PM (a.m./p.m.)

*These times must match the beginning and ending times specified on the State of Colorado Special Events Permit Application (form DR 8436).

Exact time alcohol will be served **: 4:00 PM (a.m./p.m.) to 7:00 PM (a.m./p.m.)

**Officers may be required to be present during the time alcohol is served. *Please see page 6.*

Please note: *It is the responsibility of the event organizer(s) to be familiar with the laws and liabilities associated with the sale of alcohol beverages. Please review state statutes regarding the sale and service of alcohol and/or attend a City sponsored alcohol server training class.*

Is electricity needed? ☒ Yes ☐ No Time Needed: 3:30 PM to 7:30 PM

If yes, please describe the equipment and appliances to be used, such as hot plates, coolers, or sound systems:

Food trucks will need to plug in, extension cords required for entertainment

Is domestic water needed? ☐ Yes ☒ No If yes, please describe:

Will sound amplification be used? ☒ Yes ☐ No If yes, please describe:

Speakers for entertainment

Are additional garbage cans needed? ☒ Yes ☐ No

If yes, please estimate the number of 90-gallon trash receptacles needed: 3

Please estimate the number of recycle containers needed: 3

Please note: *Individual vendors are required to provide their own trash receptacles.*

Will temporary structures be used? ☒ Yes ☐ No

If yes, please describe the type, size, and method of securing the structure:

20 x 40 frame tent, water barrels will be securing the structure

Will your event include any high-risk activities such as motorcycle events, airplane/helicopter activities, or water events? ☐ Yes ☒ No If yes, please describe:

If the estimated attendance of the event is more than 200 people, please provide a brief description of the following:

Parking and Traffic Management Plan:

Closure of alley. Utilize Main St, N. 1st and N 1st EV station parking lot for parking

Emergency Plan:

Call 911

Sales Tax Collection Plan (if food and/or merchandise are sold):

We will have mobile food vendors that are registered with the City.

Additional comments/requests:

PW- Close Block 93 parking lot and alley on Thursday, October 21st by 6:30 AM (after trash pick-up)

Public works- bar, recycle and garbage cans, cones, caution tape, extension cords, sweeping of alley

and parking lot before event, barricades for both ends to alley to prohibit traffic, water truck to fill up water barrels for tent
Police Department- officer presence, if needed. Portable propane heaters

Part II – Additional Licenses & Permits

If any items are sold at an event, a City of Montrose sales tax license is required in accordance with the Official Municipal Code of the City of Montrose and the laws of the State of Colorado. Please contact the City Sales Tax Accountant at (970)-240-1465 to obtain a City Sales Tax number.

*City sales tax license holders must maintain proper books and records of sales that may be subject to inspection and audits as applicable. (Municipal Code Section 5-15)

Additional permits may be required depending on the components of your event. Applicants and/or vendors or responsible for complying with the terms of these licenses and permits.

- ☐ Food Service License (Health Inspector 970-252-5000)
- ☐ City Sales Tax Sponsor Agreement (Sales Tax Accountant 970-240-1465)
- ☐ Transient Vendor’s License (Sales Tax Accountant 970-240-1465)
- ☒ Special Events Liquor Permit (City Clerk’s Office 970-240-1430)

Free advertising for your event is available at VisitMontrose.com/Events

Part III – Rules & Regulations

1. Applications must be submitted **at least 60 days** (90 days for Main Street closures) in advance of the date of the event.
2. Proof of Insurance in the amounts listed below, naming the City, its officers, agents and employees as additional insureds for claims arising from the event.

\$2,000,000	General Aggregate (Per Event/Certificate)
\$2,000,000	Products/Completed Operations Aggregate
\$1,000,000	Personal and Advertising Injury
\$1,000,000	Each Occurrence
\$1,000,000	Damage to Premises Rented to You
\$ 5,000	Medical Payments
3. **For groups planning to sell and serve alcohol beverages:**
 - a. A Special Events Permit to sell and serve alcohol beverages must be obtained through the City of Montrose and State of Colorado. (Applications are processed through City Clerk's Office).
 - b. A detailed plan on how the area will be secured for sale and consumption of alcohol will be required.
 - c. Events with a Special Events Permit to sell and serve alcohol, may be required to hire a minimum of two police officers during the time alcohol is being served. The number of officers required will be determined by the City in its sole discretion based on the nature of the event. The fee is based on the actual burdened rate of officers and sergeants, will be reviewed annually, and is subject to change.
4. Park hours are 5:00 a.m. to 11:00 p.m.
5. Noise which unreasonably annoys, injures or endangers the comfort, health, peace or safety of others is prohibited by City ordinance.
6. The rules and regulations of the Montrose City Code shall be followed at all times.
7. Permittee agrees to indemnify and hold harmless the City of Montrose, its officers, employees, insurers, and self-insurance pool, from and against all liability, claims, and demands, on account of injury, loss, or damage, including without limitation claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever, which arise out of or are in any manner connected with this permit, if such injury, loss, or damage is caused in whole or in part by, or is claimed to be caused in whole or in part by, the act, omission, error, professional error, mistake, negligence, or other fault of the Permittee, or any employee of the Permittee, or which arise out of any worker's compensation claim of any employee of the Permittee. The Permittee agrees to investigate, handle, respond to, and to provide defense for and defend against, any such liability, claims or demands at the

sole expense of the Permittee, or at the option of the City agrees to pay the City or reimburse the City for the defense costs incurred by the City in connection with, any such liability, claims or demands. The Permittee also agrees to bear all other costs and expenses related thereto, including court costs and attorney fees, whether or not any such liability, claims, or demands alleged are groundless, false, or fraudulent.

8. Permittee hereby agrees to waive any claim against the City, its officers or employees for damage to their persons or property arising out of this permit, the exercise of rights granted under this Permit, or the use of the public property granted herein by the City.
9. Permittee shall maintain and use the public property at all times in conformity with City ordinances, regulations and other applicable law, keep it in a safe and clean condition, and allow no nuisance to be created by virtue of the Permit. Permittee shall not construct any buildings or improvements upon the public property. **Temporary structures shall not be anchored to sidewalks or pavement. Permittee shall not apply any unauthorized inscription, word, figure, painting or other defacement that is written, marked, etched, scratched, sprayed, drawn, painted, or engraved on or otherwise affixed to any natural or man-made surface on public property by any means including but not limited to an aerosol paint container, a broad tipped marker, gum label, paint stick or graffiti stick, etching equipment, brush or any other device capable of scarring or leaving a visible mark on any natural or man-made surface, even if considered temporary in nature. Directional markers and distance markers for parades and walks/runs are not allowed on any public property; vinyl wire flag markers (wire no greater than 14 gauge nor longer than 24") are allowed if removed immediately following the event.** Permittee shall be held responsible for any damage incurred to the public property or adjacent surrounding area as a direct result of the event's activities, **including but not limited to loss of damage deposit, cost of repair for damages, fines and imprisonment, restitution, community service, or other sentence imposed by a court of competent jurisdiction.**
10. The City reserves the right to refuse the issuance of an Events Use Permit to any club, organization, person or persons. The City may revoke this permit at any time as deemed appropriate in the City's sole discretion; in such case, all property of the Permittee shall be removed at Permittee's expense and pre-existing conditions restored.
11. The City reserves the right to impose additional or increased requirements, terms and conditions, based upon the City's responsibility to protect and safeguard public health, peace and safety, and to preserve the security of public property. Should additional or increased requirements, terms, and conditions be imposed, they shall be sent to the permittee in writing.

I understand the rules and regulations as outlined above.

Kendall E. Cramer
Signature of Event Coordinator

9/8/2021
Date



SECTION C – PARADE and/or STREET CLOSURE PERMIT

☐ PARADE

- Throwing candy from moving vehicles is prohibited.
- Parades shall organize and stage on North Nevada and adjoining side streets; then proceed East on North First Street to Stough; then turn South on Stough; then turn West on Main Street; proceed West on Main; then turn North on Selig. (Homecoming Parade may stage on South Pythian.)
- Police Department personnel shall be assigned for traffic control during parade.
- Applications must be submitted at least sixty (60) days in advance of the date of closure.
- Attach an application fee of \$100.00.
- Attach a deposit of \$100.00 to be returned if the parade route is left clean and undamaged.
- Attach a certificate of liability insurance as specified on page 6, under Part III, Rules and Regulations.

Date of Parade: _____ Time of Parade: _____

Name of Parade: _____

☒ STREET CLOSURE (other than Main Street – for a closure of Main Street, complete Section B)

- No street closure shall be permitted in conjunction with any Special Events Permit to sell or serve alcohol, unless permission is granted by the City Council. *See Part III on page 6.*
- Streets shall not be closed more than ten (10) hours.
- Events shall conclude by 11:00 p.m.
- Public works will deliver barricades to the street closure area during normal working hours.
Event organizers are responsible for setting up and removing barricades.
- Application must be submitted at least sixty (60) days in advance of the date of closure.
- Attach an application fee of \$100.00.
- Attach a deposit of \$100.00 to be returned if closure area is left clean and undamaged.
- Attach a certificate of liability insurance as specified on page 6, under Part III, Rules and Regulations.
- Complete and return Street Notification/Acknowledgement with application (Page 13). Applicants will be asked to notify all properties within 75 feet of the street closure.

Date of Street Closure: October 21, 2021 Start Time: 6:30 AM Ending Time: 10:00 PM

Describe Street area to be closed:

"Block 93" alley and public parking lot, 312 N 1st St, Montrose, CO 81401

The undersigned hereby agrees to comply with all conditions stated above, and confirms that all statements on this application are true and accurate to the best of Permittee's knowledge.

Kendall E. Cramer
Permittee

9/8/2021
Date

Total Due for Event:

Events Use Permit Fee – All venues except Main Street _____ \$100.00
Main Street Closure Permit Fee _____ \$250.00
Event Deposit _____ \$100.00

TOTAL AMOUNT DUE: \$ _____

Section Below for City Use Only

Conditions:

Date: _____

Signature

Notifications Sent	
Fees Received	
Insurance Certificate Received	
Street Closure Notifications Received	

Free advertising for your event is available at VisitMontrose.com/Events



Historic Preservation Commission Application

Date: 9/15/2021

Commission Eligibility:

Please check any of the following:

- ☐ I am a professional representing an area of expertise relevant to historic preservation
- ☐ I have a demonstrated interest in Historic Preservation
- ☒ I own business real property or I am a designated representative of a real business property owner within the boundaries of the City of Montrose

Business Address: 317 E. Main

- ☐ I make my primary residence within the City of Montrose

Personal Information:

Name: Jonathon C. Horn

Primary Residence Address: 62748 Hwy 90

City: Montrose State: CO Zip: 81403

Phone: (970) 209-5404

E-mail Address: jonhorn56@gmail.com

Primary Employer: Alpine Archaeological Consultants, Inc.

Length of Employment: 33 years

If less than 2 years, previous employer: _____

Are you presently serving or have you served on a City of Montrose Board or Commission?

Yes _____

If yes, please specify name of Board or Commission. Montrose Historic Preservation Commission

Date Range: 2019-2021

Educational background:

BA, History, Lewis & Clark College, Portland, Oregon

MA, Anthropology (Archaeology), University of Idaho, Moscow, Idaho

Relevant experience related to historic preservation:

My entire career has been in the historic preservation field (see vita).

Provide a brief explanation of your interest in historic preservation:

I have been a historic preservation professional for nearly 40 years and enjoy being able to provide my expertise in historic preservation to the Montrose community. I have been serving as the chair of the Montrose Historic Preservation Commission since being first appointed in 2019.

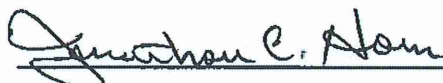
Application for Appointment to a Public Board, Commission, or Committee Ethics Statement:

The City of Montrose embraces the core values of honesty, trust, and integrity. In the accomplishment of the City's mission, earning and keeping the public trust is a primary goal. It is the policy of the City to prohibit employees from engaging in activities or practices which conflict with or compromise these values.

All employees, volunteers, members of boards and commissions, and other agents representing the City's interests, are expected to respect and uphold the high standard of dignity and integrity espoused in the City's core values.

I, Jonathon C. Horn, being an applicant for appointment to a City Board, Committee, or Commission, declare that said appointment does not, and will not, constitute or create a conflict of interest. I further declare that my appointment does not and will not compromise the core values stated herein, and I pledge to uphold and maintain those values in the performance of my official duties with the City.

I freely and voluntarily make this declaration, as a component of the City's application process for appointment.



Signature of applicant

9/15/2021

Date

Please attach a current resume and return to City Clerk's Office, 433 South First Street.



ALPINE ARCHAEOLOGICAL CONSULTANTS, INC.

CURRICULUM VITAE

JONATHON C. HORN, M.A., RPA

Office Address:

P.O. Box 2075/900 S. Townsend Ave.
Montrose, Colorado 81402
Phone: (970) 249-6761 ext. 14
Fax: (970) 249-8482
Email: jon_horn@alpinearchaeology.com



Academic Background

M.A. in Anthropology, University of Idaho at Moscow, 1988
B.A. in History, Lewis & Clark College, 1979

Current Professional Experience

1987-Present Principal Investigator, Alpine Archaeological Consultants, Inc., Montrose, Colorado

Historic and prehistoric archaeology and site Survey, cultural resource management, historical research, National Register nominations, historic American engineering record documentation. In addition to the projects listed below, Mr. Horn has conducted numerous small-scale cultural resource inventories, historic site documentation, and analyses of historic artifacts.

Representative projects include:

2020– 2021	Principal Investigator. Inventory of the Orchard Mesa Irrigation District/Grand Valley Water Users Association power plant area in Mesa County, Colorado for the Orchard Mesa Irrigation District, Grand Valley Water Users Association, and Bureau of Reclamation, Grand Junction, Colorado.
2020	Principal Investigator. Inventory of the 1890 Homestead Development Project in Montrose County, Colorado for 1890 Homestead, LLC, Montrose, Colorado
2019– 2020	Principal Investigator. Condition Assessment and Preservation Plan for Summitville Sites 5RN294, 5RN358, 5RN548, and 5RN1328 in Rio Grande County, Colorado. For the Rio Grande National Forest and Rio Grande County.
2017– 2020	Principal Investigator. Testing and Mitigation of the General William Jackson Palmer Dumps, 5EP7334 and 5EP1352 for the Garden of the Gods Detention Center, El Paso County, Colorado for the City of Colorado Springs and Federal Energy Management Agency.
2018– 2020	Co-Principal Investigator. Historical Environmental Observations for the Silverton Area and the San Juan Mountains, Colorado for Colorado Division of Reclamation, Mining and Safety.
2018	Principal Investigator. Level II Documentation of the Lower Portion of the Blue Lake Penstock (5SM.2497.3) of the Bridal Veil Powerstation in San Miguel County Colorado for Idarado Mining Company, Ouray, Colorado.
2017	Principal Investigator. Historical research on Ute trails in the Bandora Mine/Silverton area of San Juan County, CO, for the Colorado Division of Reclamation, Mining and Safety.
2017	Principal Investigator. Preparation of Historic American Engineering Record documentation (HAER No. CO-103) for the Cabin Creek Hydroelectric Plant in Clear Creek

Current Professional Experience, continued

	County, Colorado, for Excel Energy.
2017	Principal Investigator. Recordation of the North London Mill (5PA324) in Park County, Colorado, for North London Mill Preservation, Inc.
2016	Principal Investigator. National Register Nomination for the DOE Grand Junction Cabin.
2016	Principal Investigator. Class III inventory of the Ames Hydro Powerplant.
2014	Principal Investigator. Level II documentation of the Tacoma Power Plant Bridge in La Plata County, Colorado, for Xcel Energy.
2014	Principal Investigator. Cultural Resource Inventory of the South Canal Drop 4 transmission line in Montrose County, Colorado, for Sorenson Engineering.
2014– present	Principal Investigator. Preparation of a National Register nomination for the Sound Democrat Mill, San Juan County, Colorado, for the BLM and Mountain Studies Institute.
2014– present	Principal Investigator. Archaeological monitoring of stabilization at Animas Forks in San Juan County, Colorado, for the BLM and Mountain Studies Institute.
2014	Principal Investigator. Level I documentation of portions of the Montrose & Delta Canal and the CP and CQ Laterals of the Uncompahgre Project in Montrose County, Colorado for Sorenson Engineering and the UVWUA.
2014	Principal Investigator. Level I documentation of Orchard Mesa Canals No. 1 and 2 in Mesa County, Colorado, for the Orchard Mesa Irrigation District.
2013	Principal Investigator. Recordation of a segment of the Animas City-Silverton Wagon Road below Electra Lake, La Plata County, Colorado, for Xcel Energy.
2013	Principal Investigator. Level II documentation of the Cascade Creek Head Works of the Tacoma Hydroelectric Project, San Juan County, Colorado, for Xcel Energy.
2013	Principal Investigator. Level II documentation of the Ashback/Ptolemy Cabin at Electra Lake, La Plata County, Colorado, for Xcel Energy.
2013	Principal Investigator. Cultural resource inventory of the Howard's Fork Surge Tank area for the Ames Hydroelectric Project, San Miguel County, Colorado, for Xcel Energy.
2013	Principal Investigator. Cultural resource inventory of the Slack and Patterson Laterals in Delta County, Colorado for J-U-B Engineers.
2013	Principal Investigator. Cultural resource inventory of three potential hydropower locations in Montrose County, Colorado, for Sorenson Engineering.
2013	Principal Investigator. Recordation of the Uravan Dam and pipeline, Montrose County, Colorado, for BLM, Uncompahgre Field Office.
2013	Principal Investigator. Level II documentation of the Trout Lake Valve House of the Ames Hydroelectric Project, San Miguel County, Colorado, for Xcel Energy.
2013	Principal Investigator. Monitoring of mine reclamation at the Ute-Ulay Mine, Hinsdale County, Colorado, for Environmental Restoration, LLC.
2013	Principal Investigator. Level II documentation of the Turner/Bell Cabin at Electra Lake, La Plata County, Colorado, for Xcel Energy.
2013	Principal Investigator. Inventory of the Trout Lake Outlet Area of the Ames Hydroelectric Project, San Miguel County, Colorado, for Xcel Energy.
2013	Principal Investigator. Recordation of the Orchard Mesa Canals No. 1 and 2, Mesa County, Colorado, for the BOR.
2013	Principal Investigator. Level II documentation of the Grand Valley Divider and a portion of the Mainline of the Grand Valley Canal in Mesa County, Colorado, for the Grand Valley Irrigation Company.
2013	Principal Investigator. Level II documentation of the Grand Valley Divider and a portion of the Mainline of the Grand Valley Canal in Mesa County, Colorado, for the Grand Valley Irrigation Company.
2012– 2013	Principal Investigator. Archaeological monitoring around standing structures at the Animas Forks town site in San Juan County, Colorado, in support of structural stabilization under State Historical Fund Project No. 2012-01-007.
2012–	Principal Investigator. Recordation of Crawford Clipper Ditch, Delta County, Colorado,

Current Professional Experience, continued

2013	for the Crawford Clipper Ditch Company as part of the BOR's Basinwide Salinity Control Project.
2012– 2013	Principal Investigator. Cultural resource inventory of the Animas Canyon Toll Road on San Juan National Forest land along the Animas River in San Juan County, Colorado, for the San Juan National Forest.
2012– 2013	Principal Investigator. Archaeological testing at Bridgeport Siding (5ME14351), Mesa County, Colorado for the BLM-Grand Junction Field Office.
2012– 2013	Principal Investigator. Level II documentation of the Denver & Rio Grande Railroad Grade at Bridgeport, Mesa County, Colorado for the BLM-Grand Junction Field Office.
2012	Historical Archaeologist. Data recovery excavations at the Daniel Herrin Homestead (48GO568) in Goshen County, Wyoming for Bakken Pipeline Project.
2012	Principal Investigator. Recordation of the Revenue Tunnel, Ouray County, Colorado for Star Mine Operations.
2012– 2013	Principal Investigator. Recordation of the South Cottonwood Lateral of the C Ditch, Delta County, Colorado for the C Ditch Company as part of the BOR's Basinwide Salinity Control Project.
2012– 2013	Principal Investigator. Cultural resource inventory of portions of the Curecanti-Rifle Transmission Line and associated access roads in Delta, Garfield, and Montrose counties, Colorado for WAPA.
2012	Principal Investigator. Cultural resource inventory of the DFG, DG, EC 5.17, and GE Laterals of the Uncompahgre Project in Montrose County, CO for the Uncompahgre Valley Water Users Association Company as part of the BOR's Basinwide Salinity Control Project.
2012	Principal Investigator. Cultural resource inventory of an access road and work areas for the Stagecoach Dam project at Electra Lake in San Juan County, Colorado for Xcel Energy.
2012	Principal Investigator. Cultural resource inventory and historic context for the Hotchkiss Reservoir Land Exchange, Uncompahgre National Forest, Montrose and San Miguel Counties, Colorado for K. L. Spear.
2012	Principal Investigator. Cultural resource inventory of the Tacoma Take Out Area Trail on the Animas River in La Plata County, Colorado for Xcel Energy.
2012– 2013	Principal Investigator. Oral interviews regarding catastrophic failure of Generator 3 at the Tacoma Power Plant for Xcel Energy.
2012	Principal Investigator. Level II documentation of a portion of the South Canal of the in Montrose County for the South Canal Hydropower Project in Montrose County, Colorado for Delta-Montrose Electric Association and the BOR.
2011– 2013	Historian. Cultural resource overview for the Dominguez-Escalante National Conservation Area, Delta, Mesa, and Montrose Counties, Colorado for the BLM Grand Junction and Uncompahgre Field Offices.
2011– 2013	Principal Investigator. Recordation of various portions of the Stewart Ditch, Delta County, Colorado for the Stewart Ditch and Reservoir Company as part of the BOR's Basinwide Salinity Control Project.
2011– 2012	Principal Investigator. Cultural resource file search and field reconnaissance of six proposed reservoir sites in Montrose County, Colorado for Petros & White, LLC, Denver.
2011	Principal Investigator. Cultural resource inventory of several land parcels in Duchesne and Uintah counties, Utah for the Utah Reclamation, Mitigation, and Conservation Commission.
2011	Principal Investigator. Recordation of the Grand Valley Power Plant and a residential complex in Mesa County, Colorado as part of the Orchard Mesa Irrigation System Improvements project for the BOR.
2011	Principal Investigator. Cultural resource Inventory for the South Canal Hydropower Project in Montrose County, Colorado for Delta-Montrose Electric Association and the BOR.
2011– 2012	Principal Investigator. Archaeological inventory of the Estes-Flatiron Transmission Improvement Project in Larimer County, Colorado for the Western Area Power

Current Professional Experience, continued

	Administration.
2011– 2012	Principal Investigator. Recordation and Level I documentation of a portion of the Minnesota Canal in Delta County, Colorado for the Applegate Group as part of the BOR's Basinwide Salinity Control Project.
2011– 2012	Principal Investigator. Recordation of portions of the Grand Valley Canal, Independent Ranchmen's Ditch, and Pioneer/Mesa County Ditch, Mesa County, and Level I documentation of the portions of the Grand Valley Canal and Independent Ranchmen's Ditch Colorado for the Grand Valley Irrigation Company as part of the BOR's Basinwide Salinity Control Project.
2011– 2012	Principal Investigator. Recordation and Level II Documentation of the GHA and GHAA Laterals of the Uncompahgre Project for the Uncompahgre Valley Water Users Association as part of the BOR's Basinwide Salinity Control Project.
2011	Principal Investigator. Cultural resource inventory of the Encana Cow Ridge M098 798 well pad in Garfield County, Colorado for Encana Oil & Gas Inc.
2011– 2012	Principal Investigator. Historic context of the Electra Sporting Club and recordation and evaluation of about 90 recreational cabins at Electra Lake in La Plata County, Colorado for Xcel Energy, Denver.
2011– 2013	Principal Investigator. Overseeing preparation of a Historic Structures Assessment for Tacoma Power Plant to satisfy the FERC license stipulation for Tacoma Hydroelectric Project, La Plata County, Colorado for Xcel Energy, Denver.
2011– 2012	Principal Investigator. Additional recordation and survey of Lake Hope, the Howard's Fork diversion, and Trout Lake Flume Overflow to satisfy FERC License stipulations for the Ames Hydroelectric Project in San Miguel County, Colorado for Xcel Energy, Denver.
2010– 2011	Principal Investigator. Monitoring of construction at the San Juan County School District No. 1 School in Silverton, Colorado as part of a State Historical Fund grant for exterior and interior rehabilitation.
2010– 2012	Principal Investigator. Cultural resource inventory of various branches of the Old Spanish Trail on BLM land in CO and UT as a subcontractor to AECOM for the BLM.
2010	Principal Investigator. Archaeological testing at a suspected historic Chinese site (5PA4410) near Fairplay, Park County, Colorado, for the BLM-Royal Gorge Field Office.
2009– 2011	Principal Investigator. Cultural resource inventory and mitigation of the EC Lateral of the Uncompahgre Project in Montrose County, Colorado for the Uncompahgre Valley Water Users Association.
2009– 2010	Principal Investigator. Cultural resource inventory of the Boysen-Copper Mountain Transmission Line in Fremont County, Wyoming for the Western Area Power Administration.
2009– 2010	Principal Investigator. Cultural resource inventory of the Antelope Hills Water Line in Gunnison County, Colorado for Gunnison County.
2009– 2012	Principal Investigator. Cultural resource inventory and mitigation of the Grand View Canal, Delta County, Colorado for Harward Irrigation Systems, Springville, Utah.
2009– 2010	Principal Investigator. Cultural resource inventory of the Wyoming Transmission Improvement Project in Carbon, Natrona, and Converse counties, Wyoming for the Western Area Power Administration.
2009– 2010	Principal Investigator. Historic portions of the Uncompahgre Field Office Class I cultural resource overview for the BLM.
2009	Principal Investigator. Recordation of the Robert Estep Homestead in San Miguel County, Colorado for San Miguel County.
2009– 2011	Principal Investigator. Cultural resource inventory of Department of Energy uranium least tracts in San Miguel, Montrose, and Mesa Counties CO for S. M. Stoller Corporation.
2009– 2010	Principal Investigator. Cultural resource inventory of the East Montrose Transmission Line project, Montrose and Delta Counties, Colorado for View Point West on behalf of the Tri-State Generation and Transmission Company.
2009	Principal Investigator. Cultural resource inventory of the Guernsey-Limestone

Current Professional Experience, continued

	Transmission Line, Platte County, Wyoming for the Western Area Power Administration.
2009– 2011	Principal Investigator. Cultural resource inventory of the Apex Expansion project, Davis, Morgan, and Salt Lake Counties, Utah for Ecology & Environment on behalf of Kern River Gas Transmission Co.
2009	Principal Investigator. Cultural resource inventory of the Flaming Gorge-Vernal Transmission Line, Uintah County, Utah for the Western Area Power Administration.
2008– 2010	Principal Investigator. Various inventories of gaging and telemetry stations in Chaffee and Custer Counties, Colorado.
2008– 2009	Principal Investigator. Preparation of a Historic Properties Management Plan for the FERC relicensing of the Ouray Power Plant, Ouray County, Colorado for Eric Jacobson.
2008– 2011	Principal Investigator. San Juan County, Colorado historic mining context and preparation of National Register nominations for Animas Forks, the Gold Prince Mine, Mill, and Aerial Tramway, Pacific Boarding House, and Minnie Gulch Cabins for the San Juan Mountains Association.
2008– 2009	Principal Investigator. Cultural resource inventory and mitigation of Grand Valley Canal, Mesa County, Colorado for Grand Valley Irrigation Company.
2008– 2009	Principal Investigator. Cultural resource inventory of Pathfinder Pipeline in Sweetwater County, WY and Rio Blanco and Moffat Counties, CO for AECOM, Warrenville, IL.
2008	Principal Investigator. Alta Lakes Road and Utility Improvements Project in San Miguel County, Colorado for View Point West and Silver Mountain Industries, Inc. that recorded the portions of the town of Alta and other historic sites on U.S. Forest Service land.
2008	Principal Investigator. Recordation of the Collins Barn in San Miguel County, Colorado for San Miguel County.
2008	Principal Investigator. Level II Documentation of the Pygmy/Firefly (42SA25462), Vanadium Queen (42SA25463), and Black Hat/Blue Cap (42SA25464/5MN6456) uranium mines in San Juan County, Utah and Montrose County, CO for the BLM, Utah State Office.
2008	Principal Investigator. Historic context for the Town of Silverton, Colorado for Silverton Restoration Consulting, Silverton, Colorado.
2007– 2008	Principal Investigator. Archaeological monitoring of construction at the Ouray County Courthouse, Ouray, Colorado for State Historic Fund Grant 2005-02-028.
2007– 2008	Principal Investigator. Historic portions of the Kremmling and Glenwood Springs Field Offices Class I cultural resource overviews for the BLM.
2007	Principal Investigator. Photographic documentation of three lateral canals of the Uncompahgre Project, Montrose County, Colorado, for the BOR.
2007	Principal Investigator. Recordation and evaluation of nine irrigation diversion structures on Provo River, Utah County, Utah, for Utah Mitigation Commission.
2007	Principal Investigator. Archaeological monitoring of construction at the First Congregational Church, Silverton, Colorado for SHF Grant 2006-02-052.
2007	Principal Investigator. Archaeological inventory of all remaining areas at Crested Butte Mountain Resort, Colorado and preparation of Environmental Assessment sections for Cirrus Ecological Solutions.
2006	Principal Investigator. Recordation and evaluation of the Sunshine Ditch in San Miguel County, Colorado.
2005– 2009	Principal Investigator. Cultural resource inventory of the Lovell-Yellowtail Nos. 1 and 2 Transmission Lines in Carbon and Big Horn Counties, Montana and Big Horn County, Wyoming for the Western Area Power Administration.
2005– 2009	Principal Investigator. Cultural resource specialist and preparation of Historic Properties Management Plan for the FERC relicensing of the Ames and Tacoma Hydroelectric projects in San Miguel and La Plata Counties, Colorado for Public Service Company of Colorado/Xcel Energy.
2005– 2008	Principal Investigator. Overland Pass Pipeline Project, Weld, Morgan, Logan, Washington, and Yuma Counties, Colorado for Natural Resource Group, Inc. on behalf of the Overland Pass Pipeline Company.

Current Professional Experience, continued

2005– 2006	Historical Archaeologist. Recordation of the Nottingham Power Plant near Avon in Eagle County, Colorado for State Historic Fund Grant No. 2006-AS-001.
2005– 2006	Historical Archaeologist. Assisted in the recordation and historical research of the Martha Rose Smelter near Silverton in San Juan County, Colorado.
2005	Principal Investigator. Historical research about roads, rights of ways, and easements on and near the Telluray Ranch, Ridgway, Colorado for legal purposes.
2005	Principal Investigator. Cultural resource inventory of 13 miles of motorcycle trails in the Flat Top OHV area of the Gunnison Gorge National Conservation Area, Montrose County, CO for the BLM.
2005	Principal Investigator. Cultural resource inventory of the proposed relocation of the Ames Penstock, San Miguel County, Colorado for Public Service Company of Colorado/Xcel Energy, Denver.
2005	Principal Investigator. Archaeological monitoring and recordation of the Lewis Mill and Mine in San Miguel County Colorado as part of State Historic Fund Project No. 02-01-100.
2005	Principal Investigator. Cultural resource inventory of a small section of the Galloping Goose bicycle trail for San Miguel County, Colorado. A segment of the Rio Grande Southern Railroad grade and the upper dam of the Keystone Placer hydraulic mining operation were recorded.
2005	Principal Investigator. Recordation of two segments of Northern Branch of Spanish Trail/Salt Lake Wagon Road in Delta and Mesa Counties, Colorado for BLM.
2005	Principal Investigator. Preparation of a stabilization assessment of Pulaski Tram House and tram towers in Bridal Veil Basin, San Miguel County CO.
2005	Principal Investigator. Archaeological monitoring of ground disturbance at the San Miguel County Courthouse, Telluride, CO as part of State Historic Fund Project No. 04-DL-001.
2004– 2005	Principal Investigator. Cultural resource inventory and historical documentation of the Hanging Flume in western Montrose County, Colorado.
2003– 2009	Principal Investigator. Cultural Resource Inventory of the Delta Transmission Improvement Project in Delta County, Colorado for View Point West on behalf of the Delta-Montrose Electric Association.
2003– 2007	Historical Archaeologist. Preparation of a historical archaeology context for the state of Colorado under contract to the Colorado Council of Professional Archaeologists, Denver.
2003– 2004	Principal Investigator. Landscape-level history and oral history of Canyons of the Ancients National Monument, Montezuma and Dolores Counties, Colorado, for the BLM.
2003– 2004	Principal Investigator. Historic American Engineering Record documentation of the Grand Valley Diversion Dam, Mesa County, Colorado. HAER No. CO-90. Prepared for the BOR, Durango.
2003	Principal Investigator. La Sal Abandoned Mine Lands reclamation project, San Juan County, Utah, and Montrose County, Colorado. Documentation of five historic uranium mining complexes for the BLM.
2002– 2003	Principal Investigator. Historic American Engineering Record documentation of the Deer Creek Dam (HAER No. UT-90) and Historic American Building Survey documentation of the Deer Creek Dam CCC Government Camp (HABS No. UT-137), Wasatch County, Utah. Prepared for Bio/West, Inc., Logan UT for UDOT, Salt Lake City.
2002	Principal Investigator. Archaeological testing at eight rock alignments near Cameo, Mesa County, Colorado, for the BOR.
2002	Historian. Gathered historical information for a preservation assessment of Calamity Camp (5ME5265), a radium/vanadium mining camp in Mesa County, CO, for the BLM.
2001– 2005	Principal Investigator for Historic Studies. Kern River 2003 Expansion Pipeline, Utah and Wyoming portion. Excavation of Hamblin (42WS1585) and Wellington (42JB388) in southwestern Utah. Context for linear sites in Salt Lake County, Utah.
2001– 2002	Principal Investigator. Recordation of 35 historic mining sites in San Miguel County, Colorado. For San Miguel County, part of a Colorado SHF grant.

Current Professional Experience, continued

2001	Principal Investigator. Documentation of the Ute-Ulay Mine and Mill complex near Lake City, Hinsdale County, CO, for Harding Lawson Associates in preparation for mine reclamation.
2001	Principal Investigator. Monitoring of ground disturbance during restoration of the Marble City State Bank Building in Marble, Colorado. Conducted for Gunnison County as part of a Colorado State Historic Fund grant.
2000	Principal Investigator. Cultural resource inventory of Natal Ditches No. 1 and 2 in Pitkin County, Colorado, for Beech Environmental, LLC.
2000	Principal Investigator. Compliance inspection of work conducted on the Bridal Veil penstock system for Bridal Veil Power Station and recordation of the Pulaski Tramway, Blue Lake Camp in Bridal Veil basin, San Miguel County, CO.
2000	Principal Investigator. Documentation of 14.3 miles (23 km) of the Santa Fe Trail on the Cimarron National Grassland in Morton County, Kansas.
1998– 2003	Principal Investigator. Cultural resource overview, inventory, construction monitoring, limited data recovery, and mitigation for the 412-mile-long Mid-America Pipeline Rocky Mountain Expansion loop pipeline northwestern New Mexico, western Colorado, and eastern Utah.
1997– 2000	Principal Investigator for Historic Studies. Excavation of five historic Euroamerican sites in Mesa County, Colorado, and one historic site in San Juan County, New Mexico; Level II documentation of two historic roads Mesa County, Colorado and three sections of railroad grade in Montezuma and La Plata Counties, Colorado; and limited data recovery at two sites in Montrose County, Colorado, for the TransColorado Pipeline Project.
1997	Principal Investigator. Analysis of historic artifacts recovered from around the Boreas Pass Section House, Park County, Colorado
1997	Principal Investigator. Cultural resource inventory of approximately 250 acres along Highway U-248 near Park City, Summit County, Utah, under subcontract to Michael Baker Jr., Inc. for the Utah Department of Transportation.
1997	Principal Investigator. Cultural resource inventory of 5,120 acres for the Deep Lease Expansion Area at the San Juan Coal Mine, San Juan County, New Mexico.
1997	Principal Investigator. Oversaw structural stabilization of five historic structures at Animas Forks (5SA153) in San Juan County, Colorado, under joint State Historic Fund project by the San Juan County Historical Society and the Montrose District, BLM.
1997	Historical Archaeologist. Recordation of the coal mining town of Tercio in Las Animas County, Colorado, under subcontract to Metcalf Archaeological Consultants.
1997	Historical Archaeologist. Recordation of historic sites along the CIG Trinidad-Campo Pipeline, Las Animas and Baca Counties, Colorado, under subcontract to Metcalf Archaeological Consultants.
1997	Principal Investigator. Intensive Level Survey documentation of four historic properties along Interstate 15, Salt Lake City, Utah, for the Utah Department of Transportation.
1996	Principal Investigator. Cultural resource inventory of Sunshine-Burro Bridge Transmission Line Reroute, San Miguel County, Colorado, for View Point West.
1996	Principal Investigator. Historical significance evaluation of structures at the 14 Level of the Camp Bird Mine (5OR65), Ouray County, Colorado.
1996	Principal Investigator. Recordation and preparation of State Register nominations for the Kenosha Pass Railroad Station, Park County, Colorado, and the Brown (Iron Springs) Cabin, Chaffee County, Colorado, for Pike-San Isabel National Forest.
1996– 1997	Principal Investigator. Cultural resource inventory of Operable Unit 6, California Gulch Superfund Site near Leadville, Lake County, Colorado for BOR.
1995– 1996	Principal Investigator. Cultural resource inventory of Forest Highway 81, and recordation of the historic townsite of Jefferson, Park County, Colorado.
1995	Principal Investigator. Cultural resource inventory of the South Fork Transmission Line reroute, San Miguel County, Colorado.

Current Professional Experience, continued

1995	Principal Investigator. Archaeological excavation of an outhouse feature at the Boreas Pass Railroad Station (5PA585/5ST494), Park County, Colorado.
1995	Principal Investigator. Level II photographic and written documentation of historic mining features at the Mohrland Mine (42EM1642) prior to reclamation, Emery County, Utah.
1995	Principal Investigator. Archaeological survey of an 8.7-mile-long access road and a 40-acre area surrounding a well pad location in Glen Canyon National Recreation Area, Garfield County, Utah.
1994–1995	Historical Archaeologist. Historical research and recordation of the historic archaeological sites in the Purgatoire River Valley of the Comanche National Grassland in Otero and Las Animas Counties, Colorado for the Picket Wire Canyonlands Cultural Resources Inventory.
1994	Principal Investigator. Cultural resource inventory of a 1,640-acre proposed land exchange of BLM land near Cimarron, Gunnison County, Colorado, for Arrowhead Ranch.
1994	Principal Investigator. Historic American Engineering Record documentation of the Snake River Ditch near Dillon, Summit County, Colorado.
1994	Principal Investigator. Cultural resource inventory of 20.4 acres for the Colorado Department of Transportation's Dallas Bridge Replacement Project (No. BRF 550-2[20]) north Ridgway, Ouray County, Colorado.
1994	Co-Principal Investigator. Cultural resource inventory of 5,160 acres adjacent to the San Juan Mine, San Juan County, New Mexico.
1994	Principal Investigator. Cultural resource inventory of previously unsurveyed parcels at the Crested Butte Ski Area and the proposed Crested Butte North area; Crested Butte Mountain Resort.
1994	Principal Investigator. Cultural resource inventory of an 8.8-mile-long Ampolex seismic line in Emery County, Utah.
1994	Historical Archaeologist. Analysis of historic artifacts from two sites excavated as part of Mesa Verde Water Line project for Mesa Verde National Park Colorado.
1993	Principal Investigator. Archaeological testing and data recovery at sites 5EP1124 and 5EP1125, on the Pike National Forest in El Paso County, Colorado.
1993	Principal Investigator. Cultural resource inventory of 7.3 miles of right-of-way for the Keystone-Sawpit Transmission Line, San Miguel County, Colorado; the 16-mile-long Ames-Rico Transmission Line, San Miguel and Dolores Counties, Colorado; a 1.8-mile-long transmission line on Gray Head Mountain, San Miguel County, Colorado; and 20.6 acres for the Limestone-Gering-McGrew Transmission Line Project, Goshen County, Wyoming.
1993	Principal Investigator. Assessment of potential coal mine reclamation impacts at the King Mine and Mohrland townsite, Emery County, Utah.
1993	Principal Investigator. Cultural resource inventory of 429-acre parcel for the new Montrose County Landfill, Montrose County, Colorado.
1993	Principal Investigator. Cultural resource inventories at the Crested Butte Ski Area, Gunnison County, Colorado.
1991–1992	Co-Principal Investigator. Cultural resource inventory of the TransColorado Pipeline, a 300-mile-long natural gas pipeline through western Colorado and northern New Mexico.
1992–1993	Principal Investigator. Cultural resource inventories of the Ouray Power Plant, dam, and penstock line, Ouray County, Colorado, and hydropower penstock lines supplying Bridal Veil Power Station near Telluride, San Miguel County, Colorado.
1992	Principal Investigator. Archaeological master plan for the Holden Lixiviation Works, Aspen, Colorado.
1991	Field Supervisor. Evaluation and test excavation of the South Cumberland townsite, southwestern Wyoming, and excavation of a portion of site 42WS1585, the Hamblin townsite, Washington County, Utah.
1991	Principal Investigator. Cultural resource inventories of 680- and 300-acre land parcels at the San Juan Mine, San Juan County, New Mexico.

Current Professional Experience, continued

1991	Principal Investigator. Cultural resource inventory of the Busted Arm and Bull Pond Timber Sales, Uncompahgre National Forest, San Miguel County, Colorado.
1990	Principal Investigator. Cultural resource inventory of the Rocky Point Pumped Storage Project, Gunnison County, Colorado.
1990	Crew Chief. Cultural resource inventory of the Kern River Natural Gas Pipeline, Uinta and Lincoln Counties, Wyoming.
1990	Principal Investigator. Archaeological data recovery at two sites along State Road 9 in Washington County, Utah.
1990	Principal Investigator. Cultural resource inventory of 513 acres at the Crested Butte Ski Area, Gunnison County, Colorado.
1990	Crew Chief. Cultural resource inventory of 4,090 acres around several units of Hovenweep National Monument, Colorado and Utah.
1989– 1988	Co-Principal Investigator. Archaeological excavation of five Anasazi sites at the San Juan Mine, San Juan County, New Mexico.
1989	Co-Principal Investigator. Cultural resource inventory of three proposed reservoir locations on the Pike National Forest and U.S. Air Force Academy, El Paso County, CO.
1989	Crew Chief. Cultural resource inventory and site testing at the proposed new Denver International Airport, Denver County, Colorado.
1989	Principal Investigator. Cultural resource inventory of Forest Highway 69, Rio Grande National Forest, Rio Grande County, Colorado.
1989	Principal Investigator. Ruins stabilization of Fremont storage structures in Mantle's Cave, Dinosaur National Monument, Moffat County, Colorado.
1989	Crew Chief. Excavation of three sites along Utah State Road 313 near Moab, UT.
1989– 1990	Project Director. Archaeological data recovery at Down Wash, Canyonlands National Park, UT.
1988	Co-Principal Investigator. Ruins stabilization assessment of Mantle's Cave, Dinosaur National Monument, Colorado.
1988	Co-Principal Investigator. Archaeological survey of a 110-acre land parcel at the San Juan Mine in San Juan County, New Mexico.
1988	Co-Principal Investigator. Archaeological survey of 6.9 miles of right-of-way and 14.6 miles of access roads for the Craig-Bonanza 345 kV Transmission Line in Uintah County, Utah and Moffat and Rio Blanco Counties, Colorado.
1988	Mapping Specialist. Ruins stabilization assessments and preparation of detailed topographic planview maps of Seshukwa and Nogales Cliff House, northern New Mexico.
1988	Principal Investigator. Cultural resource inventory of approximately 17 miles of transmission line right-of-way and 26 miles of access road for the Cascade-Silverton Transmission Line, San Juan County, Colorado.
1988	Principal Investigator. Documentation of ruins stabilization of Cliff Palace and Spruce Tree House, Mesa Verde National Park, Colorado. .
1988	Co-Principal Investigator Archaeological excavation of two Anasazi sites at the San Juan Mine, San Juan County, New Mexico.
1987	Principal Investigator and Field Supervisor. Site recordation and evaluation of the Johnson Ranch site, which dates to 1846 and is located near Wheatland, California.
1988	Archaeologist, Tetra Tech, Inc., San Bernardino, California. Cultural Resource inventory of Peacekeeper Missile Rail Garrison area near F. E. Warren Air Force Base, testing of prehistoric sites along Crow Creek and power auger testing at Fort D. A. Russell depot at F. E. Warren Air Force Base, Cheyenne, Wyoming.



ALPINE ARCHAEOLOGICAL CONSULTANTS, INC.

Past Professional Experience

1985–1988 Staff Archaeologist, Nickens and Associates, Montrose, Colorado

Representative projects include:

- 1988 **Field Supervisor.** Archaeological excavation of site LA 49498, a multi-component Dinétah phase Navajo, Basketmaker II Anasazi, and Late Archaic structural habitation site at the La Plata Mine, San Juan County, New Mexico.
- 1987 **Field supervisor.** Survey of 1,100 acres on the Ft. Mojave Indian Reservation, Mohave County, AZ.
- 1987 **Field Supervisor.** Survey of proposed Waterflow Substation, 13.8 kV transmission line, access road, and the Shiprock Substation, San Juan County, New Mexico, and North Fork Substation and access road, Delta County, Colorado.
- 1987 **Crew Chief.** Resurvey of 1,985 acres, survey of an 80-acre land parcel, and archaeological testing of 47 cultural resource sites at the La Plata Mine, near Farmington, New Mexico.
- 1986 **Historian and Historical Archaeologist.** Inventory of Depression Era stonework along 25 Mesa Road, Delta County, Colorado.
- 1986 **Field Supervisor.** Test excavation of a historic cabin site along the Rico Road north of Durango, CO.
- 1984–1986 **Crew Chief.** Archaeological survey of the transmission line corridor and associated access roads for the Rifle-San Juan Project.
- 1985 **Historian.** Cultural resource overview, U.S. Air Force Academy.
- 1985 **Historian and Historical Archaeologist.** Stabilization of the Main Ferry Site, Lee's Ferry, Glen Canyon National Recreation Area, Arizona. Carried out historical background research and collection and analysis of historic artifacts.
- 1985 **Field Supervisor.** Mitigation through excavation of archaeological features at sites 5ME1524, 5ME4778, 5ME4959, and 5ME4971 along the Rifle-San Juan Transmission Line.
- 1985 **Crew Chief.** Archaeological survey of West Dolores River Valley, SW Colorado.
- 1984 **Co-Supervisor** of excavation of historic cabin site dating to ca. 1878 north of Durango, CO.
- 1984 **Crew Chief.** Excavation of Morris 33 (5MT2831), 5MT2826, and 5MT2830, Johnson Canyon Road Project, Ute Mountain Ute Indian Reservation, SW CO.
- 1984 **Crew Chief.** Excavation of the Indian Creek Site stratified open Archaic site in west-central Colorado along the Rifle to San Juan Transmission Line.
- 1983 **Archaeologist (GS-7).** Site survey of 80,000-acre Sharp Top Burn near Alkali Lake, Oregon. BLM, Lakeview District.
- 1983 **Researcher.** Chinese and Blacks in Idaho. National Endowment for Humanities Grant. Researcher compiling census information on Chinese and Blacks in Idaho prior to 1910. Laboratory of Anthropology, University of Idaho, Moscow, ID.
- 1983 **Field Crew Member.** Excavations of an 1870s Chinese mining camp near Pierce, Idaho (10CW159), townsite of Riparia, Washington (45WT1) on Snake River and Columbia Site near Pasco, Washington at confluence of Snake and Columbia Rivers. University of Idaho, Laboratory of Anthropology, Moscow, ID.
- 1982–1983 **Archaeologist (GS-7).** Gifford Pinchot National Forest, Wind River Ranger District and Nursery, Carson, Washington. Inventoried and nominated to the National Register of Historic Places the Wind River Ranger Station and Nursery. Wrote a Cultural Resources Management plan for complex. Monitored and mitigated effects of construction of a domestic water system at Ranger Station and Nursery.
- 1978–1982 **Archaeologist, Cultural Resource Technician and Social Science Technician.** U.S. Forest Service, Mt. Hood National Forest, Supervisor's Office, Portland, Oregon, and Barlow Ranger District, Dufur, Oregon. Inventoried known and potential historic sites throughout

Professional Publications, continued

	the forest, inventoried lands in proposed timber sales, and prepared National Register nominations. Supervised excavation of Bingham's Camp, the topic of my Master's thesis.
1981–1982	Researcher. Chinese history in Idaho and the Pacific Northwest. History Department grant to compile an annotated bibliography and organize the Chinese artifact collection in the Laboratory of Anthropology, University of Idaho, Moscow, Idaho.
1980–1981	Researcher. Palouse Hills Farm Project. University of Idaho, Department of Sociology/Anthropology, Moscow, Idaho.
1980	Field Crew Member. Excavation of Joso Trestle Construction Camp (45FR51) near Washtucna, Washington. University of Idaho, Laboratory of Anthropology, Moscow, Idaho.
1979	Internship. National Register nominations preparation. Oregon State Historic Preservation Office, Salem, Oregon.
1978	Internship. Portland Neighborhood History Project. Portland City Bureau of Planning, Portland, Oregon.
1977	Field Crew Member. Excavation of a Mogollon Indian site (LA5407) near Quemado, New Mexico. Field and lab work. Museum of New Mexico, Laboratory of Anthropology, Santa Fe, New Mexico.
1972	Field Crew Member. Eagle Theater excavation, Old Sacramento, California. Field and lab work. Directed by William Prichard. California Department of Parks and Recreation.

Specialized Training

2004	CPR and Wilderness First Aid
2004	Section 106: Principles and Practice
1996	40-hour Health and Safety Course for Hazardous Waste Site Worker Training in accordance with OSHA (29 CFR 1910.120, Section E)

Professional Memberships

Register of Professional Archaeologists
Society for Historical Archaeology
Society for American Archaeology
American Cultural Resources Association
Colorado Council of Professional Archaeologists (Secretary 1991; Board 1998-2003; President 2002; Membership Chair 2006-present)
Utah Professional Archaeological Council
Colorado Archaeological Society, Chipeta Chapter (Professional Advisor 1985-2001)
Black Canyon Audubon Society (President 2012-present)

Professional Publications

I.P.	Horn, Jonathon C. <i>Excavations at Hamblin, Utah: An Early Rural Mormon Community.</i> Chapter in a book about Mormon archaeology to be printed by the University of Illinois Press, Champaign, expected 2006.
2012	Horn, Jonathon C. Consideration of the Routes of the Northern Branch of the Spanish Trail from the Chochoetopa Pass Area to the Uncompahgre Valley. <i>Spanish Traces</i> 18(2):17-25.
2011	Horn, Jonathon C. and Jack E. Pfertsh. Field Inventory for the ARRA Funded Historic Trail Inventory Program. <i>Spanish Traces</i> 17(2):17-19.
2007	Church, Minette C., Steven G. Baker, Bonnie J. Clark, Richard F. Carrillo, Jonathon C. Horn , Carl D. Spath, David R. Guilfoyle, and E. Steve Cassels. <i>Colorado History: A Context for Historical Archaeology.</i> Colorado Council of Professional Archaeologists.
2006	Horn, Jonathon C. The Making of a Biologist: E. R. Warren and the Boomtown of Gothic. <i>Southwestern Lore</i> 72(3):28-37.

Professional Publications, continued

- 2005 **Horn, Jonathon C.** The Shavano Valley Rock Art Site and Western Colorado Rock Art Studies Through Time. *Colorado Archaeology-Southwestern Lore* 71(4):52-70.
- 1992 **Horn, Jonathon C.** *Historical Archaeology in Colorado*. In *The State of Colorado Archaeology*, edited by Philip Duke and Gary Matlock. Colorado Archaeological Society, Memoir Five.
- 1990 **Horn, Jonathon C.** History of The Dalles Lumbering Co. *Women in Natural Resources* 11(3).
- 1990 Reed, Alan D., and **Jonathon C. Horn**. Early Navajo Occupation of the American Southwest: Reexamination of the Dineta Phase. *The Kiva* 55(4).
- 1989 **Horn, Jonathon C.** Charcoal, Ceramics and Corn: Archaeological Data Recovery at Two Sites in Mesa County, Colorado. *Southwestern Lore* 55(1).
- 1989 **Horn, Jonathon C.** *Analysis of Historic Artifacts from the Ute Component of the Harris Site (5MN2341)*. In *The Harris Site: A Multi-Component Site of the Uncompahgre Plateau, West-Central Colorado*, by Gordon C. Tucker, et al. BLM, Colorado State Office, Cultural Resource Series, Number 28.
- 1988 **Horn, Jonathon C.** EuroAmerican Goods in the Material Culture of the Ute Prior to 1882. *Archaeology of the Eastern Ute: A Symposium, CCPA Occasional Papers*, No. 1, edited by Paul R. Nickens.
- 1986 **Horn, Jonathon C.**, Gary M. Matlock, and Duane A. Smith. Archaeological Investigation of a Historic Cabin near Durango, CO. *Southwestern Lore* 52(3).
- 1984 Ehrenreich, Dixie L, Priscilla Wegars, **Jonathon C. Horn**, and Karen E. Smith. An Annotated Bibliography of Overseas Chinese History and Archaeology. *Northwest Anthropological Research Notes* 18(2).
- 1978 **Horn, Jonathon C.** *Potential Historic Conservation*. Districts: An Inventory of Historic Resources. Bureau of Planning, Portland, Oregon. (Researched Albina, Irvington, Kenton, Multnomah, and St. Johns neighborhoods).

Reports and Unpublished Manuscripts

- 2014 **Horn, Jonathon C.** *Summary Report of the Level I Documentation of a Portion of South Cottonwood Lateral of the Hice/Needle Rock Ditch (C Ditch) (5DT1594.1), Delta County, Colorado*.
- 2014 **Horn, Jonathon C.** *Level II Documentation of the Tacoma Power Plant Bridge (5LP1316), La Plata County, Colorado*
- 2014 **Horn, Jonathon C.** *Summary Report of the Level I Documentation of the Montrose & Delta Canal (5MN1855.2), CP Lateral (5MN10215.1, and CQ Lateral (5MN10208.1), Montrose County, Colorado*
- 2014 **Horn, Jonathon C.**, and Trevor Lindland. *Cultural Resource Inventory of the South Canal Drop 4 Hydropower Transmission Line and Access Roads, Montrose County, Colorado*
- 2013 Greubel, Rand A., Matthew J. Landt, **Jonathon C. Horn**, Charles Reed, Jaclyn Mullen, and Alan D. Reed, *Class I Cultural Resource Overview of the BLM's Dominguez-Escalante National Conservation Area, Western Colorado*
- 2013 **Horn, Jonathon C.**, and Tracy Hoose. *Recordation and Evaluation of the Orchard Mesa Canals No. 1 and 2 (5ME290 and 5ME4926), Mesa County, Colorado*
- 2013 **Horn, Jonathon C.** *Cultural Resource Consideration of Drainage Improvements at the Rio Grande Southern Trout Lake Water Tank (5SM2030.13), San Miguel County, Colorado*
- 2013 **Horn, Jonathon C.** *Level II Documentation of a Portion of the Mainline of the Grand Valley Canal (5ME4860.1) and the Grand Valley Divider (5ME4680.6), Mesa County, Colorado*
- 2013 **Horn, Jonathon C.** *Cultural Resource Inventory of the Trout Lake Outlet Area, Ames Hydroelectric Project (FERC No. 400), San Miguel County, Colorado*
- 2013 **Horn, Jonathon C.** *Level II Documentation of the Trout Lake Valve House (5SM6935), San Miguel County, Colorado*
- 2013 **Horn, Jonathon C.** *Monitoring of Ground Disturbance Associated with 2012-2013 Interior*

Reports and Unpublished Manuscripts, continued

	<i>and Exterior Rehabilitation of Five Buildings at Animas Forks (5SA26), San Juan County, Colorado</i>
2013	Prouty, Michael J., and Jonathon C. Horn . <i>Archaeological Monitoring of the Ute-Ulay Mine and Mill Complex (5HN77), Hinsdale County, Colorado</i>
2013	Horn, Jonathon C. <i>Level II Documentation of the Denver & Rio Grande Narrow Gauge Railroad (5ME7351.18) at Bridgeport, Mesa County, Colorado</i>
2013	Omvig, Jeremy, and Jonathon C. Horn . <i>Results of Testing at Bridgeport Siding (5ME14351), Mesa County, Colorado</i>
2013	Satterwhite, R. David, and Jonathon C. Horn . <i>Recordation of the Animas City-Silverton Wagon Road (Animas Cañon Toll Road), La Plata and San Juan Counties, Colorado</i>
2013	Horn, Jonathon C. <i>Recordation and Evaluation of the Uravan Dam and Pipeline (5MN10237.1) on Tabeguache Creek, Montrose County, Colorado</i> . Prepared for BLM-Uncompahgre Field Office, Grand Junction, Colorado.
2013	Horn, Jonathon C. <i>Cultural Resource Inventory of Three Potential Hydropower Sites, Montrose County, Colorado</i>
2013	Horn, Jonathon C. , and Jack E. Pfertsh. <i>Cultural Resource Inventory of the Slack and Patterson Lateral Ditches on Rogers Mesa, Delta County, Colorado</i>
2013	Horn, Jonathon C. <i>Archaeological and Tribal Monitoring of Phase II Rebuild and Maintenance of the Lovell-Yellowtail No. 1 and 2 115-kV Transmission Lines and Access Roads Carbon County, Montana</i>
2013	Horn, Jonathon C. <i>Level II Documentation of the Turner/Bell Cabin (5LP9862), Electra Sporting Club, La Plata County, Colorado</i>
2013	Horn, Jonathon C. <i>Level II Documentation of the Ashback/Ptolemy Cabin (5LP9855), Electra Sporting Club, La Plata County, Colorado</i>
2013	Horn, Jonathon C. <i>Level II Documentation of the Cascade Creek Head Works (5SA1176.4), Tacoma Hydroelectric Project (FERC No. 12589), San Juan County, Colorado</i>
2013	Horn, Jonathon C. <i>Tacoma Power Plant Generator Number 3 Interviews: Interviews with Alfred Hughes, Plant Superintendent, and Jon Ickes, Plant Operator, Tacoma Hydroelectric Project, La Plata County, Colorado</i>
2013	Horn, Jonathon C. <i>Cultural Resource Inventory of the Howard's Fork Surge Tank Replacement Area, Ames Hydroelectric Project (FERC No. 400), San Miguel County, Colorado</i>
2013	Horn, Jonathon C. <i>Recordation of a Segment of the Animas City-Silverton Wagon Road (Animas Cañon Toll Road; 5LP1258.12), La Plata County, Colorado</i>
2012	Horn, Jonathon C. <i>Site Records Search and Archaeological Reconnaissance of Six Proposed Reservoirs in Montrose County, Colorado</i>
2012	Horn, Jonathon C. <i>Summary Report of the Level I Documentation of the GHA (5DT1815.1) and GHAA (5DT1815.2) Laterals, Delta County, Colorado</i>
2012	Horn, Jonathon C. <i>Recordation and Evaluation of the Trout Lake Flume Overflow (5SM7094) and Reassessment of Associated Elements, Ames Hydroelectric Project (FERC NO. 400), Norwood District, Uncompahgre National Forest, San Miguel County, Colorado</i>
2012	Horn, Jonathon C. <i>Recordation and Evaluation of the Howard's Fork Penstock Diversion (5SM7093), Ames Hydroelectric Project (FERC No. 400), San Miguel County, Colorado</i>
2012	Horn, Jonathon C. <i>Recordation and Evaluation of the Lake Hope Project Area, Ames Hydroelectric Project (FERC No. 400), San Miguel County, Colorado</i>
2012	Horn, Jonathon C. <i>Cultural Resource Inventory of the Tacoma Take Out Area Trail, La Plata, County Colorado</i>
2012	Horn, Jonathon C. <i>Level II Documentation of a Portion of the South Canal (5MN1851.5), Montrose County, Colorado</i>
2012	Horn, Jonathon C. <i>Cultural Resource Inventory of the Hotchkiss Reservoir Land Exchange and Iron Springs Mesa/Horsefly Area Historic Context, Norwood District, Uncompahgre National Forest, Montrose and San Miguel Counties, Colorado</i>
2012	Horn, Jonathon C. <i>Cultural Resource Inventory of the Stagecoach Dam Access Road and</i>

Reports and Unpublished Manuscripts, continued

	<i>Work Areas, San Juan National Forest, La Plata County, Colorado</i>
2012	Horn, Jonathon C. <i>Cultural Resource Inventory of Xcel Energy's Texas Mountain Communication Facility Upgrade, Rio Blanco County, Colorado</i>
2012	Horn, Jonathon C. <i>Analysis of Select Artifacts from Sites 5SH2252 and 5SH2253, Saguache County, Colorado</i>
2012	Horn, Jonathon C. <i>Cultural Resource Inventory of Proposed Disturbance Areas at the Revenue Tunnel, Ouray County, Colorado</i>
2012	Horn, Jonathon C., and Tracy Hoose. <i>Cultural Resource Inventory of the South Cottonwood Lateral of the C Ditch, Delta County, Colorado</i>
2012	Horn, Jonathon C., et al. <i>National Historic Trails Inventory Project, Tasks 4, 5, and 6 Memo Report for Utah, Main Route, Northern Branch, and Armijo Route of the Old Spanish Trail, Emery, Grand, Kane, Piute, San Juan, and Sevier Counties, Utah</i>
2012	Millward, Sara A., and Jonathon C. Horn. <i>Summary Report of the Level I Documentation of Portions of the Grand Valley Canal and Independent Ranchmen's Ditch, Mesa County, Colorado</i>
2012	Pfertsch, Jack, and Jonathon C. Horn. <i>Summary Report of the Level I Documentation of a Portion of the Minnesota Canal (5DT1593.2), Delta County, Colorado</i>
2012	Satterwhite, R. David, and Jonathon C. Horn. <i>Cultural Resource Inventory of Portions of the Uncompahgre Valley Water Users Association's DFG, DG, EC 5.17, and GE Laterals, Montrose County, Colorado</i>
2012	Greubel, Rand A., and Jonathon C. Horn. <i>Archaeological Treatment Plan for Discovery Site RWM-003 (23721+54) at Milepost 449.3 along the Bakken Pipeline Project, Goshen County, Wyoming</i>
2011	Horn, Jonathon C. <i>Summary Report of the Level I Documentation of a Portion of the EC Lateral System (5MN9297), Montrose County, Colorado</i>
2011	Horn, Jonathon C. <i>Assessment of Modifications to Structure 6 at the Tacoma Power Plant (5LP1316), La Plata County, Colorado</i>
2011	Horn, Jonathon C. <i>Cultural Resource Inventory of the Encana Cow Ridge M09 798 Well Pad, Garfield County, Colorado</i>
2011	Horn, Jonathon C. <i>Cultural Resource Inventory of the Delta-Montrose Electric Association's South Canal Hydropower Project, Montrose County, CO</i>
2011	Horn, Jonathon C. <i>Archaeological Monitoring of the San Juan County School District #1 Building (5SA1242), San Juan County, Colorado</i>
2011	Horn, Jonathon C. <i>Recordation and Evaluation of the Grand Valley Power Plant (5ME17604) and a Residential Complex (5ME17605), Mesa County, Colorado</i>
2011	Horn, Jonathon C. <i>Summary Report of the Level I Documentation of a Portion of the Grandview Canal (5DT1780.1), Delta County, Colorado</i>
2011	Horn, Jonathon C. <i>Class III Cultural Resource Inventory of the Lower Duchesne River Wetland Mitigation Project: Nine Clean-up Sites in Duchesne and Uintah Counties, Utah, with Iraida Rodriguez.</i>
2011	Horn, Jonathon C., and Jack Pfertsch. <i>Cultural Resource Inventory of Portions of the Grand Valley Canal, Independent Ranchmen's Ditch, and Pioneer Ditch/Mesa County Ditch, Mesa County, Colorado</i>
2011	Horn, Jonathon C., and Chuck Story. <i>Cultural Resource Inventory of the Uncompahgre Valley Water Users Association's GHA and GHAA Laterals, Delta County, Colorado</i>
2010	Horn, Jonathon C. <i>Class III Cultural Resource Inventory of a Centerline Realignment and Access Roads for the Wasatch Loop Component of the Apex Expansion Project, Davis and Morgan, Counties, Utah: Apex Expansion Project Addendum 2 Report</i>
2010	Horn, Jonathon C. <i>Class III Cultural Resource Inventory of a Centerline Realignment, Access Roads, Additional Temporary Work Space, Staging Areas, and a Contractor Yard for the Wasatch Loop Component of the Apex Expansion Project, Davis and Morgan, Counties, Utah: Apex Expansion Project Addendum 3 Report</i>
2010	Horn, Jonathon C. <i>Treatment Plan for the Apex Expansion Project, Beaver, Davis, Millard,</i>

Reports and Unpublished Manuscripts, continued

	<i>Morgan, Salt Lake, and Utah Counties, Utah, Clark County, Nevada, and Uinta County, WY</i>
2010	Horn, Jonathon C. <i>Archaeological Testing at 5PA4410, Park County, Colorado.</i>
2010	Horn, Jonathon C. <i>Condition Update of the Compressor House at the New Verde Mine (5ME7028), Mesa County Colorado</i>
2010	Horn, Jonathon C. <i>Level II Documentation of the Rawlins Wooden Water Pipeline (48CR2181), Carbon County, Wyoming</i>
2010	Horn, Jonathon C. <i>Level II Documentation of a Segment of the Lincoln Highway (48CR1191), Carbon County, Wyoming</i>
2010	Horn, Jonathon C. <i>Level II Documentation of the Union Pacific Railroad Grade (48SW6357) and Culvert (48SW12319) near Tipton, Sweetwater County, Wyoming</i>
2010	Horn, Jonathon C. <i>Level II Documentation of the Radium No. 5 Windlass (5ME16887), Mesa County, Colorado</i>
2010	Horn, Jonathon C. <i>Level II Documentation of the Hidden Basin Mine Ore Bin (5MN7866), Montrose County, Colorado</i>
2010	Horn, Jonathon C. <i>Level II Documentation of the Boss Lake Dam (5CF2153), Chaffee County, Colorado</i>
2010	Horn, Jonathon C. <i>Level II Documentation of the O'Haver Lake Reservoir Dam and Overflow Ditch (5CF2507.1 and .2), Chaffee County, Colorado</i>
2010	Horn, Jonathon C. <i>Cultural Resource Recordation of the Trout Lake Valve House (5SM6935), San Miguel County, Colorado</i>
2010	Greubel, Rand A., Jaclyn Mullen, Matthew J. Landt, Jonathon C. Horn , and Alan D. Reed. <i>Class I Cultural Resource Overview of the BLM's Uncompahgre Field Office, Western Colorado</i>
2009	Pfertsch, Jack E., Jenn L. Mueller, Jonathon C. Horn , and Trevor R. Lindland. <i>Class III Cultural Resource Inventory of the Proposed Pathfinder/Bison Pipeline Project, Sweetwater County, Wyoming: 2008 Field Season</i>
2009	Pfertsch, Jack E., Jenn L. Mueller, Jonathon C. Horn , and Trevor R. Lindland. <i>Class III Cultural Resource Inventory of the Proposed Pathfinder/Bison Pipeline Project, Rio Blanco and Moffat Counties, Colorado: 2008 Field Season</i>
2009	Horn, Jonathon C. <i>Historic Properties Management Plan, Ouray Hydroelectric Project, Ouray County</i>
2009	Horn, Jonathon C. <i>Historic Properties Management Plan, Ames Hydroelectric Project, San Miguel County, Colorado, FERC Project No. 400</i>
2009	Horn, Jonathon C. <i>Historic Properties Management Plan, Tacoma Hydroelectric Project, La Plata and San Juan Counties, Colorado, FERC Project No. 12589</i>
2009	Horn, Jonathon C. <i>Summary Report of the Level I Documentation of the Grand Valley Canal (5ME4680.1, .2, .4, and .6), Mesa County, Colorado</i>
2009	Horn, Jonathon C. <i>Cultural Resource Recordation of the Robert Estep Homestead/Pouchoulou Residence (Cowboy Heaven/5SM6601), San Miguel County, Colorado</i>
2009	Horn, Jonathon C. <i>Documentation of Historic Mine Features on U.S. Department of Energy Uranium Lease Tracts in Western Colorado: Phase 3, Gateway Area, Mesa County, Colorado, with Summer Moore-McMillan.</i>
2009	Horn, Jonathon C. <i>Cultural Resource Inventory of the Uncompahgre Valley Water Users Association's EC Lateral, Montrose County, Colorado</i>
2009	Horn, Jonathon C. , and Jeremy Omvig. <i>Class III Cultural Resource Inventory of Contractor Yards, Stockpiling Areas, and Additional Centerline for the Wasatch Loop Component of the Apex Expansion Project, Davis, Morgan, Salt Lake, Summit, and Weber Counties, Utah: Apex Expansion Project Addendum 1 Report</i>
2008	Horn, Jonathon C. <i>Archaeological Monitoring of the First Congregational Church and Parsonage (5SA59.2), San Juan County, Colorado. Colorado State Historic Fund Project No. 2006-02-052</i>
2008	Horn, Jonathon C. <i>Town of Silverton Historic Context, San Juan County, Colorado</i>

Reports and Unpublished Manuscripts, continued

2008	Horn, Jonathon C. <i>Summary Report of the Level I Documentation of the ABC Lateral (5MN8094.1), ABH Lateral (5MN8095), and AG Lateral (5MN8096), Montrose County, Colorado</i>
2008	Reed, Alan D., S. Rheagan Alexander, Jonathon C. Horn , and Summer Moore. <i>Class I Cultural Resource Overview of the BLM's Kremmling Field Office, North-Central Colorado</i>
2008	Reed, Alan D., S. Rheagan Alexander, Jonathon C. Horn , and Summer Moore. <i>Class I Cultural Resource Overview of the BLM's Glenwood Springs Field Office, Central Colorado</i>
2008	Horn, Jonathon C. <i>Archaeological Monitoring of the Ouray County Courthouse (5OR585.22), Ouray County, Colorado</i>
2008	Horn, Jonathon C. <i>Level II Documentation of the Black Hat and Blue Cap Mines (42SA25464/5MN6456), San Juan County, Utah and Montrose County, Colorado</i>
2008	Horn, Jonathon C. <i>Level II Documentation of the Vanadium Queen Mine (42SA25463), San Juan County, Utah</i>
2008	Horn, Jonathon C. <i>Level II Documentation of the Pigmy/Firefly Mine (42SA25462), San Juan County, Utah</i>
2008	Horn, Jonathon C. <i>Cultural Resource Inventory and Recordation of the Collins Barn Site (5SM6005), San Miguel County, Colorado</i>
2008	Horn, Jonathon C. <i>Cultural Resource Inventory of an Access Road to the Cascade Flume Head Works on Cascade Creek, Columbine Ranger District, San Juan National Forest, San Juan County, Colorado</i>
2008	Horn, Jonathon C. <i>Reexamination and Draft Cultural Resource Management Plan of the Penstock and Pipeline System of the Bridal Veil Powerstation, Norwood Ranger District, Uncompahgre National Forest, San Miguel County, Colorado</i>
2008	Horn, Jonathon C. <i>Cultural Resource Inventory of Portions of the Grand Valley Canal, Two Soil Borrow Areas, and a Gravel Pit, Mesa County, CO</i>
2008	Horn, Jonathon C. <i>Cultural Resource Inventory of Five Gaging and Telemetry Stations for the Upper Arkansas Water Conservancy District, Chaffee County, Colorado</i>
2008	Horn, Jonathon C. <i>Cultural Resource Inventory of Silver Mountain Industries, Inc.'s Alta Lakes Road and Utility Improvements Project, Norwood District, Uncompahgre National Forest, San Miguel County, Colorado</i>
2007	Horn, Jonathon C. <i>Cultural Resource Inventory of the Trout Lake and Lake Hope Shorelines for the Ames Hydroelectric Project (FERC No. 400), San Miguel County, Colorado</i>
2007	Horn, Jonathon C. <i>Second Addendum to the Class III Cultural Resource Inventory of the Colorado Portion of the Planned Overland Pass Pipeline, Logan and Weld Counties, Colorado</i>
2007	Horn, Jonathon C. <i>Architectural, Archaeological, and Visual Assessment of the Fraser Milling Company Elevator (5DL2793), Dolores County, Colorado</i>
2007	Horn, Jonathon C. <i>Cultural Resource Inventory of the Winner Cabin Site, La Plata County, Colorado</i>
2007	Horn, Jonathon C. <i>Addendum 3: Class III Cultural Resource Inventory of the Colorado Portion of the Planned Overland Pass Pipeline: Avoidance Plans for 13 Linear Sites, Logan, Morgan, Weld, Yuma Counties, Colorado</i>
2007	Horn, Jonathon C. <i>Cultural Resource Inventory of Four Transmission Line Structures and Four Access Roads on the Burro Bridge to Silverton 115-kv Transmission Line, San Juan County, Colorado</i>
2007	Horn, Jonathon C. , and Rheagan Alexander. <i>Cultural Resource Inventory of Portions of the Crested Butte Mountain Resort Permit Area, Taylor River Ranger District, Gunnison National Forest, Gunnison County, Colorado</i>
2007	Horn, Jonathon C. <i>Evaluation of Nine Diversion Structures on the Provo River, Utah County, Utah</i>
2006	Horn, Jonathon C. <i>Historical Research on the Martha Rose Smelter Site, Silverton, San Juan County, Colorado</i>
2006	Horn, Jonathon C. , and Sage B. Wall. <i>Class I Cultural Resource Overview of the Colorado Portion of the Planned Overland Pass Gas Pipeline, Weld, Morgan, Logan, Washington, and</i>

Reports and Unpublished Manuscripts, continued

	<i>Yuma Counties, Colorado</i>
2006	Sladek, Ron, Jonathon Horn , and Ron Anthony. <i>Archaeological Assessment, Nottingham Power Plant, Avon, Eagle County, Colorado</i>
2006	Horn, Jonathon C. <i>Cultural Resource Consideration of the Proposed Replacement of 400 Feet of the Trout Lake to Ames Power Plant Penstock</i>
2006	Horn, Jonathon C. <i>Assessment of the Pipeline Portion of the Cascade Flume and Pipeline (5SA1176.1/5LP7927) Relative to the Proposed Replacement of 1,170 Feet of the Pipeline</i>
2006	Horn, Jonathon C. <i>Assessment of the West Side of Kinikin Road in the Vicinity of Nick Gray's Gravel Pit Access Road South of the Closed "Green Gate" Access Road, Montrose County, Colorado</i>
2006	Horn, Jonathon C. <i>Cultural Resource Inventory of the Sunshine Ditch, Norwood District, Uncompahgre National Forest, San Miguel County, Colorado</i>
2006	Horn, Jonathon C. <i>Archaeological Monitoring at the Ute Indian Museum/Ute Memorial Park (5MN1841), Montrose County, Colorado</i>
2005	Horn, Jonathon C. <i>Archaeological Monitoring and Recordation of the Lewis Mill and Mine (5SM4180), San Miguel County, Colorado</i>
2005	Horn, Jonathon C. <i>Cultural Resource Inventory of the Galloping Goose Trail at Society Turn, San Miguel County, Colorado</i>
2005	Horn, Jonathon C. <i>Recordation of Two Segments of the Northern Branch of the Spanish Trail/Salt Lake Wagon Road, Delta and Mesa Counties, Colorado</i>
2005	Horn, Jonathon C. <i>Historical Evaluation of Roads, Rights of Ways, and Easements on and Near the Telluray Ranch, Ouray and San Miguel Counties, Colorado</i>
2005	Horn, Jonathon C. <i>Stabilization Assessment of the Pulaski Tram House and Three Tram Towers (5SM3523), San Miguel County, CO</i>
2005	Horn, Jonathon C. <i>Cultural Resource Inventory of the Proposed Ames Penstock Relocation, San Miguel County, Colorado.</i>
2005	Horn, Jonathon C. <i>Archaeological Monitoring of the San Miguel County Courthouse, San Miguel County, Colorado</i>
2005	Horn, Jonathon C. <i>Cultural Resource Inventory of Selected Motorcycle Trails in the Flat Top OHV Area, Gunnison Gorge National Conservation Area, Montrose County, Colorado. Prepared for the BLM, Uncompahgre Field Office, Montrose.</i>
2005	Horn, Jonathon C. <i>Lackawanna Mill History</i>
2004	Guilfoyle, David R., and Jonathon C. Horn . <i>Cultural Resource Inventory of Utah Reclamation Mitigation and Conservation Commission's Diversion Dams, Dushesne and Strawberry Rivers, Dushesne County, Utah</i>
2004	Horn, Jonathon C. <i>Landscape-Level History of the Canyons of the Ancients National Monument, Montezuma and Dolores Counties, Colorado</i>
2004	Horn, Jonathon C. <i>Kern River 2003 Expansion Project, Utah, Volume V: Historical Archaeology, Part 2: Context for Recording and Evaluating Historic Linear Resources in Salt Lake County</i>
2004	Horn, Jonathon C. 42WS1585 – Hamblin Townsite. In <i>Kern River 2003 Expansion Project, Utah, Volume V: Historical Archaeology, Part 3: Excavated Sites</i>
2003	Horn, Jonathon C. , Jerry Fetterman, and Linda Honeycutt (compilers). <i>The Mid-America Pipeline Company/Williams Rocky Mountain Expansion Loop Pipeline Archaeological Data Recovery Project, Northwestern New Mexico, Western Colorado, and Eastern Utah.</i>
2003	Eckman, Jason C., and Jonathon C. Horn . Chapter 12. 42SA11542. In <i>The Mid-America Pipeline Company/Williams Rocky Mountain Expansion Loop Pipeline Archaeological Data Recovery Project, Northwestern New Mexico, Western Colorado, and Eastern Utah</i> , compiled by Jonathon C. Horn, Jerry Fetterman, and Linda Honeycutt
2003	Horn, Jonathon C. , Jerry Fetterman, and Linda Honeycutt (compilers). Chapter 23. <i>Dragon, Utah – 42UN1802</i> . In <i>The Mid-America Pipeline Company/Williams Rocky Mountain Expansion Loop Pipeline Archaeological Data Recovery Project, Northwestern New Mexico, Western Colorado, and Eastern Utah</i>

Reports and Unpublished Manuscripts, continued

- 2003 **Horn, Jonathon C.**, Jerry Fetterman, and Linda Honeycutt (compilers). *Chapter 25. William Cowling Homestead – 5DL318*. In *The Mid-America Pipeline Company/Williams Rocky Mountain Expansion Loop Pipeline Archaeological Data Recovery Project, Northwestern New Mexico, Western Colorado, and Eastern Utah*
- 2003 **Horn, Jonathon C.**, Jack E. Pfertsh, and Ross S. Curtis. *Chapter 28. Cherry Creek Construction Camp – 5LP1915*. In *The Mid-America Pipeline Company/Williams Rocky Mountain Expansion Loop Pipeline Archaeological Data Recovery Project, Northwestern New Mexico, Western Colorado, and Eastern Utah*, compiled by Jonathon C. Horn, Jerry Fetterman, and Linda Honeycutt
- 2003 **Horn, Jonathon C.**, and Ross S. Curtis. *Chapter 39. 5LP1921 – The Hook*. In *The Mid-America Pipeline Company/Williams Rocky Mountain Expansion Loop Pipeline Archaeological Data Recovery Project, Northwestern New Mexico, Western Colorado, and Eastern Utah*, compiled by Jonathon C. Horn, Jerry Fetterman, and Linda Honeycutt.
- 2003 Archimede, Gianfranco, and **Jonathon C. Horn**. *Archaeological Monitoring at the Gothic Town Hall Building in Gothic City (5GN1525) Gunnison County, Colorado*
- 2003 **Horn, Jonathon C.**, and Gianfranco Archimede. *Cultural Resource Inventory of Five Uranium Mines along La Sal Creek, San Juan County, Utah and Montrose County, CO*
- 2003 **Horn, Jonathon C.**, Jack E. Pfertsh, and Gianfranco Archimede. *GMUG Coon Creek CCC Camp*
- 2003 **Horn, Jonathon C.**, and Gianfranco Archimede. *GMUG Meeker Street/Delta Warehouse*
- 2002 **Horn, Jonathon C.** *A Cultural Resource Inventory of Select Historic Mining Sites, San Miguel County, Colorado*
- 2002 **Horn, Jonathon C.** *Cultural Resource Inventory of the Proposed Nature Conservancy Small Tracts Act Acquisition Uncompahgre National Forest San Miguel County, Colorado*
- 2002 **Horn, Jonathon C.** *Archaeological Testing at Eight Rock Alignments Near Cameo, Mesa County, Colorado*
- 2002 **Horn, Jonathon C.**, and James Firor. *Preservation Assessment of four Historic Structures at Calamity Camp (5ME5265), Mesa County, Colorado*
- 2001 **Horn, Jonathon C.** *The TransColorado Natural Gas Pipeline Archaeological Data Recovery Project, Western Colorado and Northwestern New Mexico*
- 2001 **Horn, Jonathon C.** *Archaeological Monitoring at the Marble City State Bank Building, Gunnison County, Colorado*
- 2001 **Horn, Jonathon C.** *Recordation of the Ute-Ulay Mine and Milling Complex (5HN77), Hinsdale County, Colorado*
- 2001 **Horn, Jonathon C.** Chapter 7, Silver Springs Store (5ME642). In *The TransColorado Natural Gas Pipeline Archaeological Data Recovery Project, Western Colorado and Northwestern New Mexico*, compiled by Alan D. Reed
- 2001 **Horn, Jonathon C.** Chapter 10, Berry/Stewart Place (5ME6642). In *The TransColorado Natural Gas Pipeline Archaeological Data Recovery Project, Western Colorado and Northwestern New Mexico*, compiled by Alan D. Reed
- 2001 **Horn, Jonathon C.** Chapter 11, Roan Creek Oil and Gas Site (5ME6822). In *The TransColorado Natural Gas Pipeline Archaeological Data Recovery Project, Western Colorado and Northwestern New Mexico*, compiled by Alan D. Reed.
- 2001 **Horn, Jonathon C.** Chapter 12, Orr Osborn Homestead (5ME6825). In *The TransColorado Natural Gas Pipeline Archaeological Data Recovery Project, Western Colorado and Northwestern New Mexico*, compiled by Alan D. Reed.
- 2001 **Horn, Jonathon C.** Chapter 13, Stitz Place (5ME6826). In *The TransColorado Natural Gas Pipeline Archaeological Data Recovery Project, Western Colorado and Northwestern New Mexico*, compiled by Alan D. Reed
- 2001 **Horn, Jonathon C.** Chapter 31, Doshier/Ripley Homestead (LA36652). In *The TransColorado Natural Gas Pipeline Archaeological Data Recovery Project, Western Colorado and Northwestern New Mexico*, compiled by Alan D. Reed.

Reports and Unpublished Manuscripts, continued

2000	Horn, Jonathon C. <i>Yankee Boy Basin Historical Analysis</i>
2000	Horn, Jonathon C. <i>Santa Fe Trail Documentation on the Cimarron National Grassland, Morton County, Kansas</i>
2000	Horn, Jonathon C. <i>Cultural Resource Inventory of the Pulaski Tramway and Blue Lake Camp San Miguel County, Colorado</i>
2000	Horn, Jonathon C. <i>Cultural Resource Inventory of the Natal Ditches Nos. 1 and No. 2 Pitkin County, Colorado</i>
2000	Horn, Jonathon C. <i>Cultural Resource Compliance Inspection of Pipe Replacement on the Bridal Veil Penstock (5SM2497) San Miguel County, Colorado</i>
1999	Horn, Jonathon C., and Alan D. Reed. <i>Limited Data Recovery Plan for Twenty-Eight Sites Along Mid-America Pipeline Company's Proposed Rocky Mountain Expansion Project, Grand and San Juan Counties, Utah</i>
1999	Horn, Jonathon C. <i>Selective Reconnaissance Level Survey of Utah State Road 36, U.S. Interstate 80 to Tooele, Tooele County, Utah</i>
1999	Horn, Jonathon C., et al. <i>Extensive Data Recovery Plan of Mid-America Pipeline Company's Proposed Rocky Mountain Expansion Project, Western Colorado, Eastern Utah, and Northwestern New Mexico</i>
1999	Horn, Jonathon C. <i>Structural Stabilization at Animas Forks (5SA153), San Juan County, Colorado, 1997 and 1998 Field Seasons</i>
1999	Eckman, Jason, and Jonathon C. Horn. <i>Cultural Resource Inventory of Lehi City Road 1200 East Utah State Road 73 to Utah State Road 92 Utah County, Utah</i>
1999	Horn, Jonathon C. <i>Cultural Resource Evaluation/Mitigation of a Portion of the Ophir Loop Townsite (5SM2736) in the vicinity of the Lisa Gold Property, San Miguel County, Colorado</i>
1998	Horn, Jonathon C. <i>Cultural Resource Documentation of the Skyrocket Creek Diversion Structure, Ouray County, CO</i>
1998	Horn, Jonathon C. <i>Archaeological Testing at the Meeker Garrison (5RB2247), Rio Blanco County, Colorado</i>
1998	Horn, Jonathon C., and Susan M. Chandler. <i>Cultural Resource Inventory of Utah State Road 248, U.S. Highway 40 to Park City, Summit County, Utah.</i>
1998	Horn, Jonathon C., Susan M. Chandler, Kimberly Redman, Diana L. Langdon, Diane Perry, and Alan D. Reed. <i>Cultural Resource Inventory of Mid-America Pipeline Company's Proposed Rocky Mountain Expansion Project, Colorado Part 1 of 2: Mesa, Garfield, and Rio Blanco Counties, Northwestern Colorado.</i>
1998	Horn, Jonathon C., et al. <i>Cultural Resource Inventory of Mid-America Pipeline Company's Proposed Rocky Mountain Expansion Project, Colorado Part 2 of 3: Dolores and San Miguel Counties, Colorado</i>
1998	Horn, Jonathon C., et al. <i>Cultural Resource Inventory of Mid-America Pipeline Company's Proposed Rocky Mountain Expansion Project, Colorado Part 3 of 3: La Plata and Montezuma Counties, Colorado</i>
1998	Horn, Jonathon C., et al. <i>Cultural Resource Inventory of Mid-America Pipeline Company's Proposed Rocky Mountain Expansion Project, Utah Part 1 of 3: Grand County, Utah</i>
1998	Horn, Jonathon C., et al. <i>Cultural Resource Inventory of Mid-America Pipeline Company's Proposed Rocky Mountain Expansion Project, Utah Part 2 of 3: Uintah and Daggett Counties, Utah</i>
1998	Horn, Jonathon C., et al. <i>Cultural Resource Inventory of Mid-America Pipeline Company's Proposed Rocky Mountain Expansion Project, Utah Part 3 of 3: San Juan County, Utah</i>
1997	Horn, Jonathon C., and Susan M. Chandler. <i>Intensive Pedestrian Cultural Resource Inventory of Three Remediation Areas at the California Gulch Superfund Site, Operable Unit 6, Lake County, Colorado</i>

Reports and Unpublished Manuscripts, continued

- 1997 **Horn, Jonathon C.**, and Susan M. Chandler. *Cultural Resource Inventory Report of a Remediation Areas at the California Gulch Superfund Site, Operable Unit 6, Lake County, Colorado*
- 1997 **Horn, Jonathon C.** *Cultural Resource Inventory of Two High Priority Survey Areas, California Gulch Superfund Site, Operable Unit 6, Lake County, Colorado.*
- 1997 **Horn, Jonathon C.** *Intensive Level Survey Documentation of Four Historic Properties along Interstate-15, Salt Lake County, Utah*
- 1997 **Horn, Jonathon C.** *Analysis of Artifacts from Around the Boreas Pass Section House (5PA585/5ST494), Park County, Colorado*
- 1996 **Horn, Jonathon C.** *Cultural Resource Inventory of the Sunshine-Burro Bridge Transmission Line Reroute, San Miguel County, Colorado*
- 1996 **Horn, Jonathon C.** *Archaeological Investigation of an Outhouse Feature at the Boreas Pass Railroad Station, 5PA585/5ST494, Park and Summit Counties, Colorado*
- 1996 **Horn, Jonathon C.** *Historical Significance Evaluation of Structures at the 14 Level of the Camp Bird Mine (5OR65), Ouray County, Colorado*
- 1996 **Horn, Jonathon C.** *Cultural Resource Inventory of Forest Highway 81 (Tarryall Road), Park County, Colorado*
- 1996 **Horn, Jonathon C.** *Cultural Resource Inventory of the Hammer Minor Subdivision, Delta County, Colorado*
- 1996 **Horn, Jonathon C.**, and Susan M. Chandler. *Cultural Resource Inventory of a Proposed 15-Acre Borrow Area and Access Road, California Gulch Superfund Site, Operable Unit 6, Lake County, Colorado*
- 1995 Reed, Alan D., and **Jonathon C. Horn.** *Cultural Resource Inventory of a Portion of the Picket Wire Canyonlands Comanche National Grassland Las Animas and Otero Counties, Colorado*
- 1995 **Horn, Jonathon C.** *Level II Documentation of 13 Features at Mohrland (42EM1642) Emery County, Utah*
- 1995 **Horn, Jonathon C.**, James L. Firor, and Rand A. Greubel. *Archaeological Survey of an Access Road and Proposed Well Pad in the Circle Cliffs Glen Canyon National Recreation Area, Garfield County, Utah*
- 1995 Reed, Alan D., and **Jonathon C. Horn.** *Report of the 1995 Cultural Resource Inventory of Naval Oil Shale Reserve Lands, Garfield County, Colorado*
- 1994 **Horn, Jonathon C.** *Significance Testing and Data Recovery at Sites 5EP1124 and 5EP1125, Stanley Canyon Hydroelectric Project, Pike National Forest, El Paso County, Colorado*
- 1994 **Horn, Jonathon C.** *Grand Resource Area Class I Cultural Resource Inventory*
- 1994 Tickner, Paul A., and **Jonathon C. Horn.** *Final Report for the Cultural Resource Inventory of Proposed Master Plan Revision Impact Areas, Crested Butte Mountain Resort, Gunnison National Forest, Gunnison County, Colorado*
- 1994 **Horn, Jonathon C.** *Analysis of Artifacts from Sites 5MT10969 and 5MV3966, Montezuma County and Mesa Verde National Park, Colorado*
- 1994 **Horn, Jonathon C.** *Cultural Resource Inventory of Ampolex (USA), Inc. San Rafael NEQ-1 Seismic Line, Emery County, Utah*
- 1994 **Horn, Jonathon C.** *Cultural Resource Inventory for Colorado Department of Transportation's Dallas Bridge Replacement, Ouray County, Colorado, (CDOT Project no. BRF 550-2[20])*
- 1994 **Horn, Jonathon C.** *Cultural Resource Inventory of the Proposed Arrowhead Ranch Land Exchange, Gunnison County, Colorado*
- 1994 **Horn, Jonathon C.**, and Alan D. Reed. *Cultural Resource Inventory of the 340-Acre South Lease Extension, San Juan Mine, San Juan County, New Mexico*
- 1994 Reed, Alan D., **Jonathon C. Horn**, M. Clark Pope. *Cultural Resource Inventory of the Deep Lease Area at the San Juan Mine, San Juan County, New Mexico*

Reports and Unpublished Manuscripts, continued

1993	Horn, Jonathon C. <i>Cultural Resource Inventory of the New Montrose County Landfill, Montrose County, Colorado</i>
1993	Horn, Jonathon C. <i>Cultural Resource Inventory of the Ouray Power Plant, Penstock Line, and Dam, Uncompahgre National Forest, Ouray Ranger District, Ouray County, Colorado</i>
1993	Horn, Jonathon C. <i>Cultural Resource Inventory of the Limestone-Gering-McGrew Transmission Line Rebuild Project Realignment near Lingle, Goshen County, Wyoming</i>
1993	Horn, Jonathon C. <i>Revisitation and Assessment of Potential Reclamation Impacts at Mohrland (42EM1642) and Inventory of Two Coal Prospect Portals, Emery County, Utah</i>
1993	Horn, Jonathon C. <i>Cultural Resource Inventory of the Ames-Trout Lake Section of the Ames-Rico Transmission Line and Reed Tie Line, Uncompahgre National Forest, Norwood Ranger District, San Miguel County, Colorado</i>
1993	Horn, Jonathon C. <i>Cultural Resource Inventory of Liberty Cellularphone Network's Gray Head Mountain Transmission Line, Uncompahgre National Forest, Norwood Ranger District, San Miguel County, Colorado</i>
1993	Horn, Jonathon C. <i>Cultural Resource Inventory of the Keystone-Sawpit Transmission Line, San Miguel County, CO</i>
1993	Horn, Jonathon C. <i>Cultural Resource Inventory of the Trout Lake-Rico Section of the Ames-Rico Transmission Line, San Juan and Uncompahgre National Forests, Dolores and San Miguel Counties, Colorado</i>
1993	Horn, Jonathon C. <i>Level II Documentation of the Sunshine Toilet Building (5SM2508), Sunshine Campground, Uncompahgre National Forest, San Miguel County, Colorado</i>
1993	Horn, Jonathon C., Alan D. Reed, and Susan M. Chandler. <i>Synthesis of Historic and Prehistoric Data from the Cultural Resource Inventory of the TransColorado Natural Gas Pipeline, Western Colorado and Northwestern New Mexico</i>
1992	Horn, Jonathon C., and Susan M. Chandler <i>Second Addendum Report for the Cultural Resource Inventory of Proposed Master Plan Revision Impact Areas, Crested Butte Mountain Resort, Gunnison National Forest, Gunnison County, Colorado</i>
1992	Horn, Jonathon C. <i>Archaeological Master Plan for Development of the Holden Lixiviation Works, Aspen, Colorado</i>
1992	Horn, Jonathon C. <i>Cultural Resource Inventory of Existing Hydropower Penstock Lines Supplying the Bridal Veil Powerstation, Uncompahgre National Forest, Norwood Ranger District, San Miguel County, Colorado</i>
1992	Reed, Alan D., and Jonathon C. Horn. <i>Cultural Resource Inventory of the Planned TransColorado Natural Gas Pipeline, Western Colorado and Northwestern New Mexico: A Report of the 1991 Field Season</i>
1992	Reed, Alan D., and Jonathon C. Horn. <i>Addendum to Cultural Resource Inventory of the Planned TransColorado Natural Gas Pipeline, Western Colorado and Northwestern New Mexico: The 1992 Field Season Report</i>
1992	Reed, Alan D., Jonathon C. Horn, Rand A. Greubel, Ronald J. Rood, M. Clark Pope, William Eckerle, Susan M. Chandler. <i>Treatment Plan and Research Design for the Cultural Resource Mitigation Phase of the TransColorado Gas Pipeline Project, Western Colorado and Northwestern New Mexico</i>
1991	Horn, Jonathon C. <i>A Cultural Resource Inspection of 19 Sites and Damage Assessment of Eight Sites Adjacent to the San Juan Mine, San Juan County, New Mexico</i>
1991	Horn, Jonathon C. <i>Archaeological Data Recovery at 42WS54 and 42WS1226 Along State Road 9, Washington County, Utah</i>
1991	Greubel, Rand A., Amy Jo Knowles, and Jonathon C. Horn. <i>A Cultural Resource Inventory of the Busted Arm Timber Sale and the Bull Pond Timber Sale, and a Reevaluation of the Lindsey Spring Site (5SM139), Uncompahgre National Forest, Norwood District, San Miguel County, Colorado</i>
1991	Horn, Jonathon C. <i>Cultural Resource Inventory of the Cheyenne Canyon Water Treatment Center, City of Colorado Springs, El Paso County, Colorado</i>

Reports and Unpublished Manuscripts, continued

1991	Horn, Jonathon C. <i>Addendum Report of the Cultural Resource Inventory of 3.2 Miles of U.S. Highway 89 Right-of-Way for the Circleville Road Widening Project, Piute and Garfield Counties, Utah</i>
1991	Horn, Jonathon C. <i>An Addendum Report for the Cultural Resource Inventory of Proposed Drill Holes and Access Roads for Kennecott Exploration Company's Spring Creek Prospect, Gunnison National Forest, Gunnison County, Colorado</i>
1991	Horn, Jonathon C. <i>Addendum Report for the Cultural Resource Inventory of Proposed Master Plan Revision Impact Areas, Crested Butte Mountain Resort, Gunnison National Forest, Gunnison County, Colorado</i>
1991	Horn, Jonathon C. <i>Cultural Resource Inventory of the Gottbehuet Parcel, Town of Cotopaxi, Fremont County, Colorado</i>
1991	Horn, Jonathon C. <i>Recordation and Evaluation of Five Historical Locales in the Skyfield Development Area near Telluride, San Miguel County, Colorado</i>
1990	Horn, Jonathon C. <i>Cultural Resources Inventory of Forest Highway 69 (Forest Road 250), Rio Grande National Forest, Conejos County, Colorado</i>
1990	Horn, Jonathon C. <i>Cultural Resource Inventory of Three Spoil Areas for the Rocky Point Project, Gunnison County, Colorado</i>
1990	Horn, Jonathon C. <i>Cultural Resource Inventory of Previously Unsurveyed Portions of the Rocky Point Project Facilities Area, Gunnison County, Colorado</i>
1990	Horn, Jonathon C. <i>Archaeological Data Recovery at the Down Wash Site (42WN1666), Canyonlands National Park, Utah</i>
1990	Chandler, Susan M., and Jonathon C. Horn , <i>Cultural Resource Inventory of Proposed Master Plan Revision Impact Areas and Future Study Area No. 4, Crested Butte Mountain Resort, Gunnison National Forest, Gunnison County, Colorado</i>
1990	Chandler, Susan M., Jonathon C. Horn , and Alan D. Reed <i>Cultural Resource Overview for the Proposed TransColorado Natural Gas Pipeline, Western Colorado and Northwestern New Mexico</i>
1990	Horn, Jonathon C. <i>An Addendum Report for the Cultural Resource Inventory of the Cascade-Silverton 115 kV Transmission Line, San Juan County, Colorado</i>
1990	Horn, Jonathon C. <i>Cultural Resource Inventory of a 4.6 Acre Land Parcel, Montrose County, Colorado</i>
1990	Horn, Jonathon C. <i>Cultural Resource Inventory of State Route 12 at the Escalante Bridge, Garfield County, Utah</i>
1990	Horn, Jonathon C. <i>Cultural Resource Inventory of 3.2 Miles of U.S. Highway 89 Right-Of-Way for the Circleville Road Widening Project, Piute and Garfield Counties, Utah</i>
1989	Horn, Jonathon C. <i>Cultural Resources Inventory of Three Potential Lower Reservoir Sites for the Stanley Canyon Pumped Storage Project, El Paso County, Colorado</i>
1989	Horn, Jonathon C. <i>History of Ruins Stabilization at Cliff Palace and Spruce Tree House, Mesa Verde National Park, Colorado</i>
1989	Horn, Jonathon C. <i>Archaeological Monitoring of Upgrading and New Construction of the Access Road for TXO Production Corporation's Retherford #1 Well Pad, Montezuma County, Colorado</i>
1989	Chandler, Susan M., Alan D. Reed, and Jonathon C. Horn . <i>Archaeological Studies at the New Denver International Airport, Phase II Long Range Airport Development, Denver County, Colorado</i>
1989	Horn, Jonathon C. <i>Cultural Resource Inventory of the Cascade-Silverton 115 kV Transmission Line, San Juan County, Colorado</i>
1989	Horn Jonathon C. , and Alan D. Reed. <i>Structural Stabilization of Mantle's Cave (5MF1), Dinosaur National Monument, Moffat County, Colorado</i>
1989	Horn, Jonathon C. <i>Cultural Resources Inventory of the Sunset Mesa Industrial Park Subdivision and Proposed Sewer Line, City of Montrose, Montrose County, Colorado</i>
1989	Horn, Jonathon C. <i>Recordation and Evaluation of Significance of the Buseti Ranch, San</i>

Reports and Unpublished Manuscripts, continued

	<i>Isabel National Forest, Fremont County, Colorado</i>
1989	Horn, Jonathon C. <i>Cultural Resource Inventory of San Miguel Power Association's Deep Creek Transmission Line, San Miguel County, Colorado</i>
1988	Reed, Alan D., and Jonathon C. Horn. <i>Limited Archaeological Testing at 47 Cultural Resources Sites at the La Plata Mine, San Juan County, New Mexico</i>
1988	Horn, Jonathon C. <i>Archaeological Reconnaissance of the Johnson Ranch Site, Yuba County, California</i>
1988	Reed, Alan D., and Jonathon C. Horn <i>Archaeological Investigations of Kin 'Atsá (LA 49498): A Late Archaic-Basketmaker Transition, Basketmaker II, and Dinétah Phase Navajo Habitation Site in San Juan County, New Mexico</i>
1988	Horn, Jonathon C. <i>Cultural Resources Inventory of a 110-Acre Parcel at the San Juan Mine, San Juan County, New Mexico</i>
1988	Horn, Jonathon C. <i>Supplemental Cultural Resource Inventory of 6.9 Miles of Proposed Transmission Line Right-of-Way for the Craig-Bonanza 345 kV Transmission Line Project, Rio Blanco County, Colorado</i>
1988	Horn, Jonathon C. <i>Cultural Resource Inventory of Proposed Access Roads for the Craig-Bonanza 345 kV Transmission Line Project, Uintah County, Utah, and Moffat and Rio Blanco Counties, Colorado</i>
1987	Horn, Jonathon C. <i>Report #22. Monitoring and Mitigation of Sites along the New Mexico Segment of the Colorado-Ute Electric Association Rifle to San Juan Transmission Line</i>
1987	Horn, Jonathon C. <i>Report #23. Site Testing and Monitoring along the 115 kV Durango Tie Line Segment of the Rifle to San Juan Transmission Line Project, La Plata County, CO</i>
1987	Horn, Jonathon C., Alan D. Reed, and Stan A. McDonald. <i>Report #12. Archaeological Investigations at the Indian Creek Site, 5ME1373: A Stratified Archaic Site in Mesa County, Colorado</i>
1987	Reed, Alan D., and Jonathon C. Horn. <i>A Supplemental Cultural Resource Inventory of the La Plata Mine, San Juan County, New Mexico</i>
1987	Horn, Jonathon C. <i>Cultural Resource Inventory of the Proposed Waterflow Substation, 13.8 kV Transmission Line and Access Road Including Previously Uninventoried Areas Adjacent to the Shiprock Substation, San Juan County, New Mexico</i>
1987	Eininger, Susan, and Jonathon C. Horn. <i>Historical Documentation and Structural Stabilization of the Main Ferry Site, Lee's Ferry National Historic District, Glen Canyon National Recreation Area, Northeastern Arizona</i>
1987	Horn, Jonathon C. <i>A Cultural Resources Inventory of an 80-Acre Land Parcel at the La Plata Mine, San Juan County, New Mexico</i>
1987	Horn, Jonathon C. <i>Cultural Resources Inventory of an 1100-Acre Land Parcel on the Fort Mojave Indian Reservation, Mohave County, Arizona</i>
1987	McDonald, Stan A., and Jonathon C. Horn. <i>Report No. 25. Summary Report of the Cultural Resources Program of the Colorado-Ute Electric Association Rifle to San Juan Transmission Line Project, Colorado and New Mexico</i>
1987	Horn, Jonathon C. <i>Evaluation of Two Historic Sites at the Trapper Mine, Moffat County, Colorado</i>
1987	Horn, Jonathon C. <i>Cultural Resource Inventory of the Proposed North Fork Substation and Access Road, Delta County, Colorado</i>
1987	Horn, Jonathon C. <i>Cultural Resources Inventory of the Route of the Proposed Mesa-Z Hydropower Penstock Line, San Miguel County, Colorado</i>
1986	Horn, Jonathon C., and Susan Eininger. <i>Stabilization Assessment of Lee's Ferry Dugway, Glen Canyon National Recreation Area</i>
1986	Reed, Alan D., and Jonathon C. Horn. <i>Cultural Resource Inventory along the West Dolores Road, Montezuma and Dolores Counties, Colorado</i>
1986	McDonald, Stan A., and Jonathon C. Horn. <i>Report #15. Cultural Resources Inventory for the PI 28-41 Section of the Montrose to Long Hollow Segment of the Rifle to San Juan Transmission Line Project</i>

Reports and Unpublished Manuscripts, continued

1986	McDonald, Stan A., and Jonathon C. Horn . <i>Report #16. Cultural Resources Inventory for the PI 16A-28 Section of the Montrose to Long Hollow Segment of the Rifle to San Juan Transmission Line Project</i>
1986	McDonald, Stan A., and Jonathon C. Horn . <i>Report #17. Cultural Resources Inventory for the PI 4-16A Section of the Montrose to Long Hollow Segment of the Rifle to San Juan Transmission Line Project</i>
1986	Collins, Susan M., Jonathon C. Horn , Nancy B. Lamm, Stan A. McDonald, and Meredith H. Matthews. <i>Report #19. Preliminary Report of the 1985 and 1986 Survey. Cultural Resources Inventory for the Colorado-Ute Electric Association Rifle to San Juan Transmission Line Project</i>
1986	Horn, Jonathon C. <i>Report #20. Cultural Resources Inventory for the 115 kV Durango Tie Line Segment of the Rifle to San Juan Transmission Line Project</i>
1986	Horn, Jonathon C. <i>Report #21. Site Testing and Monitoring between Rifle, Colorado and Montrose Colorado. Mitigation of Effect on Cultural Resources for the Colorado-Ute Electric Association, Inc., Rifle to San Juan Transmission Line Project. Garfield, Mesa, Delta, Montrose Counties</i>
1986	Horn, Jonathon C. <i>Cultural Resource Evaluation of Depression-Era Stonework along 25 Mesa Road, Delta County, Colorado</i>
1985	Horn, Jonathon C. <i>Report #11. Cultural Resources Inventory of Conductor Pulling Sites for the Rifle to Grand Junction Segment of Colorado-Ute Electric Association's Rifle to San Juan 345 kV Transmission Line Project</i>
1985	Alan D. Reed, Wayne K. Howell, Paul R. Nickens, and Jonathon C. Horn . <i>Archaeological Investigations on the Johnson Canyon Road Project, Ute Mountain Ute Tribal Lands, Colorado</i>
1985	Jonathon C. Horn , Alan D. Reed, and Paul R. Nickens. <i>Cultural Resources Overview and Management Plan for the U.S. Air Force Academy, Colorado Springs, Colorado</i>
1985	Reed, Alan D., and Jonathon C. Horn <i>Cultural Resource Monitoring of Construction of a Ski Lift Facility, Telluride, Colorado.</i>
1984	Jonathon C. Horn , Gary M. Matlock and Duane A. Smith. <i>An Archaeological and Historical Investigation of an Historic Cabin at Site 5LP1259</i>
1983	Horn, Jonathon C. <i>Wind River Administrative Site Cultural Resource Management Plan</i>
1997	Horn, Jonathon C. , et al. <i>Cultural Resource Inventory of the Deep Lease Extension at the San Juan Mine, San Juan County, New Mexico</i>
1998	Horn, Jonathon C. <i>Cultural Resource Inventory of Uninventoried Sections of U.S. Highway 191 for the Coyote Wash Bridge Replacement Project, La Sal Junction to Wilson Arch, San Juan County, Utah</i>

Presentations

1998	Horn, Jonathon C. <i>Euroamerican Goods in the Material Culture of the Ute Prior to 1882.</i> Paper presented at the 1988 Colorado Council of Professional Archaeologists Annual Meeting, Ute Symposium, Grand Junction, Colorado.
1997	Horn, Jonathon C. <i>The Mines of Leadville: What is Really Out There?</i> Paper presented at the Society for Historical Archaeology Conference, Corpus Christi, Texas.
1997	Horn, Jonathon C. <i>The Mines of Leadville: What is Really Out There?</i> Colorado Council of Professional Archaeologists Annual Meeting, Golden, Colorado.
1999	Horn, Jonathon C. <i>Changing Hispanic Settlement and Land Use along the Purgatoire River of Southeastern Colorado.</i> Paper presented at the Society for Historical Archaeology Conference, Salt Lake City.
1999	Horn, Jonathon C. <i>Ute Material Culture during the Historic Period As Represented by Sites in the Montrose Area.</i> Paper presented at the Colorado Council of Professional Archaeologists Annual Meeting, Glenwood Springs, Colorado.

Presentations continued

- 2000 **Horn, Jonathon C.** *Historic and Prehistoric Resources along Forest Highway 81 (Tarryall Road), Park County, Colorado.* Presented at the South Park Symposium II, Fairplay, Colorado.
- 2003 **Horn, Jonathon C.** *Archaic Through Formative Trajectories North of the Anasazi.* Paper presented at the Colorado Council of Professional Archaeologists Annual Meeting, Fort Lewis College, Durango, Colorado.
- 2004 **Horn, Jonathon C.** *Excavations at Hamblin, Utah: An 1860s-1870s Rural Mormon Community.* Paper presented at the Society for Historical Archaeology Conference, St. Louis, Missouri.
- 2004 **Horn, Jonathon C.** *Historical Archaeology at Hamblin and Wellington, Utah: Rural Mormon Communities.* Co-authored with Jack E. Pfertsh. Paper presented at the Society for American Archaeology Conference, Montreal, Canada.
- 2004 **Horn, Jonathon C.** *Historical Context for Linear Resources in Salt Lake County.* Paper presented at the Society for American Archaeology Conference, Montreal, Canada.
- 2005 **Horn, Jonathon C.** *Canyons of the Ancients National Monument Landscape-Level History and Oral History Project.* Paper presented at the Big MACC (Big Meeting at Crow Canyon), Cortez, Colorado.
- 2010 **Horn, Jonathon C.** *Old Spanish Trail: Preliminary Findings from the Field.* Paper presented as part of ARRA Funded "Historic Trails Inventory Program" session at the Old Spanish Trail Association, 2011 Annual Conference, Pomona, California.

Awards, Grants, and Honors

National Register Nominations

- M. Lloyd Frank estate (Lewis and Clark College Campus), Portland, Oregon.
Complex of buildings composing the Frank estate built and designed by Herman Brookman in 1924-1926.
- Temple Beth Israel, Portland, Oregon. Jewish synagogue built in 1928.
The architectural creation of Morris H. Whitehouse and Herman Brookman.
- Piggott's Castle, Portland, Oregon.
Unusual residence built by Charles Henry Piggott in 1892.
- Odd Fellow's Hall, Lake Oswego, Oregon.
Oldest building in Lake Oswego, built in 1890.
- Multnomah Falls Lodge and Footpath, Columbia River Gorge, Oregon.
Built by the City of Portland in 1925 along scenic Columbia Gorge Highway. Designed by A.E. Doyle.
- Harlow Block, Portland, Oregon.
Historic hotel built in 1882.
- Cloud Cap-Tilly Jane Area, Mt. Hood, Oregon. (Not submitted by agency).
Multiple resource nomination of a CCC era Ranger Station, ski shelter, the Snowshoe Club building, CCC era campground, location of a CCC camp, remains of Cooper's tent camp from the 1890s, other historical archaeological remains related to early use of Cloud Cap Inn and original roadbeds up to Cloud Cap saddle.
- Wind River Administrative Site, Carson, Washington. (Not submitted by agency).
Multiple resource nomination of 21 structures from the early operation of the Pacific Northwest Experimental Station, Ranger Station and Nursery, many of which are from the CCC era, a CCC-built dam, location of a CCC camp, ca. 1905 lumber camp archaeological remains, and a prehistoric site. Wind River Ranger Station and Nursery, Gifford Pinchot National Forest.
- Johnson Ranch and Burtis Hotel Sites, Wheatland, California.
Two archaeological sites along the California Trail. The Johnson Ranch house was built in 1846, was the point from which the Donner Party was rescued, and served as a campsite for John C. Fremont, Kit Carson, and General Stephen Watts Kearney. Burtis Hotel served travelers along the California Trail beginning in 1850 or 1851.
- Buseti Ranch, near Rockvale, Colorado. (Not submitted by agency).

National Register Nominations, continued

Multiple resource nomination of a historic ranch and homestead complex of Northern Italian cultural affiliation dating to the 1910s-1930s.

Mingus Homestead, near Beulah, Colorado. (Not submitted by agency).

Historic homestead complex dating to 1913.

Boreas Pass Railroad Station, near Como, Colorado.

Historic railroad station along the Denver, South Park & Pacific Railway on the Continental divide. Occupied from 1882 to 1938.

Mantle's Cave, Dinosaur National Monument, Colorado.

A prehistoric Fremont rockshelter site containing numerous storage features.

Down Wash Site (42WN1666), Canyonlands National Park, Utah.

Deeply stratified prehistoric site in the Maze containing Archaic and Anasazi cultural components dating between 3000 B.C. and A.D. 1200.

Devil's Head Lookout, Pike National Forest, Colorado. (Not submitted by agency).

Historic fire lookout in use since 1912.

Rourke Ranch Historic District, Comanche National Grasslands, Colorado.

Historic cattle ranch headquarters dating to the 1880s.

Parunuweap Canyon Archaeological District, Zion National Park, Utah.

Prehistoric archaeological district containing Anasazi and Southern Paiute sites.

Shavano Valley Rock Art Site, Montrose County, Colorado.

Multiple rock art panels dating from the Archaic through the Historic Ute periods utilized to define rock art traditions and styles and interpret cultural continuity and change in region.

Animas Forks, San Juan County, Colorado.

Multiple properties nomination of the historic mining town of Animas Forks.

Gold Prince Mine, Mill, and Aerial Tramway, San Juan County, Colorado.

Historic mining complex dating from the 1880s to 1910s

Minnie Gulch Cabins, San Juan County, Colorado.

Two historic mining cabins dating to the early 1900s.

Placer Gulch Boarding House, San Juan County, Colorado. Historic boarding house dating to the early 1900s

Colorado State Register Nominations

Kenosha Pass Railroad Station, Park County, Colorado.

Site of historic Denver, South Park & Pacific Railroad station.

Brown (Iron Springs) Cabin, Chaffee County, Colorado.

Historic cabin near town of St. Elmo.

Shavano Valley Rock Art Site, Montrose County, Colorado

Multiple rock art panels dating from the Archaic through the Historic Ute periods utilized to define rock art traditions and styles and to interpret cultural continuity, change in the region.

Historic American Engineering Record Packages

Virgin River Bridge (HAER No. UT-59).

Bridge over the Virgin River on State Road 9 near Hurricane, Utah constructed in 1933-1934.

Jensen Bridge (HAER No. UT-50). Bridge over the Green River at Jensen, Utah constructed in 1934.

Heber Creeper Railroad (HAER No. UT-63).

Railroad grade and bridges through Provo Canyon between Provo and Heber City, Utah constructed in 1899.

Oro Grande Canal No. 1 (HAER No. CO-82)

Snake River Ditch (Oro Grande Canal No. 1)



Historic Preservation Commission Application

Date: 09/26/2021

Commission Eligibility:

Please check any of the following:

- ☐ I am a professional representing an area of expertise relevant to historic preservation
- ☒ I have a demonstrated interest in Historic Preservation
- ☐ I own business real property or I am a designated representative of a real business property owner within the boundaries of the City of Montrose

Business Address: _____

- ☒ I make my primary residence within the City of Montrose

Personal Information:

Name: Amanda Lloyd

Primary Residence Address: 24 Pullman Street

City: Montrose State: CO Zip: 81401

Phone: 970-596-9455

E-mail Address: amanda.lloyd@live.com

Primary Employer: Montrose County School District - Olathe Elementary

Length of Employment: 16 years

If less than 2 years, previous employer: _____

Are you presently serving or have you served on a City of Montrose Board or Commission?

Yes _____

If yes, please specify name of Board or Commission. Historical Preservation Commission

Date Range: 2018-present

Educational background:

I earned my bachelors degree from Northern Arizona in 2006 with an Elementary Education Major and a double minor in history and sociology. I earned my masters in Curriculum and Instruction from Kaplan University

in 2009. It is through teaching that I have had the opportunity to take classes offered through the National Endowment for the Humanities that have focused on history education. These topics have included Mining in the West, the Gilded Age in the Adirondacks, and Asian Immigration and I keep applying to take more through various organizations on a variety of topics.

Relevant experience related to historic preservation:

I have had the privilege of serving of the Historical Preservation Commission for the last three years and I have really enjoyed being involved in this capacity. Being a commission member has allowed me to begin to learn the ins and outs of historical preservation and all that it entails. As a commission member, I attended the Saving Places Conference in January 2020 where I learned a lot about historical preservation and how different cities approach their preservation efforts, even participating in a mock commission meeting.

Provide a brief explanation of your interest in historic preservation:

I have always held a great love of history and all that it can teach us. With historical locations being preserved, the stories of that location is saved as well. Our past is not just the past, but part of our future, so the preservation of history is key to where we're going next. If appointed to continue on the commission, I look forward to learning more and more about historical preservation.

Application for Appointment to a Public Board, Commission, or Committee Ethics Statement:

The City of Montrose embraces the core values of honesty, trust, and integrity. In the accomplishment of the City's mission, earning and keeping the public trust is a primary goal. It is the policy of the City to prohibit employees from engaging in activities or practices which conflict with or compromise these values.

All employees, volunteers, members of boards and commissions, and other agents representing the City's interests, are expected to respect and uphold the high standard of dignity and integrity espoused in the City's core values.

I, Amanda Lloyd, being an applicant for appointment to a City Board, Committee, or Commission, declare that said appointment does not, and will not, constitute or create a conflict of interest. I further declare that my appointment does not and will not compromise the core values stated herein, and I pledge to uphold and maintain those values in the performance of my official duties with the City.

I freely and voluntarily make this declaration, as a component of the City's application process for appointment.

Amanda J Lloyd

Signature of applicant

09/26/2021

Date

Please attach a current resume and return to City Clerk's Office, 433 South First Street.

Amanda Lloyd

24 Pullman Street • Montrose, CO, 81401 • 970-596-9455 • amanda.lloyd@mcsd.org

Objective

- To educate others using the best information, methods and resources possible.

Education

Northern Arizona University – Flagstaff, AZ
Bachelor of Science in Elementary Education with minors in History and Sociology
May 2006

Kaplan University – Chicago, IL
Masters of Arts in Teaching and Learning with an emphasis in teaching Literacy and Language
June 2009

Certifications

- Colorado State Professional Teacher License

Experience

Teacher, Fourth Grade

August 2006-current

Olathe Elementary School, Montrose County School District RE-1J, Montrose, CO

- Daily instruction in all core areas, including (but not limited to) the development and implementation of Bridges Mathematics, and Common Core Language Arts (CKLA), and STEM, science and social studies materials.
- Work collaboratively with staff to meet the needs of the students and their families.
- Integrate technology in everyday classroom instruction including projector, presentation tools, videos, movie making tools, computers/ipads, and internet
- Integrate student participative technology using presentation tools, videos, movie making tools, computers, internet, basic Office programs (word processing), blogs, video chatting, discussion postings
- Assessment of student academic performance, development of academic goals for all students, reporting of students' academic progress and use of assessment data to drive instruction
- Maintenance of current, accurate academic files for each student
- Seek opportunities for professional development
- Participate in all staff meetings, staff trainings and other events where/when applicable and comply with all policies and procedures

Leadership

National Education Association (NEA), Member

August 2006-current

SS/Sci Curriculum Thread District Facilitator

May 2016-May 2017

The district is working to map out all student expectations and standards for English language arts, math, science and social studies. It is the facilitator's job to guide teachers through the steps of the process including creating a calendar, analyzing standards to write "I can" statements, vertically align with other grade levels, identify and define key vocabulary, and collection of materials and resources.

Reading Curriculum Council (RCC) Member

May 2012- May 2014

The RCC works to create a new reading curriculum for all elementary levels including: instructional framework, curriculum and standards, materials adoption, monitoring and implementation of new initiatives to staff.

Response to Intervention (TASK) Team Member

September 2012- September 2013

The TASK team works with classroom teachers to evaluate student performance, and make recommendations for various interventions to seek progress or recommendation for further testing for possible learning difficulties.

EETT Grant Technology

September 2010-May 2011

Through a grant from the state and federal government, select teachers from the district were chosen to go through intense training on Web 2.0 tools, Discovery Education, and various technology modalities to integrate within our classrooms for both instructional presentation and student use. The purpose of the training was to use the materials and instruction in our classrooms and to train our fellow staff members.

Elementary Literacy Task Force

April 2009-May 2011

The task force's goal is to monitor the way that literacy is being taught in the elementary schools as well as create literacy based assessments that are common across the district as a way to monitor consistent literacy instruction.

Curriculum Mapping Essential Skills Committee

February 2009- September 2009

The committee analyzed state assessment data (CSAP) and curriculum based subjects to determine the most essential standards and skills that need to be taught to the students and to map them into a vertically aligned, quarterly format that was friendly and understandable to teachers.

Standards Based Report Card Committee

November 2007-May 2011

The committee began and continues to develop a standards based reporting system for elementary students in the district. Committee members then support the teachers within their schools.

Chi Omega Fraternity

August 2003-December 2005

A National Panhellenic Sorority, Delta Lambda Chapter

- Active and Initiated Member, Alumna
- Held offices of Campus Activities Chair, Treasurer, Vice President and Scholarship Chair

References

- Beth Kusar, Principal, Olathe Elementary, Olathe, Colorado
(work) 970-252-7940 (cell) 478-390-1436 beth.kusar@mcsd.org
- Christine Dilldine, Teacher, Olathe Elementary, Olathe, Colorado
(work) 970-252-7940 (cell) 970-250-3281 christine.dilldine@mcsd.org



Historic Preservation Commission Application

Date: 9-27-21

Commission Eligibility:

Please check any of the following:

- ☒ I am a professional representing an area of expertise relevant to historic preservation
- ☐ I have a demonstrated interest in Historic Preservation
- ☐ I own business real property or I am a designated representative of a real business property owner within the boundaries of the City of Montrose

Business Address: _____

- ☐ I make my primary residence within the City of Montrose

Personal Information:

Name: danielle Kohler Godt

Primary Residence Address: 901 6530 Rd # 1023

City: Montrose State: CO Zip: 81401

Phone: 402 769 5684

E-mail Address: daniellegodt1@gmail.com

Primary Employer: Retired Architect

Length of Employment: _____

If less than 2 years, previous employer: _____

Are you presently serving or have you served on a City of Montrose Board or Commission?

Yes

If yes, please specify name of Board or Commission. Historic Preservation

Date Range: 2020 - present

Educational background:

Bachelor of Interdisciplinary studies
majoring in Urban Planning & Architecture

- Masters of Urban Planning

Relevant experience related to historic preservation:

Architect for 30+ years - retired
- commercial
- residential
- urban Planning
- Historic Planning & Design

Provide a brief explanation of your interest in historic preservation:

Historic buildings are our History. They tell us who we are, and help shape who we become. I believe it is extremely important to preserve these buildings because they help ground us in our communities - make us have ownership

Application for Appointment to a Public Board, Commission, or Committee Ethics Statement:

The City of Montrose embraces the core values of honesty, trust, and integrity. In the accomplishment of the City's mission, earning and keeping the public trust is a primary goal. It is the policy of the City to prohibit employees from engaging in activities or practices which conflict with or compromise these values.

All employees, volunteers, members of boards and commissions, and other agents representing the City's interests, are expected to respect and uphold the high standard of dignity and integrity espoused in the City's core values.

I, Danielle Godt, being an applicant for appointment to a City Board, Committee, or Commission, declare that said appointment does not, and will not, constitute or create a conflict of interest. I further declare that my appointment does not and will not compromise the core values stated herein, and I pledge to uphold and maintain those values in the performance of my official duties with the City.

I freely and voluntarily make this declaration, as a component of the City's application process for appointment.


Signature of applicant

9-27-21
Date

Please attach a current resume and return to City Clerk's Office, 433 South First Street.

901 6530 Rd. # 1023
Montrose, CO 81401

DANIELLE K. GODT
(602) 769-5684

daniellegodt1@gmail.com

ARCHITECTURAL SENIOR PROJECT MANAGER with experience in the planning, design, drafting, and management for projects in areas of mixed use, commercial, and residential architecture. Extensive background in directing all project phases, from design through the completion of construction documents and permitting; coordinating the efforts of architectural, engineering, landscaping consultants, and government agencies.

AREAS OF PROFICIENCY

- Experienced in all phases of design from entitlement through working drawings.
- Solid design experience in high-end residential projects.
- Established a professional reputation for excellence and gained the trust and confidence of consultants, clients, and city officials.
- Strong management skills, including personnel and project scheduling, consultant supervision, problem solving, client relations, and quality control.
- Proven communication skills that is straightforward and honest. Talent for respecting and responding to differing opinions and problem solving in design and construction phases of projects.

EMPLOYMENT HISTORY

Residential Designer

Godt, Sacramento, California, Montrose, Colorado

Current Residential design and construction management.

Senior Project Manager

Architecture Plus, LTD. Phoenix, Arizona

2009 Drafted and supervised the construction documents for residential track development consisting of single-family housing and town homes.

-
- 2008 Assisted in the design and presentation, drafted, and supervised the creation of construction documents for multiple mixed used projects. Participated in all project phases from initial conceptual design through municipality review processes; produced construction documents; coordinated/supervised parking garage engineers and a team of professional consultants; assisted in the development of material specifications.
- 2001-2007 Drafted, and supervised the construction documents for multiple office condo villages, retail centers, and activity facilities for a retirement community. Participated in all project phases from initial conceptual design through municipality review processes; represented the interests of the client at city council, design review, and weekly construction progress meetings. Coordinated/supervised a team of professional consultants; prepared design revisions when required by unknown field conditions. Researched code and city ordinances to meet specific needs of the project; analyzed requirements of plans and specifications to deny or justify claims by contractors for extra work.

Lead Designer / Project Manager

Freitas and Associates, Phoenix, Arizona

- 1985-2000 Designed, drafted, and assisted in construction management of custom residential homes; participation in all project phases from initial client contact and presentation through conceptual design; production of construction documents and coordination of consultants; development of interiors, finishes, and specifications.

EDUCATION

- 2015 Arizona State University, Masters of Urban Planning.
2013 Arizona State University, Bachelor of Interdisciplinary Studies majoring in Urban Planning and Architectural Studies.



Historic Preservation Commission Application

Date: 9/21/21

Commission Eligibility:

Please check any of the following:

- ☒ I am a professional representing an area of expertise relevant to historic preservation
- ☒ I have a demonstrated interest in Historic Preservation
- ☐ I own business real property or I am a designated representative of a real business property owner within the boundaries of the City of Montrose

Business Address: _____

- ☒ I make my primary residence within the City of Montrose

Personal Information:

Name: Jeremy Omvig

Primary Residence Address: 2801 Foxtail Way

City: Montrose State: CO Zip: 81401

Phone: 970-209-5683

E-mail Address: j_omvig@yahoo.com

Primary Employer: USDA - Natural Resources Conservation Service

Length of Employment: 5 yrs

If less than 2 years, previous employer: _____

Are you presently serving or have you served on a City of Montrose Board or Commission?
No

If yes, please specify name of Board or Commission. _____

Date Range: _____

Educational background:

1997 BA Anthropology/Indian Studies - University of North Dakota

2006 MA Anthropology-Archaeology Emphasis - Northern Arizona University

Relevant experience related to historic preservation:

I have worked as a professional archaeologist for over 20 years. I am currently the Area archaeologist for the USDA- Natural Resources Conservation Service, covering the western slope of Colorado. I have worked in the public and private sectors to identify and document historic properties, assess their historic significance, and to implement preservation and mitigation strategies to avoid impacts to cultural resources. I also have extensive experience in working with cultural cultural resource laws and regulations, such as Section 106 of the National Historic Preservation Act.

Provide a brief explanation of your interest in historic preservation:

I have had a lifelong interest in history and archaeology. The past tells a story about where we came from, who we used to be, and can inform us as to where we are headed in the future. Historic preservation allows us to tie our modern world into those historic stories and provides opportunities to benefit communities, increase public engagement, and bring new energy into neighborhoods.

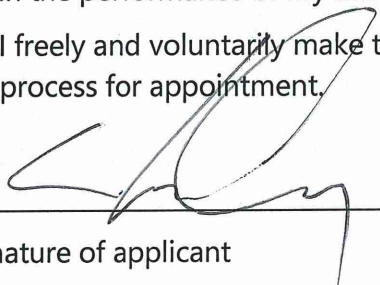
Application for Appointment to a Public Board, Commission, or Committee Ethics Statement:

The City of Montrose embraces the core values of honesty, trust, and integrity. In the accomplishment of the City's mission, earning and keeping the public trust is a primary goal. It is the policy of the City to prohibit employees from engaging in activities or practices which conflict with or compromise these values.

All employees, volunteers, members of boards and commissions, and other agents representing the City's interests, are expected to respect and uphold the high standard of dignity and integrity espoused in the City's core values.

I, Jeremy Omvig, being an applicant for appointment to a City Board, Committee, or Commission, declare that said appointment does not, and will not, constitute or create a conflict of interest. I further declare that my appointment does not and will not compromise the core values stated herein, and I pledge to uphold and maintain those values in the performance of my official duties with the City.

I freely and voluntarily make this declaration, as a component of the City's application process for appointment.



Signature of applicant

9/21/21

Date

Please attach a current resume and return to City Clerk's Office, 433 South First Street.

CURRICULUM VITAE

JEREMY OMVIG, M.A., RPA

Office Address: Natural Resources Conservation Service – Montrose Field Office
102 Par Place, Suite 4, Montrose, Colorado, 81401
Phone: (970) 964-3593
Email: jeremy.omvig@usda.gov

Home Address: 2801 Foxtail Way, Montrose, Colorado 81401
Phone: (970) 209-5683
Email: j_omvig@yahoo.com

Academic Background

2006

Northern Arizona University, Flagstaff, AZ

Master of Arts in Anthropology (Archaeology Emphasis) with Distinction

M.A. Thesis: *Establishment and Environment: Symbolic Sites on the Northern Plains*

1997

University of North Dakota, Grand Forks, ND

Bachelor of Arts in Anthropology and Indian Studies

Cum Laude

Professional Affiliations

Register of Professional Archaeologists

Plains Anthropological Society

Colorado Council of Professional Archaeologists (Executive Committee At-Large Member 2016-2018)

Professional Experience

2016–present: **Archaeologist, Cultural Resources Specialist, United States Department of Agriculture - Natural Resources Conservation Service (NRCS)**, Montrose, Colorado

As an Area Archeologist for the NRCS, I am responsible for the cultural resources review and Section 106 compliance for projects within Area 1 of the Colorado NRCS service area, covering 27 counties and 21 field offices in western Colorado. In this position, I consult with the Colorado State Historic Preservation Officer (SHPO) regarding over 250 proposed undertakings annually.

I review proposed NRCS undertakings for project effect on cultural resources, prepare cultural resource reports, conduct field inventories of the project APE, make determinations of project effects on cultural resources and site significance, maintain a GIS database of cultural resources and prepare maps using GIS. As part of this work, I work closely with a diverse team of NRCS professionals, including other archaeologists, biologists, project planners and project engineers.

I have developed and maintained an excellent working relationship with the SHPO. I consult and coordinate with other federal archaeologists regarding NRCS projects on lands managed by the BLM or USFS and with THPOs, local governments, and NRCS archaeologists in surrounding states on a project-specific basis. I have also taken the lead on developing a new Programmatic Agreement (PA) between NRCS and SHPO and have developed multiple Memorandum of Agreement (MOA) documents in consultation with SHPO, Native American Tribes, and other consulting parties.

Professional Experience, Cont'd.

I am responsible for training NRCS field staff in cultural resource compliance and field methods. Public outreach is an important aspect of my position, working with private landowners to preserve cultural resources on their property and educating the public at conservation workshops.

I have previously served as the Acting NRCS Colorado State Cultural Resources Specialist. In this position, I was responsible for ensuring that all NRCS undertakings statewide complied with federal and state cultural resources law, including the National Historic Preservation Act (NHPA) and the National Environmental Protection Act (NEPA). I worked with state leadership to develop and disseminate cultural resources policy and was responsible for the oversight of cultural resource contracting and budgeting.

2009–2016: Project Director and Staff Archaeologist, Alpine Archaeological Consultants, Inc., Montrose, Colorado.

As a Senior Project Director at Alpine Archaeological Consultants, my duties entailed managing and supervising large- and small-scale inventory and mitigation projects throughout the Intermountain West. I wrote technical and research reports for land-managing agencies and private clients, including Class III inventory reports, large-scale Class I overview reports, site-specific treatment plans, and data recovery reports. I was also responsible for managing the budgets and timelines for these projects.

In this position, I directed survey and data recovery crews for several Western transmission line projects in Colorado, Wyoming, and Nebraska. I was also responsible for directing large multi-crew survey projects with tight deadlines and schedules, as demonstrated in the successful completion of the inventory and mitigation along a 300-mile-long pipeline in Wyoming, where we had four crews surveying concurrently. I served as Principal Investigator for a 140-mile-long transmission line project that involved two State Historic Preservation Offices, multiple land-managing agencies, and over 50 different private landowners. I also supervised large-scale excavations projects, including work at a middle Archaic village in southern Wyoming that involved the excavation of 150 square meters and an archaic bison kill site in North Dakota where I managed over 30 crew members.

Specific project duties have included the completion of literature reviews, Class I reports, historical research, Class III field inventories, prehistoric and prehistoric and historic site documentation, NRHP site evaluation, development of site-specific management recommendations, and the completion of professional reports that meet state and federal guidelines. While with Alpine, I was permitted in Colorado, Wyoming, New Mexico, Utah, Arizona, and other western states with the BLM and USFS.

2007–2008: Project Director, PaleoWest Solutions in Archaeology, Prescott, Arizona

While working out of the Prescott, AZ office, my duties as Project Director at Paleowest included the management of archaeological survey, testing, and data recovery projects in Arizona, New Mexico, and Colorado. I prepared proposals, managed clients, worked closely with government and private agencies, directed field work, and prepared reports. Position highlights included: Developed and implemented treatment plans for NRHP eligible cultural resources at all levels of archaeological fieldwork; worked directly with state and federal agencies to ensure clients remained compliant with cultural resource laws and regulations; recruited, trained, and directed field crew; and designed and generated project and site maps using ArcGIS.

As Lead Archaeological Monitor for the Overland Pass Pipeline project in southern Wyoming, I monitored construction equipment through archaeological and paleontological sites; evaluated adverse effects of pipeline construction on cultural resources, documented and excavated new

Professional Experience, Cont'd.

discoveries, surveyed proposed access roads and additional work space; supervised other archaeological monitors; worked closely with Environmental Inspectors, BLM Archeologists, and construction personnel; and provided in-field guidance to construction personnel on the effects of changes to construction plans to cultural resources.

2006–2007: Crew Chief, Museum of New Mexico-Office of Archaeological Studies, Santa Fe, New Mexico

Directed field crew during the block excavation of eight prehistoric sites in southeast New Mexico, mapped sites and established site grids with a Total Station. Secondary duties included paperwork management and organization, excavating test units, and photography with 35mm and digital cameras.

2005–2006: Archaeologist, National Park Service, Camp Verde, Arizona

Ruins preservation documentation and treatment at Montezuma Castle, Montezuma Well, and Tuzigoot National Parks. Duties entailed the assessment of historic and prehistoric cultural resource conditions, preparation of hand and digital maps, photographs, and profiles, and full written documentation and treatment recommendations of the architectural resources.

2004: Field Technician, KCI Technologies, Mechanicsburg, Pennsylvania

Phase 3 data recovery at a Confederate civil war camp in Dumfries, VA and a Monongahela village site in Morgantown, WV. Primary duties included test unit and feature excavation, secondary duties included photography and artifact sorting.

2002–2003: Field Technician, Western Cultural Resource Management, Sparks, Nevada & Farmington, New Mexico

Duties included data recovery excavation, pedestrian survey, operation of Total Station and GPS, and construction monitoring. Representative projects include:

- 2003 Class III survey in Beaver County, Utah
- 2003 Archaeological monitor on the ReTRAC construction project in downtown Reno, NV
- 2002–2003 Phase 2 and 3 data recovery in southeast New Mexico

2001: Field Technician, Hardlines, Inc., Columbus, Ohio

Phase 2 and 3 data recovery in southeast Ohio. Duties included excavation of test units and features, field sorting artifacts, and monitoring backhoe excavation.

2001 Field Technician, Florin Cultural Resource Services, Boyceville, Wisconsin.

Phase 1 and 2 survey and data recovery on US Army Corps land in western Minnesota and eastern North Dakota. Duties included pedestrian survey, excavation of shovel tests, test units and GPS mapping.

1999–2001: Field Technician, University of Tennessee Transportation Center, Knoxville, Tennessee

Professional Experience, Cont'd.

Extensive multi-component Phase 3 data recovery at multiple sites near the Great Smoky Mountains National Park. Primary duties included excavation of various feature types, test units, and house structures, water screening, mapping, monitoring backhoe excavation, and sorting artifacts. Secondary duties included photography and site mapping with Total Station.

1997–1998: Archeological Assistant III, University of North Dakota Anthropology Research, Grand Forks, North Dakota

Class III survey and testing on lands managed by the Bureau of Reclamation near the Jamestown and Lake Tchesada reservoirs in central North Dakota. Primary duties included pedestrian survey, excavation of test units, water screening, field sorting artifacts, and mapping sites using either a Total Station or GPS. Laboratory work during off-season consisted of processing artifact collections from the 1970s to 1990s owned by the USBOR for permanent curation at the NDSHPO and artifact data entry into a standard computer database, artifact quantification and labeling, collating files, notes, and site reports.

1996: Field Technician, Institute for Minnesota Archeology, Inc. (IMAC), Saint Paul, Minnesota

Phase 1 and 2 survey in eastern North Dakota, western Minnesota and Wisconsin. Duties included pedestrian survey, excavation of shovel tests and test units, field sorting artifacts, and mapping.

1994: Archeological Assistant I, University of North Dakota Anthropology Research, Grand Forks, North Dakota

Archaeological Field School and subsequent full time employment at an extensive Phase 3 Folsom data recovery at Lake Ilo National Wildlife Refuge in western North Dakota. Duties included excavation of test units, water screening, and field sorting artifacts.

Professional Presentations

2005

Establishment and Environment: Symbolic Sites on the Northern Plains
Northern Arizona University GIS Symposium, Flagstaff, Arizona

2006

Symbols on the Landscape: A GIS Analysis of Emblematic Sites on the Northern Plains
Society for American Archaeology 71st Annual Meeting in San Juan, Puerto Rico

2013

Reanalysis of the Kib-Ridge Yampa Site Artifacts, 5MF3687. Eleventh Biennial Rocky Mountain Anthropological Conference, Taos, New Mexico

2014

A Calibrated Chronology for the Wyoming Basin. 2014 annual meeting of the Wyoming Association of Professional Archaeologists, Pinedale, Wyoming.

Additional Training

2020

Tribal Engagement 101: Transforming Relationships with Tribes, Seventh Sovereign LLC, Phoenix, AZ

Technical Reports

2010

Section 106: Principles and Practice, SRI Foundation, Rio Rancho, New Mexico

2012

Adult/Child/Infant CPR, First Aid, Adult AED, & Bloodborne Pathogens, Western Colorado Chapter American Red Cross

2014

Smith Safe Driving Course

Publications

Omvig, Jeremy and Iraida A. Rodriguez

2018 Site Distribution and Settlement Patterns. In *Archaeological Data Recovery in the Piceance and Wyoming Basins of Northwestern Colorado and Southwestern Wyoming*, edited by Matthew J. Landt, pp. 37-62. Alpine Archaeological Consultants, Inc. Archaeopress Publishing Ltd, Oxford, England.

Greubel, Rand A, Jaclyn Mullen, Jeremy Omvig, Michael J. Prouty, Charles A. Reed, and Jenn Mueller

2018 Prehistoric Technology. In *Archaeological Data Recovery in the Piceance and Wyoming Basins of Northwestern Colorado and Southwestern Wyoming*, edited by Matthew J. Landt, pp. 107-218. Alpine Archaeological Consultants, Inc. Archaeopress Publishing Ltd, Oxford, England.

Selected Technical Reports

Bowler, Maggie, Travis Ellison, Jaclyn Mullen, Jeremy Omvig, and John Schroeder

2006 *NPA Vanishing Treasures Documentation: Montezuma Well Condition Assessment*. Montezuma Well National Monument, National Park Service, Department of the Interior.

2007 *NPA Vanishing Treasures Documentation: Tuzigoot National Monument Group IV Condition Assessment*. Tuzigoot National Monument, National Park Service, Department of the Interior.

Bowler, Maggie, Travis Ellison, Saul Hedquist, Jaclyn Mullen, Jeremy Omvig, and John Schroeder

2006 *NPA Vanishing Treasures Documentation: Site AZ 0:5:75 Condition Assessment*. Montezuma Castle National Monument. National Park Service, Department of the Interior.

Motsinger, Thomas N. and Jeremy Omvig

2007 *Plan of Work for Archaeological Data Recovery at AZ 0:5:188 (ASM) in Camp Verde, Yavapai County, Arizona*. Prepared for the Town of Camp Verde. PaleoWest Archaeological Report 07-11. PaleoWest Solutions in Archaeology, Prescott, Arizona.

Moore, Summer and Jeremy Omvig

2009 *Documentation of Historic Mine Features on U.S. Department of Energy Uranium Lease Tracts in Western Colorado: Phase 1, Slick Rock Area, San Miguel County, Colorado*. Prepared by Alpine Archaeological Consultants, Inc. Montrose Colorado. Prepared for S.M. Stoller Corporation, Grand Junction, Colorado.

Motsinger, Thomas N, Caryn Berg, and Jeremy Omvig

2007 *Cultural Resources Report for the Sauls Creek Fuel Reduction Project, San Juan*

Technical Reports

National Forest, La Plata County, Colorado. Prepared for the USDA-Forest Service, San Juan National Forest, Colorado. PaleoWest Solutions in Archaeology, Prescott, Arizona.

Mullen, Jaclyn and Jeremy Omvig

2008 *Summary Report of Features Excavated at Site 48CR7309 Between August 28, 2008 and September 4, 2008.* Prepared by Alpine Archaeological Consultants, Inc. Montrose Colorado. Prepared for Natural Resource group, LLC. Minneapolis Minnesota.

2011 *Class I Cultural Resources Overview of the Wyoming Portion of the Planned Bakken Natural Gas Liquids Pipeline Project, Crook, Weston, Niobrara, Goshen, and Laramie Counties.* Prepared by Alpine Archaeological Consultants, Inc., Montrose Colorado. Prepared for Natural Resource Group, LLC, Minneapolis, Minnesota. Submitted to United States Army Corps of Engineers

Omvig, Jeremy

2006 *Your Total Station and You: A Field Manual.* Ms. on file with Department of Anthropology, Northern Arizona University.

2007 *Class III Archaeological Survey of Approximately 1.3 Miles along Lindahl Road and Camp Wood Road, Yavapai County, Arizona.* Prepared for Yavapai County Public Works Department. PaleoWest Technical Report 07-09. PaleoWest Solutions in Archaeology, Prescott, Arizona.

2007 *A Class III Archaeological Survey of Approximately 3.8 Miles along Kirkland Valley Road, Yavapai County, Arizona.* Prepared for Yavapai County Public Works Department. PaleoWest Technical Report 07-10. PaleoWest Solutions in Archaeology, Prescott, Arizona.

2007 *Archaeological Survey of the Mystic Hills Property.* Prepared for Mr. Bryan Tucker. PaleoWest Technical Report 07-12. PaleoWest Solutions in Archaeology, Prescott, Arizona.

2009 *Class III Inventory of the Grand View Canal Piping Project, Delta County, Colorado.* Prepared by Alpine Archaeological Consultants, Inc., Montrose, Colorado. Prepared for Harward Irrigation, Springville, Utah.

2009 *Class III Cultural Resources Inventory for the Antelope Hills Waterline Project Gunnison County, Colorado.* Prepared by Alpine Archaeological Consultants, Inc., Montrose, Colorado. Prepared for Gunnison County Public Works, Gunnison, Colorado, and Bureau of Land Management Gunnison, Colorado.

2010 *Class III Inventory of a Proposed Research Center Location for Rocky Mountain Biological Laboratory, Gothic City, Gunnison County, Colorado.* Prepared by Alpine Archaeological Consultants, Inc. Montrose Colorado. Prepared for Rocky Mountain Biological Laboratory, Crested Butte, Colorado.

2010 *Class III Inventory of Western Area Power Administrations Structure Replacement Project on the Sidney to Sterling 115-kV Transmission Line Logan County, Colorado.* Prepared by Alpine Archaeological Consultants, Inc., Montrose, Colorado. Prepared for Western Area Power Administration – Rocky Mountain Region.

Technical Reports

- 2010 *Class III Inventory of the Garland-Willwood 12.47-kV Distribution Line Relocation and Rebuild Project, Garland, Park County, Wyoming.* Prepared by Alpine Archaeological Consultants, Inc., Montrose, Colorado. Prepared for Western Area Power Administration Rocky Mountain Region, Loveland, Colorado, and Del-Mont Consultants Montrose, Colorado.
- 2010 *Class III Inventory for the Electra Lakes Fuels Reduction Project, La Plata County, Colorado.* Prepared by Alpine Archaeological Consultants, Inc., Montrose Colorado. Prepared for Federal Energy Regulatory Commission Denver, Colorado.
- 2011 *Class I Cultural Resources Overview of the Colorado Portion of the Planned Bakken Natural Gas Liquids Pipeline Project, Weld County.* Prepared by Alpine Archaeological Consultants, Inc., Montrose Colorado. Prepared for Natural Resource Group, LLC, Minneapolis, Minnesota. Submitted to United States Army Corps of Engineers
- 2011 *Class III Cultural Resources Inventory of the Colorado Portion of the Planned Bakken Pipeline Project, Weld County, Colorado.* Prepared by Alpine Archaeological Consultants, Inc., Montrose, Colorado. Prepared for Natural Resources Group, LLC, Minneapolis, Minnesota. Submitted to United States Army Corps of Engineers.
- 2012 *Reevaluation of Sites 42UN2403, 42UN2404, and 42UN2405 Along the Artesia-Rangely 115-kV Transmission Line, Uintah County, Utah.* Prepared by Alpine Archaeological Consultants, Inc., Montrose, Colorado. Prepared for Del-Mont Consultants, Loveland, Colorado.
- 2013 *Class III Cultural Resource Inventory of the Proposed Leben and Denham Sage Grouse Initiative Projects, Montrose County, Colorado.* Prepared by Alpine Archaeological Consultants, Inc., Montrose, Colorado. Prepared for USDA Natural Resources Conservation Service, Denver, Colorado. Submitted to Colorado Office of Historic Preservation, History Colorado, Denver, Colorado.
- 2013 *Investigations at the Piece Site (42BO1675). In Ruby Natural Gas Pipeline - Northern Utah, Volume 1: Archaeological Data Recovery Report, pp. 241-316.* Prepared by Alpine Archaeological Consultants, Inc., Montrose, Colorado. Prepared for Kinder Morgan, Inc., Colorado Springs, Colorado. Submitted to Federal Energy Regulatory Commission, Washington, D.C. and the Bureau of Land Management, Salt Lake Field Office, Salt Lake City, Utah.
- 2014 *Reanalysis of the 1993-2001 Kib-Ridge Yampa (Site 5MF3687) Artifact Assemblage. In Piceance Basin Lateral Pipeline Archaeological Data Recovery Project Moffat and Rio Blanco Counties, Colorado and Sweetwater and Carbon Counties, Wyoming, Volume 4, edited by Mathew J. Landt. Prepared by Alpine Archaeological Consultants, Inc., Montrose, Colorado. Prepared for Williams Field Services Company, LLC.*
A Class III Cultural Resource Inventory for the Proposed Hay Canyon Fuels Reduction Project, Garfield County, Colorado (CRIR Report No. 8314-02). Prepared by Alpine Archaeological Consultants, Inc., Montrose, Colorado. Prepared for the Bureau of Land Management, Grand Junction Field Office, Grand Junction, Colorado.
- 2015 *Chapter 7: The Jackrabbit Stump Site (48SW16996). In Archaeological Mitigation along the Overland Pass Pipeline in Southern Wyoming. Volume 2: Postconstruction*

Technical Reports

Data Recovery, pp. 1–324. Prepared by Alpine Archaeological Consultants, Inc., Montrose, Colorado. Prepared for Williams Midstream, Tulsa, Oklahoma. Submitted to the Bureau of Land Management - Rawlins Field Office, Rawlins, Wyoming.

Omvig, Jeremy and Jonathon C. Horn

- 2013 *Results of Testing at Bridgeport Siding (5ME14351), Mesa County, Colorado.* Prepared by Alpine Archaeological Consultants, Inc., Montrose, Colorado. Prepared for the Bureau of Land Management - Grand Junction Field Office, Grand Junction, Colorado.

Omvig, Jeremy, Jaclyn Mullen, and Rand A. Greubel

- 2011 *Class III Cultural Resources Inventory of the Wyoming Portion of the Planned Bakken Pipeline Project, Crook, Weston, Niobrara, Goshen, and Laramie Counties.* Prepared by Alpine Archaeological Consultants, Inc., Montrose, Colorado. Prepared for Natural Resources Group, LLC, Minneapolis, Minnesota. Submitted to United States Army Corps of Engineers.

Omvig, Jeremy, Matthew J. Landt, and Rand A. Greubel

- 2011 *Final Monitoring Report for the Wyoming and Colorado Segments of the Overland Pass Pipeline in Lincoln, Sweetwater, Carbon, Albany, and Laramie Counties, Wyoming and Larimer, Weld, Morgan, Washington, and Yuma Counties, Colorado.* Prepared by Alpine Archaeological Consultants, Inc., Montrose, Colorado. Prepared for Natural Resource Group, LLC., Denver Colorado.

Omvig, Jeremy and Thomas N. Motsinger

- 2007 *Archaeological Survey of a Proposed Access Road to Fig Springs Ranch, Maricopa County, Arizona.* Prepared for Carothers Environmental. PaleoWest Technical Report 07-04. PaleoWest Solutions in Archaeology, Prescott, Arizona.
- 2007 *Class I Archaeological Overview of Approximately 500 Acres Near Ehrenberg, Arizona.* Prepared for Carothers Environmental. PaleoWest Technical Report 07-05. PaleoWest Solutions in Archaeology, Prescott, Arizona.
- 2007 *Class III Archaeological Survey for the Proposed Sale of Arizona State Trust Lands for the Mingus West Waterline and Tank, Yavapai County, Arizona.* Prepared for Mingus LandCorr, LLC. PaleoWest Technical Report 07-07. PaleoWest Solutions in Archaeology, Prescott, Arizona.
- 2007 *Results of National Register Eligibility Testing at AZ T:2:117 (ASM), Broadstone Ranch, Maricopa County, Arizona.* Prepared for Kimley-Horne and Associates, Inc. PaleoWest Technical Report 07-09. PaleoWest Solutions in Archaeology, Prescott, Arizona.
- 2007 *Archaeological Survey of 2800 Acres for the Westside Push Project, North Kaibab Ranger District, Kaibab National Forest, Coconino County, Arizona.* Prepared for the USDA-Forest Service, Kaibab National Forest, Arizona. PaleoWest Solutions in Archaeology, Prescott, Arizona.
- 2007 *Archaeological Survey of the Royal Dunes Property, Pinal County, Arizona. Prepared for Zacher Homes.* PaleoWest Technical Report 07-15. PaleoWest Solutions in Archaeology, Prescott, Arizona.

Omvig, Jeremy and Jaclyn Mullen

Technical Reports

2008 *Summary Report of Archaeological Features Discovered on the Overland Pass Pipeline, 6-19- 2008 and 6-25-2008.* Prepared for the Bureau of Land Management, Rawlins Field Office, Wyoming. PaleoWest Solutions in Archaeology, Prescott, Arizona.

2012 *A Cultural Resource Review of the 1,035-Acre Uintah Basin Well Pads Project Area.* Prepared by Alpine Archaeological Consultants, Inc., Montrose, Colorado. Prepared for Epic Engineering, Heber City, Utah.

Omvig, Jeremy, Jaclyn Mullen and Thomas Motsinger

2007 *Archaeological Survey of a One-Mile Replacement Segment along the Northern Natural Gas SPSX Line, Gaines and Yoakum Counties, Texas.* PaleoWest Technical Report 07-25. PaleoWest Solutions in Archaeology.

2007 *An Archaeological Survey of Four Parcels for the Northern Natural Gas SPSX Line in Lea County, New Mexico.* PaleoWest Technical Report 07-24. PaleoWest Solutions in Archaeology.

Reed, Alan D., Jeremy Omvig and Jack E. Pfertsh

2010 *Intensive Cultural Resource Inventory along Western Area Power Administration's Curecanti-Poncha-Cañon West-Midway 230 kV Transmission Line and Access Roads, Pueblo, Fremont, Chaffee, and Gunnison Counties, Colorado.* Prepared by Alpine Archaeological Consultants, Inc., Montrose, Colorado. Prepared for Western Area Power Administration, Loveland Colorado.



CITY OF MONTROSE
Planning Services

MEMO

TO: City Council
FROM: Amy Sharp, Senior Planner
DATE: October 19, 2021
RE: City of Montrose Municipal Code Update, Section 4-4
EXHIBITS: House Bill 21-1222
Ordinance Amending MC 4-4 of Zoning Code (Redline & Clean Version)

City staff have undertaken a review of the Municipal Code Title 4, Chapter 4, Sections 1-18 in order to add a definition for family child care homes, update the definition for childcare facilities, and define where these uses are allowed. This Code amendment is in response to House Bill 21-1222 (attached) which was signed June 7, 2021. This House Bill expands opportunities to access child care in family child care homes. According to this House Bill, family child care homes shall be treated as residential property use.

Recommended Actions:

1. Update Municipal Code Title 4, Chapter 4, Sections 1-18 to reflect this change.

An Act

HOUSE BILL 21-1222

BY REPRESENTATIVE(S) Valdez A. and Van Winkle, Burnett, Caraveo, Carver, Catlin, Cutter, Daugherty, Duran, Esgar, Exum, Gonzales-Gutierrez, Gray, Jackson, Kipp, Lontine, Lynch, McCluskie, McCormick, McLachlan, Michaelson Jenet, Mullica, Ortiz, Pelton, Ransom, Ricks, Sandridge, Sirota, Tipper, Titone, Valdez D., Van Beber, Will, Williams, Woog, Young, Garnett, Amabile, Baisley, Bird, Boesenecker, Froelich, Geitner, McKean, Pico, Snyder, Sullivan, Woodrow; also SENATOR(S) Smallwood and Winter, Bridges, Buckner, Cooke, Danielson, Fields, Ginal, Gonzales, Hisey, Jaquez Lewis, Kirkmeyer, Kolker, Lee, Liston, Moreno, Pettersen, Priola, Rankin, Scott, Simpson, Sonnenberg, Story, Zenzinger, Garcia.

CONCERNING ALIGNING LOCAL GOVERNING AUTHORITY REGULATIONS TO
EXPAND OPPORTUNITIES TO ACCESS CHILD CARE IN FAMILY CHILD
CARE HOMES.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Legislative declaration. (1) The general assembly finds and declares that:

(a) Colorado has a shortage of licensed, safe, and affordable child

care options, while at the same time there is a growing need for child care in order to bolster the economy and allow parents to work;

(b) Family child care homes provide an essential element of the child care network in both urban and rural parts of the state. In fact, in many counties, there are no licensed child care centers, making family child care homes the only option families have for licensed child care.

(c) Many parents prefer child care that is located in family homes within their neighborhood so their children can experience a home-like environment that is conducive to healthy and safe development.

(2) The general assembly further finds that:

(a) Zoning, land use development, building, and fire standards that vary across the state and that treat family child care homes differently from family residences are difficult for providers to meet, create undue hardship and barriers to entry, and negatively impact the number of providers willing and able to offer licensed child care; and

(b) The child care licensure rules promulgated by the Colorado department of human services provide rigorous protections for children's health and safety, including protective standards relating to fire and life safety, sanitation, and physical environment in family child care homes.

(3) Therefore, the general assembly declares that the regulation of family child care homes throughout the state is a matter of statewide concern and the inconsistent regulation by local governments relating to zoning, land use development, building codes, and fire and life safety hinders the ability of the state department of human services to license and inspect family child care homes and to provide accessible, safe, and affordable licensed child care options for all Colorado parents.

SECTION 2. In Colorado Revised Statutes, 26-6-104.5, **amend** (1) as follows:

26-6-104.5. Compliance with local government zoning regulations - notice to local governments - provisional licensure.

(1) (a) The department shall require any child care facility seeking licensure pursuant to section 26-6-104 to comply with any applicable

zoning AND LAND USE DEVELOPMENT regulations of the municipality, city and county, or county where the facility is situated. Failure to comply with applicable zoning AND LAND USE regulations ~~shall constitute~~ CONSTITUTES grounds for the denial of a license to a facility.

(b) NOTWITHSTANDING SUBSECTION (1)(a) OF THIS SECTION TO THE CONTRARY, THE AVAILABILITY OF SAFE, AFFORDABLE, AND LICENSED FAMILY CHILD CARE HOMES IS A MATTER OF STATEWIDE CONCERN. THEREFORE, PERMITTING FRAGMENTED REGULATION AMONG JURISDICTIONS IMPEDES AND INFRINGES UPON THE DEPARTMENT'S APPROPRIATE AND CONSISTENT LICENSING AND REGULATION OF FAMILY CHILD CARE HOMES THROUGHOUT THE STATE. ACCORDINGLY, LOCAL GOVERNING AUTHORITIES SHALL TREAT FAMILY CHILD CARE HOMES AS RESIDENTIAL PROPERTY USE IN THE APPLICATION OF LOCAL REGULATIONS, INCLUDING ZONING, LAND USE DEVELOPMENT, FIRE AND LIFE SAFETY, SANITATION, AND BUILDING CODES. LOCAL GOVERNING AUTHORITIES SHALL NOT IMPOSE ANY ADDITIONAL REGULATIONS GOVERNING FAMILY CHILD CARE HOMES THAT DO NOT ALSO APPLY TO OTHER RESIDENTIAL PROPERTIES, PROVIDED THAT THE FOREGOING DOES NOT RESTRICT AN AUTHORITY'S ABILITY TO PROHIBIT, ON A CASE-BY-CASE BASIS, THE OPERATION IN IMMEDIATELY ADJACENT RESIDENCES OF TWO OR MORE LARGE FAMILY CHILD CARE HOMES, AS THAT TERM IS DEFINED BY RULES BY THE DEPARTMENT THAT GOVERNS THE OPERATION OF FAMILY CHILD CARE HOMES, OR TO MANAGE THE FLOW OF TRAFFIC AND PARKING RELATED TO ADJACENT LARGE FAMILY CHILD CARE HOMES. RESIDENTIAL USE OF PROPERTY FOR ZONING PURPOSES INCLUDES ALL FORMS OF RESIDENTIAL ZONING AND, SPECIFICALLY, ALTHOUGH NOT EXCLUSIVELY, SINGLE-FAMILY RESIDENTIAL ZONING.

SECTION 3. In Colorado Revised Statutes, 26-6-106, **amend** (1)(a) as follows:

26-6-106. Standards for facilities and agencies - rules.

(1) (a) The department shall prescribe and publish standards for licensing. ~~Such~~ THE standards ~~shall~~ MUST be applicable to the various types of facilities and agencies for child care regulated and licensed by this part 1; except that the department shall prescribe and publish separate standards for the licensing of child placement agencies operating for the purpose of adoptive placement and adoption-related services. The department shall seek the advice and assistance of persons representative of the various types of child care facilities and agencies in establishing ~~such standards. Such~~

~~standards shall~~ THE STANDARDS, INCLUDING THE ADVICE AND ASSISTANCE OF THE DEPARTMENT OF PUBLIC SAFETY AND COUNCILS AND ASSOCIATIONS REPRESENTING FIRE MARSHALS AND BUILDING CODE OFFICIALS IN THE PROMULGATION OF ANY RULES RELATED TO ADEQUATE FIRE PROTECTION AND PREVENTION, AS ALLOWED IN SUBSECTION (2)(e) OF THIS SECTION, IN A FAMILY CHILD CARE HOME. THE STANDARDS MUST be established by rules promulgated by the state board of human services and ~~shall~~ be issued, and published, AND BECOME EFFECTIVE only in conformity with ~~the provisions and procedures specified in article 4 of title 24. C.R.S., and shall become effective only as provided in said article.~~

SECTION 4. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in

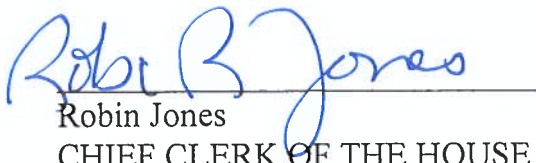
November 2022 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.



Alec Garnett
SPEAKER OF THE HOUSE
OF REPRESENTATIVES



Leroy M. Garcia
PRESIDENT OF
THE SENATE

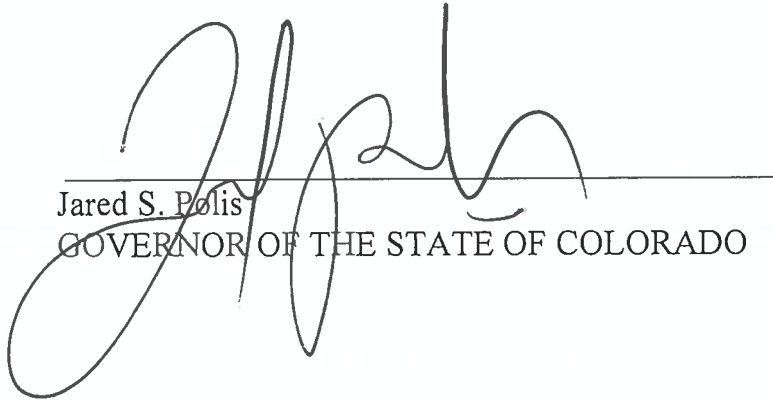


Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES



Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED June 7, 2021 at 12:40 pm
(Date and Time)


Jared S. Polis

GOVERNOR OF THE STATE OF COLORADO

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO,
UPDATING TITLE 4 CHAPTER 4, ZONING REGULATIONS OF THE CITY OF
MONTROSE: AMENDING TITLE 4 CHAPTER 4 (4-4) REGARDING ZONING
REGULATIONS.**

WHEREAS, the City's Zoning Regulations are updated from time to time;

WHEREAS, this update hereby amends the Zoning Regulations to add a definition for family child care homes, update a definition for childcare facilities, and define where these uses are allowed; and

WHEREAS, the City Council of the City of Montrose has determined that the changes to the Municipal Code will further the health, safety, and welfare of the people of the City of Montrose.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTROSE, COLORADO that:

The following Sections of Title 4 Chapter 4 of the Official Code of the City of Montrose, Colorado are hereby amended as follows: Title 4 Chapter 4 (4-4) is hereby amended. This version supersedes all previous versions of Montrose Municipal Code § 4-4, to read in full as follows:

Sec. 4-4-1. General provisions.

- (A) This Chapter, as amended from time to time, and the March 2016 Revised Zoning Map of the City, as amended from time to time, may be cited as the City's Zoning Regulations or Zoning Ordinance.
- (B) The purpose of these Zoning Regulations is to promote the public health, safety and welfare.
- (C) The City hereby declares that the regulation and development of land, including regulation by these Zoning Regulations, is exclusively a matter of local and municipal concern, and any provisions of any Statute or regulation of the state in conflict with the provisions of these Zoning Regulations, or any limitation imposed by any Statute or regulation of the state otherwise applicable are hereby superseded; provided, however, the City shall retain all powers authorized by state law with respect to land development regulations and zoning even though not specified within

this Chapter, and such powers may be exercised in any lawful manner free from any limitations imposed by State Statute or regulation.

- (D) No business or use involving the sale or distribution of products or services, or the pursuit of activities, whether for profit or not for profit, which is in contravention of any federal, state or local law or regulation, shall be considered a use by right, a conditional use, or a lawful nonconforming use under this Chapter, in any zoning district within the City limits.

~~(E) A childcare facility shall be considered an accessory use to a residence in all districts, provided no more than eight children under 13 years of age are present on the premises at any one time, including children of the family living in the residence; a childcare facility shall not be considered an accessory use to a residence when a greater number of children is present on the premises at any one time. The facility must comply with all appropriate State Statutes and regulations.~~

~~A childcare facility shall be a conditional use in all districts if more than eight but less than 16 children under 13 years of age are present on the premises at any one time, including children of the family living in the residence, in accordance with State Statutes and regulations.~~

- (E) No use shall be established or maintained in a district that will result in any public or private nuisance.

(Ord. No. 2472, § 4-4-1, 5-7-2019)

Sec. 4-4-2. Definitions.

The following words, terms and phrases, when used in this Chapter, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

Accessory use means a use which is subordinate to, clearly incidental to, customarily in connection with, and ordinarily located on the same premises as the permitted use. A childcare facility shall be considered an accessory use to a residence in all districts, provided no more than eight children under 13 years of age are present on the premises at any one time, including children of the family living in the residence; a childcare facility shall not be considered an accessory use to a residence when a greater number of children is present on the premises at any one time.

Home occupations which meet the criteria set out in Subsection 4-4-4(A) shall be considered an accessory use to a residence in all districts.

Renewable energy facilities are considered an accessory use to a residence.

Building line means a line parallel to a property line beyond which no exposed portion of a building other than its eaves extends.

Childcare facility means any facility, ~~including a residence, not in a residence and excluding schools~~ which provides less than 24-hour care and supervision for minor children, ~~in accordance with the Statutes of the State of Colorado. other than children of the family living in the residence by excluding schools.~~

Conditional use means a use which is permitted only after review and approval pursuant to Sections 4-4-26 and 4-4-31.

Duplex means a single residential building with two dwelling units.

Dwelling unit means an area in a building containing cooking, living and sanitary facilities designed for use and used by a single-family for residential purposes.

Family means one or more individuals occupying a single dwelling unit and living as a single housekeeping unit with a maximum of eight adults.

Family Child Care Home (FCCH) is a type of family care home that provides less than twenty-four (24) hour care at any time for two (2) or more children that are unrelated to each other or the provider, and are cared for in the provider's place of residence or as currently defined by the Statutes of the State of Colorado.

Fueling station means any building or lot having facilities for the sale of gasoline, diesel and other fuels for use by motor vehicles, and which may include incidental facilities for service and minor repair of motor vehicles.

Government buildings and facilities means any building or facility owned and operated by the United States of America, the State of Colorado, the City of Montrose, or any agency or political subdivision thereof.

Home occupation means any commercial activity, whether for profit or nonprofit, conducted within a dwelling unit.

Homeowner association means any entity whether a corporation, partnership, unincorporated association, or other entity existing for the purpose of maintaining commonly-owned facilities or enforcing private protective covenants whose members or shareholders are the property owners involved.

Manufactured housing means single-family homes substantially or entirely manufactured in a factory which are moved on site in substantial component parts, and those manufactured, certified and labeled pursuant to 42 USC 5401 et seq. Manufactured housing for single-family homes is allowed only in the "MHR," "R-5," and "R-6" zoning districts, and manufactured housing for duplexes is allowed only in the "R-6" zoning district. Manufactured housing for multiple family residences is allowed only in the "R-6" zoning district as a conditional use. All of these uses are subject to specified performance criteria. Manufactured housing may be allowed as specified in an approved REDO application. Manufactured housing is prohibited elsewhere in the City except for the following subdivision which was under development on July 1, 1998: Rainbow Meadows Subdivision.

Mobile home means a single-family home substantially or entirely manufactured in a factory which is moved on site in substantial component parts, including homes commonly known as mobile homes, and those manufactured and certified pursuant to 42 USC 5401 et seq. or manufactured pursuant to other construction standards, as stipulated in Chapter 4-12 of this Code. Travel homes as defined below shall not be considered a mobile home, as defined herein.

Modular building means a building substantially or entirely manufactured in a factory which is moved on site in substantial component parts, manufactured, certified and labeled in accordance with Colorado Division of Housing regulations for factory-built structures, pursuant to C.R.S. § 24-32-3301 et seq. Modular buildings used for single-family homes, duplexes, and multiple-family residences are allowed in the zoning districts specified for manufactured housing, and in addition may be approved as part of a planned development. Modular buildings used for primarily commercial, industrial, or other nonresidential uses are allowed in all zoning districts, subject to the use limitations within the district. Modular buildings do not include homes constructed pursuant to 42 USC 5401 et seq. standards or mobile homes as defined herein.

Multiple-family residence means any residence with three or more dwelling units in a single building.

Nonconforming use means a use which does not comply with the use regulations, dimensional requirements or other regulations of these Zoning Regulations.

Public utility service facilities means transmission and distribution facilities for natural gas, electricity, and telecommunications necessary to provide service to customers located in the various districts of the City, such as pipes, lines, mains, wires, transformers, valves, and other related appurtenances, but not including buildings, offices, and production or generation facilities.

Recreational vehicle park means travel home and travel home park are defined as defined in Chapter 4-12.

Setback means the perpendicular distance between a property line and the building line.

Short-term rental means short-term rental is a type of lodging wherein a dwelling unit, either in full or in part, is rented to a temporary occupant for monetary consideration for fewer than 30 consecutive days. A bed and breakfast is, for the purposes of this definition, a type of short-term rental. Likewise, a home used similar to a rooming/boarding or lodging house, but where stays are fewer than 30 consecutive days is also a short-term rental. Short-term rental does not include shelters or other transient lodging provided for no monetary consideration.

Use means the activity or purpose for which property, a building or other structure is designed, arranged, intended, occupied or maintained.

Use-by-right means a use which is permitted or allowed in the district involved, without review by the Review Board, and complies with the provisions of these Zoning Regulations and other applicable City ordinances and regulations.

(Ord. No. 2472 , § 4-4-2, 5-7-2019; Ord. No. 2493 , 2-4-2020)

Sec. 4-4-3. Zoning Map.

- (A) The March, 2016 Revised Zoning Map of the City, as such may be amended from time to time, may be known or cited as the Official Zoning Map of the City.
- (B) Amendments to the Official Zoning Map may be made by an ordinance enacting a revised map or by an ordinance amending portions of the Official Zoning Map by specifying the legal description of the property to be rezoned. A copy of the Official Zoning Map, as amended from time to time, shall be maintained in the City Clerk's office available for public inspection. Periodically, copies of the Official Zoning Map, as amended, may be reproduced and made available to the public.
- (C) The regulations for the various residential, commercial and industrial districts provided for in this Chapter shall apply within the boundaries of each such district as indicated on the Official Zoning Map, shall be construed to follow the centerlines of streets, to follow platted lot lines or the lines of undivided parcels of property, or to follow the City limits when the boundary is shown as approximately in the vicinity of such lines. Distances may be determined by the scale of the map.

(Ord. No. 2472 , § 4-4-3, 5-7-2019)

Sec. 4-4-4. Residential districts.

- (A) The residential districts described in Sections 4-4-4.1 through 4-4-10 are established to promote stability in residential neighborhoods; to protect such property from incompatible land uses; to protect property values; and to encourage the appropriate use of such land. Certain other uses are permitted which are compatible with residences. Dimensional requirements are set out in Section 4-4-22, and off-street parking requirements are set out in Section 4-4-23 for each district.
- (B) Home Occupations. Home occupations may be conducted within a dwelling unit in any district as an accessory use only if the following criteria are met:
 - (1) An application must be submitted with a fee as set by Resolution and referred to in the City of Montrose Regulations Manual. Additionally, City and state sales tax licenses must be obtained if sales taxable by the City or state sales taxes are to be made.
 - (2) The occupational activity and storage of any items used or sold in the occupation must be entirely within the dwelling unit. Neither the occupational activity nor any storage may be conducted within or utilize

any garage, detached buildings, or other place upon the premises other than the residence itself.

- (3) Only the residents of the dwelling unit may be engaged in the home occupation.
- (4) No unreasonable noise, glare, smoke, dust, vibration or odor shall be observable off of the premises.
- (5) The home occupation activity shall not utilize or occupy more than 20 percent of the floor area of the dwelling unit.
- (6) Off-street parking shall be required for both the residential and the commercial activity in accordance with the requirements of Section 4-4-23.

(C) A family child care home shall be a use by right in all residential districts, in accordance with State Statutes and regulations.

(Ord. No. 2472 , § 4-4-4, 5-7-2019)

Sec. 4-4-4.1. "RL" Rural Living District.

(A) *Intent.* The "RL" Rural Living District provides for overall low density by allowing farms and ranches and clustered development with open space and is designed to dovetail with allowed County residential densities.

(B) *Uses by Right.*

- (1) Single-family homes.
- (2) Public utility service facilities.
- (3) Government buildings and facilities.
- (4) Parks, open space and recreation facilities owned or operated by a homeowner association.
- (5) Golf courses.
- (6) Farms and ranches, excluding commercial greenhouses, and commercial feedlots, fur farms, fish farms, poultry houses, hog farms, dairies and similar operations with a high density of animals.
- (7) Accessory uses.
- (8) Short-term rentals.
- (9) Family child care home.

(C) *Conditional Uses.*

- (1) Schools.

- (2) Childcare facilities. ~~A childcare facility shall be a conditional use in all districts the premises at any one time, including children of the family living in the residence, in accordance with State Statutes and regulations.~~

- (3) Places of worship.

(Ord. No. 2472 , § 4-4-4.1, 5-7-2019)

Sec. 4-4-4.2. "R-1" Very Low Density District.

- (A) *Intent.* The "R-1" Very Low Density District provides for overall very low density residential development.

- (B) *Uses by Right.*

- (1) Single-family homes.
- (2) Public utility service facilities
- (3) Government buildings and facilities.
- (4) Parks, open space and recreation facilities owned or operated by a homeowner association.
- (5) Accessory uses.
- (6) Short-term rentals.
- (7) **Family child care home.**

- (C) *Conditional Uses.*

- (1) Schools.
- (2) Childcare facilities. ~~A childcare facility shall be a conditional use in all districts if more than eight but less than 16 children under 13 years of age are present on the premises at any one time, including children of the family living in the residence, in accordance with State Statutes and regulations.~~

- (3) Places of worship.

(Ord. No. 2472 , § 4-4-4.2, 5-7-2019)

Sec. 4-4-5. "R-1A" Large Estate District ~~a~~And "R-1B" Small Estate District.

- (A) *Intent.* The "R-1A" Large Estate District and "R-1B" Small Estate District are intended to provide an area of large single-family residential lots with a semi-rural environment.

- (B) *Uses by Right.*

- (1) Single-family homes.
- (2) Public utility service facilities.
- (3) Government buildings and facilities.

- (4) Parks and recreation facilities owned or operated by a homeowner association.
- (5) Accessory uses.
- (6) Short-term rentals.

(7) Family child care home.

(C) *Conditional Uses.*

- (1) Places of worship.
- (2) Schools.
- (3) Childcare facilities. ~~A childcare facility shall be a conditional use in all districts if more than eight but less than 16 children under 13 years of age are present on the premises at any one time, including children of the family living in the residence, in accordance with State Statutes and regulations.~~

(Ord. No. 2472 , § 4-4-5, 5-7-2019)

Sec. 4-4-6. "R-2" Low Density District.

(A) *Intent.* The "R-2" Low Density District is intended to provide a quiet, low density development for single-family residences. Environmental protection is provided by allowing only single-family residences along with certain other compatible land uses.

(B) *Uses by Right.*

- (1) Single-family homes.
- (2) Public utility service facilities.
- (3) Government buildings and facilities.
- (4) Parks and recreation facilities owned or operated by a homeowner association.
- (5) Accessory uses.

~~Childcare facilities. A childcare facility shall be considered an accessory use to a residence in all districts, provided no more than eight children under 13 years of age are present on the premises at any one time, including children of the family living in the residence; a childcare facility shall not be considered an accessory use to a residence when a greater number of children is present on the premises at any one time. The facility must comply with all appropriate State Statutes and regulations.~~

(6) Short-term rentals.

(7) Family child care home.

(C) *Conditional Uses.*

- (1) Places of worship.

- (2) Schools.
- (3) Childcare facilities. ~~A childcare facility shall be a conditional use in all districts if more than eight but less than 16 children under 13 years of age are present on the premises at any one time, including children of the family living in the residence, in accordance with State Statutes and regulations.~~

(Ord. No. 2472 , § 4-4-6, 5-7-2019)

Sec. 4-4-7. "R-3" Medium Density District.

(A) *Intent.* The "R-3" Medium Density District is intended to provide an area which is suitable for single-family homes and duplexes. The district provides for other uses which are compatible with such uses.

(B) *Uses by Right.*

- (1) Single-family homes and duplexes.
- (2) Public utility service facilities.
- (3) Government buildings and facilities.
- (4) Parks and recreation facilities owned or operated by a homeowner association.
- (5) Places of worship.
- (6) Accessory uses.

~~Childcare facilities. A childcare facility shall be considered an accessory use to a residence in all districts, provided no more than eight children under 13 years of age are present on the premises at any one time, including children of the family living in the residence; a childcare facility shall not be considered an accessory use to a residence when a greater number of children is present on the premises at any one time. The facility must comply with all appropriate State Statutes and regulations.~~

(7) Short-term rentals.

(8) Family child care home.

(C) *Conditional Uses.*

- (1) Childcare facilities. ~~A childcare facility shall be a conditional use in all districts if more than eight but less than 16 children under 13 years of age are present on the premises at any one time, including children of the family living in the residence, in accordance with State Statutes and regulations.~~
- (2) Skilled nursing and assisted living facilities.
- (3) Multiple-family residences.
- (4) Bed and breakfast operations operated solely by the residents of a lot of at least 6,250 square feet providing no more than two bedrooms for rent in the dwelling

unit, and the only meal provided on the premises shall be breakfast to the renters.

(5) Schools.

(Ord. No. 2472 , § 4-4-7, 5-7-2019)

Sec. 4-4-7.1. "R-3A" Medium High Density District.

(A) *Intent.* The "R-3A" Medium High Density District is intended to provide an area which is suitable for single-family homes, duplexes and multifamily residences with intermediate overall density. This district provides for other uses which are compatible with such residential uses.

(B) *Uses by Right.*

(1) Single-family homes, duplexes, multifamily residences.

(2) Public utility service facilities.

(3) Government buildings and facilities.

(4) Parks and recreation facilities owned or operated by a homeowner association.

(5) Places of worship.

(6) Accessory uses. ~~Childcare facilities. A childcare facility shall be considered an accessory use to a residence in all districts, provided no more than eight children under 13 years of age are present on the premises at any one time, including children of the family living in the residence; a childcare facility shall not be considered an accessory use to a residence when a greater number of children is present on the premises at any one time. The facility must comply with all appropriate State Statutes and regulations.~~

(7) Short-term rentals.

(8) Family child care home.

(C) *Conditional Uses.*

(1) Childcare facilities. ~~A childcare facility shall be a conditional use in all districts if more than eight but less than 16 children under 13 years of age are present on the premises at any one time, including children of the family living in the residence, in accordance with State Statutes and regulations.~~

(2) Skilled nursing and assisted living facilities.

(3) Schools.

(Ord. No. 2472 , § 4-4-7.1, 5-7-2019)

Sec. 4-4-8. "R-4" High Density District.

- (A) *Intent.* The "R-4" High Density District is intended to provide for high density multiple-family residences and to allow variable densities. This allows variety in the types of residences.
- (B) *Uses by Right.*
- (1) Single-family homes, duplexes, and multiple-family residences.
 - (2) Public utility service facilities.
 - (3) Government buildings and facilities.
 - (4) Parks and recreation facilities owned or operated by a homeowner association.
 - (5) Places of worship.
 - (6) Accessory uses.
 - (i) Bed and breakfast operations operated solely by the residents of a residence providing no more than four bedrooms for rent in the dwelling unit, and the only meal provided on the premises shall be breakfast to the renters. The lot shall be at least 6,250 square feet and at least 3,125 square feet per rental bedroom.
 - (ii) ~~Childcare facilities. A childcare facility shall be considered an accessory use to a residence in all districts, provided no more than eight children under 13 years of age are present on the premises at any one time, including children of the family living in the residence; a childcare facility shall not be considered an accessory use to a residence when a greater number of children is present on the premises at any one time. The facility must comply with all appropriate State Statutes and regulations.~~
 - (7) Short-term rentals.
 - (8) ~~Family child care home.~~
- (C) *Conditional Uses.*
- (1) Skilled nursing and assisted living facilities.
 - (2) Childcare facilities. ~~A childcare facility shall be a conditional use in all districts if more than eight but less than 16 children under 13 years of age are present on the premises at any one time, including children of the family living in the residence, in accordance with State Statutes and regulations.~~
 - (3) Schools.
- (Ord. No. 2472 , § 4-4-8, 5-7-2019)

Sec. 4-4-8.1. "R-5" Low Density/Manufactured Housing District.

(A) *Intent.* The "R-5" Low Density/Manufactured Housing District is intended to provide a quiet, low density development for single-family residences. Environmental protection is provided by allowing only single-family residences with certain other compatible land uses. Manufactured housing meeting the performance standards of Subsection (D) of this Section is allowed.

(B) *Uses by Right.*

- (1) Single-family homes.
- (2) Public utility service facilities.
- (3) Government buildings and facilities.
- (4) Parks and recreation facilities owned or operated by a homeowner's association.
- (5) Accessory uses.
- (6) Short-term rentals.
- (7) **Family child care home.**

(C) *Conditional Uses.*

- (1) Places of worship.
- (2) Schools.
- (3) **Child care facility.**

(D) *Performance Standards.*

- (1) Single-family homes must have a minimum roof pitch of 3:12, a minimum roof overhang of eight inches, a minimum length and width of 20 feet, wood, brick, masonry, stucco or cosmetically equivalent exterior siding, and shall be mounted on a permanent foundation.
- (2) Each single-family home must have an accessory garage.

(Ord. No. 2472 , § 4-4-8.1, 5-7-2019; Ord. No. 2543 , 6-15-2021)

Sec. 4-4-8.2. "R-6" Medium Density/Manufactured Housing District.

(A) *Intent.* The "R-6" Medium Density/Manufactured Housing District is intended to provide a quiet, medium-density development for single-family residences and duplexes. Manufactured housing meeting the performance standards of Subsection (D) of this Section is allowed.

(B) *Uses by Right.*

- (1) Single-family homes and duplexes.
- (2) Public utility service facilities.

- (3) Government buildings and facilities.
- (4) Parks and recreation facilities owned or operated by a homeowner's association.
- (5) Accessory uses.
- (6) Short-term rentals.
- (7) Family child care home.

(C) *Conditional Uses.*

- (1) Childcare facilities. ~~A childcare facility shall be a conditional use in all districts if more than eight but less than 16 children under 13 years of age are present on the premises at any one time, including children of the family living in the residence, in accordance with State Statutes and regulations.~~
- (2) Skilled nursing and assisted living facilities.
- (3) Multiple family residences.
- (4) Bed and breakfast operations operated solely by the residents of a lot of at least 6,250 square feet providing no more than four bedrooms for rent in the dwelling unit, and the only meal provided on the premises shall be breakfast to the renters.
- (5) Schools.
- (6) Places of worship.

(D) *Performance Standards.*

- (1) Single-family homes must have a minimum roof pitch of 3:12, a minimum roof overhang of eight inches, a minimum length and width of 20 feet, wood, brick, masonry, stucco or cosmetically equivalent exterior siding, and shall be mounted on a permanent foundation.
- (2) Duplexes must have a minimum roof pitch of 3:12, a minimum roof overhang of eight inches, a minimum length and width of 20 feet per dwelling unit, wood, brick, masonry, stucco or cosmetically equivalent exterior siding, and shall be mounted on a permanent foundation.

(Ord. No. 2472 , § 4-4-8.2, 5-7-2019; Ord. No. 2543 , 6-15-2021)

Sec. 4-4-9. "MHR" Manufactured Housing Residential District.

- (A) *Intent.* This district is intended to provide a suitable environment for single-family conventional and mobile homes and is designed to allow a high density of single-family residences and related uses.
- (B) *Uses by Right.*
 - (1) Single-family homes.

- (2) Manufactured housing/single-family homes
 - (3) Mobile homes.
Mobile home parks.
 - (4) Government buildings and facilities.
 - (5) Parks and recreation facilities owned or operated by a homeowner association.
 - (6) Places of worship.
 - (7) Public utility service facilities.
 - (8) Accessory uses.
 - (9) Short-term rentals.
 - (10) **Family child care home.**
 - (C) *Conditional uses.*
 - (1) Skilled nursing and assisted living facilities.
 - (2) Rental storage units with a maximum rental unit size of 200 square feet.
 - (3) Childcare facilities. ~~A childcare facility shall be a conditional use in all districts if more than eight but less than 16 children under 13 years of age are present on the premises at any one time, including children of the family living in the residence, in accordance with State Statutes and regulations.~~
 - (4) Schools.
 - (D) *Compliance with Chapter 4-12.* Mobile home parks shall comply with the requirements of Chapter 12 of this Title, in addition to these Zoning Regulations. Chapter 12 of this Title shall control with respect to any conflict with these regulations.
- (Ord. No. 2472 , § 4-4-9, 5-7-2019)

Sec. 4-4-10. "OR" Office-Residential District.

- (A) *Intent.* The "OR" Office-Residential district is intended to allow for a mix of offices and residences in areas adjacent to commercial zones or in areas in transition from residential to commercial uses.
- (B) *Uses by Right.*
 - (1) Offices for medically related and professional service providers including doctors, dentists, chiropractors, lawyers, engineers, surveyors, accountants, bookkeepers, secretarial services, title companies, social service providers and other similar professional service providers.
 - (2) Single-family homes.

- (3) Duplexes.
- (4) Government buildings and facilities.
- (5) Places of worship.
- (6) Parks and recreation facilities owned or operated by a homeowner association.
- (7) Public utility service facilities.
- (8) Childcare facilities. ~~The facility must comply with all appropriate State Statutes and regulations.~~
- (9) Bed and breakfast operations operated solely by the residents of a lot of at least 6,250 square feet, providing no more than four bedrooms for rent in the dwelling unit, and the only meal provided on the premises shall be breakfast to the renters.
- (10) Hospitals.
- (11) Parking facilities.
- (12) Accessory uses.
- (13) Short-term rentals.
- (14) **Family child care home.**

(C) *Conditional Uses.*

- (1) Multifamily residences.
- (2) Skilled nursing and assisted living facilities.
- (3) Offices not allowed as a use by right.
- (4) Schools.
- (5) Retail sales and services establishments which cater to the general shopping public.

(D) *Performance Standards.* Buildings with offices must be architecturally compatible with the residential character of the area and comply with City design standards.

(Ord. No. 2472 , § 4-4-10, 5-7-2019)

Sec. 4-4-11. Commercial districts.

The commercial districts provided for in Sections 4-4-11.1 through 4-4-15 are established to provide a location for convenient exchange of goods and services in a reasonable and orderly manner. Dimensional requirements are set out in Section 4-4-22, and off-street parking requirements are found in Section 4-4-23.

(Ord. No. 2472 , § 4-4-11, 5-7-2019)

Sec. 4-4-11.1. "P" Public District.

(A) *Intent.* The Public district provides public recreation facilities, government buildings and facilities, events or conference centers, schools libraries, and other public lands and buildings. Uses are of a public, nonprofit, or charitable nature and provide a local service to the people of the community on a regular basis.

(B) *Uses by Right.*

- (1) Government buildings and facilities.
- (2) Schools.
- (3) Libraries.
- (4) Public museums and visitor centers.
- (5) Public parks.
- (6) Public recreation land and facilities.
- (7) Private recreation facilities.
- (8) Open space corridors.
- (9) Places of worship.
- (10) Parking facilities.
- (11) Renewable energy facilities.
- (12) Accessory uses.

(C) *Conditional Uses.*

- (1) Commercial businesses.
- (2) Single-family homes.
- (3) Multiple-family residences.
- (4) Golf courses.
- (5) Family child care home.
- (6) Childcare facilities. ~~A childcare facility shall be a conditional use in all districts if more than eight but less than 16 children under 13 years of age are present on the premises at any one time, including children of the family living in the residence, in accordance with State Statutes and regulations.~~
- (7) Antennas and towers are allowed only as conditional uses in all zones and are subject to the provisions of Section 4-4-21 and the other applicable requirements of City ordinances and regulations.

(Ord. No. 2472 , § 4-4-11.1, 5-7-2019)

Sec. 4-4-12. "B-1" Central Business District.

(A) *Intent.* The "B-1" Central Business District is intended as a shopping and business center for the City and surrounding area. The most intensive commercial use of buildings and land is encouraged with parking primarily of public concern. No off-street parking is required, except where otherwise specified. This district is oriented to pedestrian traffic.

(B) *Uses by Right.*

- (1) Retail stores, business and professional offices, and service establishments which cater to the general shopping public.
- (2) Libraries and museums.
- (3) Government buildings and facilities.
- (4) Public utility service facilities.
- (5) Private and fraternal clubs.
- (6) Theaters.
- (7) Restaurants and taverns.
- (8) College or other place of adult education.
- (9) Fueling stations which comply with the following criteria:
 - (a) All fuel storage, except propane, shall be located underground.
 - (b) All fuel pumps, lubrication and service facilities shall be located at least 20 feet from any street right-of-way line.
- (10) Places of worship.
- (11) Childcare facilities.
- (12) Parks and playgrounds.
- (13) Accessory uses.
- (14) Hotels and motels (off-street parking required).
- (15) Single-family homes, duplexes, and multiple-family residences (off-street parking required).
- (16) Parking facilities.
- (17) Public transportation facilities.
- (18) Renewable energy facilities.
- (19) Short-term rentals.
- (20) Daytime social service activities by a social service provider, to include food storage; food distribution without monetary remuneration as a food pantry

and/or food service without monetary remuneration as a soup kitchen; laundry facilities not for profit; showers; and counseling to include alcohol and/or substance abuse counseling. This use by right expressly excludes the overnight sheltering of people. For the purposes of this use by right authorization, "daytime" shall mean from 6:00 a.m. to 6:00 p.m. Mountain Standard Time. "Night" shall mean from 6:00 p.m. to 6:00 a.m. Mountain Standard Time.

(21) Family child care home.

(C) Conditional Uses.

- (1) Schools.
- (2) Funeral homes.
- (3) Building materials businesses.
- (4) Automobile and other vehicle sales or service establishments.
- (5) Automobile body shops.
- (6) Distribution, warehouse and wholesale operations.
- (7) Drive-in or drive-through restaurants.
- (8) Storage facilities.
- (9) Antennas and towers are allowed only as conditional uses in all zones and are subject to the provisions of Section 4-4-21 and the other applicable requirements of City ordinances and regulations.

(D) Outdoor Storage Businesses. Businesses that need outdoor storage are not compatible with this district.

(Ord. No. 2472 , § 4-4-12, 5-7-2019; Ord. No. 2540 , 5-4-2021)

Sec. 4-4-13. "B-2" Highway Commercial District.

(A) Intent. The "B-2" Highway Commercial District is intended to provide for business oriented toward serving the motoring public. This district provides for the convenient exchange of goods and services along the major thoroughfares of the City.

(B) Uses by Right.

- (1) Those listed in the "B-1" district as uses by right.
- (2) Self-service laundry facilities.
- (3) Drive-in or drive-through restaurants.
- (4) Car washes.
- (5) Childcare facilities.
- (6) Rental storage units inside a building.

- (7) Veterinary clinics or hospitals for small animals.
- (8) Skilled nursing and assisted living facilities and hospitals.
- (9) Retail building material supply businesses.
- (10) Parking facilities.
- (11) Renewable energy facilities.
- (12) Short-term rentals.

(C) *Conditional Uses.*

- (1) Those conditional uses listed for the "B-1" district.
- (2) Recreational vehicle parks and campgrounds.
- (3) Retail stores, business and service establishments serving the general public but which also involve limited manufacturing of the products supplied.
- (4) Antennas and towers are allowed only as conditional uses in all zones and are subject to the provisions of Section 4-4-21 and the other applicable requirements of City ordinances and regulations.

(D) *Not Included in this District.* The following uses are not to be construed as a use by right or conditional use in the "B-2" Highway Commercial District:

- (1) Farm implement sales or service establishments.
- (2) Construction and contractor's equipment storage facilities.
- (3) Machine and welding shops.
- (4) Above ground storage facilities for hazardous fuels.
- (5) Manufacturing and industrial uses except as allowed by Subsection (C)(3) of this Section.
- (6) Storage facilities. Small rental storage units are allowed. See Subsection (B)(6) of this Section.

(E) *Performance Standards.* No use shall be established, maintained or conducted in any "B-2" Highway Commercial District that will result in any public or private nuisance.

(Ord. No. 2472 , § 4-4-13, 5-7-2019)

Sec. 4-4-13.1. "B-2A" Regional Commercial District.

(A) *Intent.* "B-2A" Regional Commercial District is intended for a full spectrum of retail and services uses including both convenience goods and general merchandise.

(B) *Uses by Right.*

- (1) Uses listed as uses by right in the "B-2" and "B-1" districts.

- (2) Automobile and vehicle sales or service establishments.
- (3) Farm implement sales or service establishments.
- (4) Mobile home sales or service establishments.
- (5) Building materials sales establishments.
- (6) Rental businesses.
- (7) Veterinary clinics or hospitals for large animals.
- (8) Automobile body shops.
- (9) Automotive repair and service establishments.
- (10) Parking facilities.
- (11) Renewable energy facilities.
- (12) Short-term rentals.

(C) *Conditional Uses.*

- (1) Uses listed as conditional uses in the "B-1" and "B-2" districts.
- (2) Warehouses and storage facilities.
- (3) Manufacturing uses allowed in the "I-1" Light Industrial district.
- (4) Antennas and towers are allowed only as conditional uses in all zones and are subject to the provisions of Section 4-4-21 and the other applicable requirements of City ordinances and regulations.

(D) *Not Included in the District.* The following uses are not to be construed as a use by right or a conditional use in the "B-2A" Regional Commercial District:

- (1) Manufacturing and industrial uses, except as allowed by Subsections (C)(1) and (3) of this Section.
- (2) Above ground storage facilities for hazardous fuel.
- (3) Construction and contractor's equipment storage facilities.
- (4) Animal boarding facilities.

(E) *Performance Standards.*

- (1) Manufacturing and storage associated with manufacturing shall be indoors.
- (2) No use may create a nuisance to other property by reasons of dust, odor, noise, light, smoke, or vibration or other adverse effects which cannot be effectively confined on the premises.

(Ord. No. 2472 , § 4-4-13.1, 5-7-2019)

Sec. 4-4-14. "B-3" General Commercial District.

(A) *Intent.* The "B-3" General Commercial District is intended for a large variety of uses that require large storage areas to conveniently serve customers.

(B) *Uses by Right.*

- (1) Uses listed as "uses by right" in the "B-1," "B-2" and "B-2A" districts.
- (2) Automobile and vehicle sales or service establishments.
- (3) Farm implement sales or service establishments.
- (4) Mobile home sales or service establishments.
- (5) Building materials sales establishments.
- (6) Rental businesses.
- (7) Feed storage and sales establishments.
- (8) Veterinary clinics or hospitals for large animals.
- (9) Automobile body shops.
- (10) Automotive repair and service establishments.
- (11) Construction and contractor's office and equipment storage facilities.
- (12) Above ground storage facilities for hazardous fuels.
- (13) Parking facilities.
- (14) Renewable energy facilities.
- (15) Short-term rentals.

(C) *Conditional Uses.*

- (1) Uses listed as conditional uses in the "B-1," "B-2" and "B-2A" districts.
- (2) Warehouses and storage facilities.
- (3) Antennas and towers are allowed only as conditional uses in all zones and are subject to the provisions of Section 4-4-21 and the other applicable requirements of City ordinances and regulations.

(D) *Not Included in this District.* The following uses are not to be construed as a use by right or a conditional use in the "B-3" General Commercial district:

- (1) Manufacturing and industrial uses except as allowed by Subsection (C)(1) of this Section.

(E) *Performance Standards.*

- (1) Manufacturing and storage associated with manufacturing shall be indoors.

- (2) No use may create a nuisance to other property by reasons of dust, odor, noise, light, smoke, or vibration or other adverse effects which cannot be effectively confined on the premises.

(Ord. No. 2472 , § 4-4-14, 5-7-2019)

Sec. 4-4-15. "B-4" Neighborhood Shopping District.

- (A) *Intent.* The "B-4" Neighborhood Shopping District is intended to provide for retail shopping and services on a parcel or parcels of land collectively no greater than approximately five acres in size, with a convenient location relative to residential neighborhoods.

- (B) *Uses by Right.*

- (1) Government buildings and facilities.
- (2) Public utility service facilities.
- (3) Retail stores, business and professional offices and service establishments which cater to the general shopping public.
- (4) Restaurants.
- (5) Self-service laundry facilities.
- (6) Places of worship.
- (7) Single-family homes, duplexes, and multiple-family residences.
- (8) Childcare facilities.
- (9) Short-term rentals.
- (10) **Family child care home.**

- (C) *Conditional Uses.*

- (1) Fuel stations or other retail uses having fuel pumps.
- (2) Drive-in or drive-through restaurants.
- (3) Car washes.
- (4) Rental storage units inside a building.
- (5) Taverns.
- (6) Private and fraternal clubs.
- (7) Schools.
- (8) Renewable energy facilities.
- (9) Antennas and towers are allowed only as conditional uses in all zones and are subject to the provisions of Section 4-4-21 and the other applicable requirements of City ordinances and regulations.

(D) *Not Included in this District.* The following uses are not to be construed as a use by right or a conditional use in the "B-4" Neighborhood Shopping District:

- (1) Automobile or vehicle sales or service establishments
- (2) Farm implement sales or service establishments.
- (3) Trailer home or mobile home sales or service establishments.
- (4) Feed storage and sales establishments.
- (5) Veterinary clinics or hospitals.
- (6) Automobile body shops.
- (7) Construction and contractor's equipment storage facilities.
- (8) Machine and welding shops.
- (9) Warehouse and storage facilities. Small rental storage units are allowed. See Subsection (C)(4) of this Section.
- (10) Manufacturing and industrial uses.

(E) *Performance Standards.*

- (1) All uses shall be easily accessible by pedestrians from surrounding areas and shall provide appropriate sidewalk connections to the surrounding sidewalk system.
- (2) Common access and shared parking is required for multiple tenants and encouraged for multiple parcels.
- (3) Landscaping shall be reasonably compatible with that existing in the neighborhood.
- (4) Buildings shall be architecturally compatible with the residential character of the area and comply with City design standards.

(Ord. No. 2472 , § 4-4-15, 5-7-2019)

Sec. 4-4-16. Industrial districts.

The industrial districts provided for in Sections 4-4-17 and 4-4-18 provide for normal manufacturing activities and related uses as indicated. No use shall be established, maintained or conducted in any "I-1" Light Industrial District that will result in any public or private nuisance.

(Ord. No. 2472 , § 4-4-16, 5-7-2019)

Sec. 4-4-17. "I-1" Light Industrial district.

(A) *Intent.* The purpose of the "I-1" Light Industrial District is to accommodate a limited group of research, manufacturing uses, and transportation hub. This promotes the

creation and maintenance of an environment which will serve the mutual interests of the community as a whole, of any adjacent residential areas and of the occupants of the industrial park area.

(B) *Uses by Right.*

- (1) Uses which meet the intent of Subsection (A) of this Section and the performance standards of Subsection (C) of this Section are uses by right. Typical examples of such manufacturing and non-manufacturing uses include: food processing; metal finishing and fabrication; power generation and transformer stations; paper, plastic and wood manufacturing (excluding processing of any raw materials), fabric manufacturing and similar activities.
- (2) Parks and open spaces.
- (3) Government buildings and facilities, to include airport and accessory uses.
- (4) Public utility service facilities.
- (5) Warehouse and wholesale distribution centers.
- (6) Renewable energy facilities.
- (7) Single-family homes, duplexes, and multiple-family residences.
- (8) Accessory Uses.
- (9) Aircraft support services, including, but not limited to, aircraft maintenance and passenger and crew services.
- (10) Short-term rentals.
- (11) Family child care home.
- (12) Childcare facilities.

(C) *Conditional Uses.*

- (1) Any commercial use other than the uses by right which complies with the performance standards of Subsection (C) of this Section and is consistent with the intent of Subsection (A) of this Section.

(D) *Performance Standards.*

- (1) No structure shall be constructed within 100 feet of an existing residential zone.
(Ord. No. 2472 , § 4-4-17, 5-7-2019)

Sec. 4-4-18. "I-2" General Industrial District.

- (A) *Intent.* The "I-2" General Industrial District allows most industrial and manufacturing uses, provided that they do not create a nuisance to other property by reasons of dust, odor, noise, light, smoke, or vibration or other adverse effects which cannot be effectively confined on the premises.

(B) *Uses by Right.*

- (1) Those uses which are uses by right in the "I-1" Light Industrial District.
- (2) Other industrial uses.
- (3) Short-term rentals.

(C) *Conditional Uses.*

- (1) Antennas and towers are allowed only as conditional uses in all zones and are subject to the provisions of Section 4-4-21 and the other applicable requirements of City ordinances and regulations.

(D) *Performance Standards.*

- (1) No structure shall be constructed within 100 feet of a residential or commercial district.

(Ord. No. 2472 , § 4-4-18, 5-7-2019)

ORDINANCE NO. 2561

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, UPDATING TITLE 4 CHAPTER 4, ZONING REGULATIONS OF THE CITY OF MONTROSE: AMENDING TITLE 4 CHAPTER 4 (4-4) REGARDING ZONING REGULATIONS

WHEREAS, the City's Zoning Regulations are updated from time to time;

WHEREAS, this update hereby amends the Zoning Regulations to add a definition for family child care homes, update a definition for childcare facilities, and define where these uses are allowed; and

WHEREAS, the City Council of the City of Montrose has determined that the changes to the Municipal Code will further the health, safety, and welfare of the people of the City of Montrose.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTROSE, COLORADO that:

The following Sections of Title 4 Chapter 4 of the Official Code of the City of Montrose, Colorado are hereby amended as follows: Title 4 Chapter 4 (4-4) is hereby amended. This version supersedes all previous versions of Montrose Municipal Code § 4-4, to read in full as follows:

Sec. 4-4-1. General provisions.

- (A) This Chapter, as amended from time to time, and the March 2016 Revised Zoning Map of the City, as amended from time to time, may be cited as the City's Zoning Regulations or Zoning Ordinance.
- (B) The purpose of these Zoning Regulations is to promote the public health, safety and welfare.
- (C) The City hereby declares that the regulation and development of land, including regulation by these Zoning Regulations, is exclusively a matter of local and municipal concern, and any provisions of any Statute or regulation of the state in conflict with the provisions of these Zoning Regulations, or any limitation imposed by any Statute or regulation of the state otherwise applicable are hereby superseded; provided, however, the City shall retain all powers authorized by state law with respect to land development regulations and zoning even though not specified within this Chapter, and such powers may be exercised in any lawful manner free from any limitations imposed by State Statute or regulation.

- (D) No business or use involving the sale or distribution of products or services, or the pursuit of activities, whether for profit or not for profit, which is in contravention of any federal, state or local law or regulation, shall be considered a use by right, a conditional use, or a lawful nonconforming use under this Chapter, in any zoning district within the City limits.
- (E) No use shall be established or maintained in a district that will result in any public or private nuisance.

(Ord. No. 2472, § 4-4-1, 5-7-2019)

Sec. 4-4-2. Definitions.

The following words, terms and phrases, when used in this Chapter, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

Accessory use means a use which is subordinate to, clearly incidental to, customarily in connection with, and ordinarily located on the same premises as the permitted use. A childcare facility shall be considered an accessory use to a residence in all districts, provided no more than eight children under 13 years of age are present on the premises at any one time, including children of the family living in the residence; a childcare facility shall not be considered an accessory use to a residence when a greater number of children is present on the premises at any one time.

Home occupations which meet the criteria set out in Subsection 4-4-4(A) shall be considered an accessory use to a residence in all districts.

Renewable energy facilities are considered an accessory use to a residence.

Building line means a line parallel to a property line beyond which no exposed portion of a building other than its eaves extends.

Childcare facility means any facility not in a residence and excluding schools which provides less than 24-hour care and supervision for minor children, in accordance with the Statutes of the State of Colorado.

Conditional use means a use which is permitted only after review and approval pursuant to Sections 4-4-26 and 4-4-31.

Duplex means a single residential building with two dwelling units.

Dwelling unit means an area in a building containing cooking, living and sanitary facilities designed for use and used by a single-family for residential purposes.

Family means one or more individuals occupying a single dwelling unit and living as a single housekeeping unit with a maximum of eight adults.

Family Child Care Home (FCCH) is a type of family care home that provides less than twenty-four (24) hour care at any time for two (2) or more children that are unrelated

to each other or the provider, and are cared for in the provider's place of residence or as currently defined by the Statutes of the State of Colorado.

Fueling station means any building or lot having facilities for the sale of gasoline, diesel and other fuels for use by motor vehicles, and which may include incidental facilities for service and minor repair of motor vehicles.

Government buildings and facilities means any building or facility owned and operated by the United States of America, the State of Colorado, the City of Montrose, or any agency or political subdivision thereof.

Home occupation means any commercial activity, whether for profit or nonprofit, conducted within a dwelling unit.

Homeowner association means any entity whether a corporation, partnership, unincorporated association, or other entity existing for the purpose of maintaining commonly-owned facilities or enforcing private protective covenants whose members or shareholders are the property owners involved.

Manufactured housing means single-family homes substantially or entirely manufactured in a factory which are moved on site in substantial component parts, and those manufactured, certified and labeled pursuant to 42 USC 5401 et seq. Manufactured housing for single-family homes is allowed only in the "MHR," "R-5," and "R-6" zoning districts, and manufactured housing for duplexes is allowed only in the "R-6" zoning district. Manufactured housing for multiple family residences is allowed only in the "R-6" zoning district as a conditional use. All of these uses are subject to specified performance criteria. Manufactured housing may be allowed as specified in an approved REDO application. Manufactured housing is prohibited elsewhere in the City except for the following subdivision which was under development on July 1, 1998: Rainbow Meadows Subdivision.

Mobile home means a single-family home substantially or entirely manufactured in a factory which is moved on site in substantial component parts, including homes commonly known as mobile homes, and those manufactured and certified pursuant to 42 USC 5401 et seq. or manufactured pursuant to other construction standards, as stipulated in Chapter 4-12 of this Code. Travel homes as defined below shall not be considered a mobile home, as defined herein.

Modular building means a building substantially or entirely manufactured in a factory which is moved on site in substantial component parts, manufactured, certified and labeled in accordance with Colorado Division of Housing regulations for factory-built structures, pursuant to C.R.S. § 24-32-3301 et seq. Modular buildings used for single-family homes, duplexes, and multiple-family residences are allowed in the zoning districts specified for manufactured housing, and in addition may be approved as part of a planned development. Modular buildings used for primarily commercial, industrial, or other nonresidential uses are allowed in all zoning districts, subject to the use limitations

within the district. Modular buildings do not include homes constructed pursuant to 42 USC 5401 et seq. standards or mobile homes as defined herein.

Multiple-family residence means any residence with three or more dwelling units in a single building.

Nonconforming use means a use which does not comply with the use regulations, dimensional requirements or other regulations of these Zoning Regulations.

Public utility service facilities means transmission and distribution facilities for natural gas, electricity, and telecommunications necessary to provide service to customers located in the various districts of the City, such as pipes, lines, mains, wires, transformers, valves, and other related appurtenances, but not including buildings, offices, and production or generation facilities.

Recreational vehicle park means travel home and travel home park are defined as defined in Chapter 4-12.

Setback means the perpendicular distance between a property line and the building line.

Short-term rental means short-term rental is a type of lodging wherein a dwelling unit, either in full or in part, is rented to a temporary occupant for monetary consideration for fewer than 30 consecutive days. A bed and breakfast is, for the purposes of this definition, a type of short-term rental. Likewise, a home used similar to a rooming/boarding or lodging house, but where stays are fewer than 30 consecutive days is also a short-term rental. Short-term rental does not include shelters or other transient lodging provided for no monetary consideration.

Use means the activity or purpose for which property, a building or other structure is designed, arranged, intended, occupied or maintained.

Use-by-right means a use which is permitted or allowed in the district involved, without review by the Review Board, and complies with the provisions of these Zoning Regulations and other applicable City ordinances and regulations.

(Ord. No. 2472, § 4-4-2, 5-7-2019; Ord. No. 2493, 2-4-2020)

Sec. 4-4-3. Zoning Map.

- (A) The March, 2016 Revised Zoning Map of the City, as such may be amended from time to time, may be known or cited as the Official Zoning Map of the City.
- (B) Amendments to the Official Zoning Map may be made by an ordinance enacting a revised map or by an ordinance amending portions of the Official Zoning Map by specifying the legal description of the property to be rezoned. A copy of the Official Zoning Map, as amended from time to time, shall be maintained in the City Clerk's office available for public inspection. Periodically, copies of the Official Zoning Map, as amended, may be reproduced and made available to the public.

- (C) The regulations for the various residential, commercial and industrial districts provided for in this Chapter shall apply within the boundaries of each such district as indicated on the Official Zoning Map, shall be construed to follow the centerlines of streets, to follow platted lot lines or the lines of undivided parcels of property, or to follow the City limits when the boundary is shown as approximately in the vicinity of such lines. Distances may be determined by the scale of the map.

(Ord. No. 2472, § 4-4-3, 5-7-2019)

Sec. 4-4-4. Residential districts.

- (A) The residential districts described in Sections 4-4-4.1 through 4-4-10 are established to promote stability in residential neighborhoods; to protect such property from incompatible land uses; to protect property values; and to encourage the appropriate use of such land. Certain other uses are permitted which are compatible with residences. Dimensional requirements are set out in Section 4-4-22, and off-street parking requirements are set out in Section 4-4-23 for each district.

- (B) Home Occupations. Home occupations may be conducted within a dwelling unit in any district as an accessory use only if the following criteria are met:

- (1) An application must be submitted with a fee as set by Resolution and referred to in the City of Montrose Regulations Manual. Additionally, City and state sales tax licenses must be obtained if sales taxable by the City or state sales taxes are to be made.
- (2) The occupational activity and storage of any items used or sold in the occupation must be entirely within the dwelling unit. Neither the occupational activity nor any storage may be conducted within or utilize any garage, detached buildings, or other place upon the premises other than the residence itself.
- (3) Only the residents of the dwelling unit may be engaged in the home occupation.
- (4) No unreasonable noise, glare, smoke, dust, vibration or odor shall be observable off of the premises.
- (5) The home occupation activity shall not utilize or occupy more than 20 percent of the floor area of the dwelling unit.
- (6) Off-street parking shall be required for both the residential and the commercial activity in accordance with the requirements of Section 4-4-23.

- (C) A family child care home shall be a use by right in all residential districts, in accordance with State Statutes and regulations.

(Ord. No. 2472, § 4-4-4, 5-7-2019)

Sec. 4-4-4.1. "RL" Rural Living District.

(A) *Intent.* The "RL" Rural Living District provides for overall low density by allowing farms and ranches and clustered development with open space and is designed to dovetail with allowed County residential densities.

(B) *Uses by Right.*

- (1) Single-family homes.
- (2) Public utility service facilities.
- (3) Government buildings and facilities.
- (4) Parks, open space and recreation facilities owned or operated by a homeowner association.
- (5) Golf courses.
- (6) Farms and ranches, excluding commercial greenhouses, and commercial feedlots, fur farms, fish farms, poultry houses, hog farms, dairies and similar operations with a high density of animals.
- (7) Accessory uses.
- (8) Short-term rentals.
- (9) Family child care home.

(C) *Conditional Uses.*

- (1) Schools.
- (2) Childcare facilities.
- (3) Places of worship.

(Ord. No. 2472, § 4-4-4.1, 5-7-2019)

Sec. 4-4-4.2. "R-1" Very Low Density District.

(A) *Intent.* The "R-1" Very Low Density District provides for overall very low density residential development.

(B) *Uses by Right.*

- (1) Single-family homes.
- (2) Public utility service facilities
- (3) Government buildings and facilities.
- (4) Parks, open space and recreation facilities owned or operated by a homeowner association.
- (5) Accessory uses.

- (6) Short-term rentals.
- (7) Family child care home.

(C) *Conditional Uses.*

- (1) Schools.
- (2) Childcare facilities.
- (3) Places of worship.

(Ord. No. 2472, § 4-4-4.2, 5-7-2019)

Sec. 4-4-5. "R-1A" Large Estate District and "R-1B" Small Estate District.

- (A) *Intent.* The "R-1A" Large Estate District and "R-1B" Small Estate District are intended to provide an area of large single-family residential lots with a semi-rural environment.

(B) *Uses by Right.*

- (1) Single-family homes.
- (2) Public utility service facilities.
- (3) Government buildings and facilities.
- (4) Parks and recreation facilities owned or operated by a homeowner association.
- (5) Accessory uses.
- (6) Short-term rentals.
- (7) Family child care home.

(C) *Conditional Uses.*

- (1) Places of worship.
- (2) Schools.
- (3) Childcare facilities.

(Ord. No. 2472, § 4-4-5, 5-7-2019)

Sec. 4-4-6. "R-2" Low Density District.

- (A) *Intent.* The "R-2" Low Density District is intended to provide a quiet, low density development for single-family residences. Environmental protection is provided by allowing only single-family residences along with certain other compatible land uses.

(B) *Uses by Right.*

- (1) Single-family homes.

- (2) Public utility service facilities.
- (3) Government buildings and facilities.
- (4) Parks and recreation facilities owned or operated by a homeowner association.
- (5) Accessory uses.
- (6) Short-term rentals.
- (7) Family child care home.

(C) *Conditional Uses.*

- (1) Places of worship.
- (2) Schools.
- (3) Childcare facilities.

(Ord. No. 2472, § 4-4-6, 5-7-2019)

Sec. 4-4-7. "R-3" Medium Density District.

- (A) *Intent.* The "R-3" Medium Density District is intended to provide an area which is suitable for single-family homes and duplexes. The district provides for other uses which are compatible with such uses.

(B) *Uses by Right.*

- (1) Single-family homes and duplexes.
- (2) Public utility service facilities.
- (3) Government buildings and facilities.
- (4) Parks and recreation facilities owned or operated by a homeowner association.
- (5) Places of worship.
- (6) Accessory uses.
- (7) Short-term rentals.
- (8) Family child care home.

(C) *Conditional Uses.*

- (1) Childcare facilities.
- (2) Skilled nursing and assisted living facilities.
- (3) Multiple-family residences.
- (4) Bed and breakfast operations operated solely by the residents of a lot of at least 6,250 square feet providing no more than two bedrooms for rent in the dwelling unit, and the only meal provided on the premises shall be breakfast to the renters.

- (5) Schools.

(Ord. No. 2472, § 4-4-7, 5-7-2019)

Sec. 4-4-7.1. "R-3A" Medium High Density District.

- (A) *Intent.* The "R-3A" Medium High Density District is intended to provide an area which is suitable for single-family homes, duplexes and multifamily residences with intermediate overall density. This district provides for other uses which are compatible with such residential uses.

- (B) *Uses by Right.*

- (1) Single-family homes, duplexes, multifamily residences.
 - (2) Public utility service facilities.
 - (3) Government buildings and facilities.
 - (4) Parks and recreation facilities owned or operated by a homeowner association.
 - (5) Places of worship.
 - (6) Accessory uses.
 - (7) Short-term rentals.
 - (8) Family child care home.

- (C) *Conditional Uses.*

- (1) Childcare facilities.
 - (2) Skilled nursing and assisted living facilities.
 - (3) Schools.

(Ord. No. 2472, § 4-4-7.1, 5-7-2019)

Sec. 4-4-8. "R-4" High Density District.

- (A) *Intent.* The "R-4" High Density District is intended to provide for high density multiple-family residences and to allow variable densities. This allows variety in the types of residences.

- (B) *Uses by Right.*

- (1) Single-family homes, duplexes, and multiple-family residences.
 - (2) Public utility service facilities.
 - (3) Government buildings and facilities.
 - (4) Parks and recreation facilities owned or operated by a homeowner association.
 - (5) Places of worship.

- (6) Accessory uses.
- (I) Bed and breakfast operations operated solely by the residents of a residence providing no more than four bedrooms for rent in the dwelling unit, and the only meal provided on the premises shall be breakfast to the renters. The lot shall be at least 6,250 square feet and at least 3,125 square feet per rental bedroom.

- (7) Short-term rentals.

- (8) Family child care home.

(C) *Conditional Uses.*

- (1) Skilled nursing and assisted living facilities.

- (2) Childcare facilities.

- (3) Schools.

(Ord. No. 2472, § 4-4-8, 5-7-2019)

Sec. 4-4-8.1. "R-5" Low Density/Manufactured Housing District.

(A) *Intent.* The "R-5" Low Density/Manufactured Housing District is intended to provide a quiet, low density development for single-family residences. Environmental protection is provided by allowing only single-family residences with certain other compatible land uses. Manufactured housing meeting the performance standards of Subsection (D) of this Section is allowed.

(B) *Uses by Right.*

- (1) Single-family homes.

- (2) Public utility service facilities.

- (3) Government buildings and facilities.

- (4) Parks and recreation facilities owned or operated by a homeowner's association.

- (5) Accessory uses.

- (6) Short-term rentals.

- (7) Family child care home.

(C) *Conditional Uses.*

- (1) Places of worship.

- (2) Schools.

- (3) Child care facility.

(D) *Performance Standards.*

- (1) Single-family homes must have a minimum roof pitch of 3:12, a minimum roof overhang of eight inches, a minimum length and width of 20 feet, wood, brick, masonry, stucco or cosmetically equivalent exterior siding, and shall be mounted on a permanent foundation.
 - (2) Each single-family home must have an accessory garage.
- (Ord. No. 2472, § 4-4-8.1, 5-7-2019; Ord. No. 2543, 6-15-2021)

Sec. 4-4-8.2. "R-6" Medium Density/Manufactured Housing District.

- (A) *Intent.* The "R-6" Medium Density/Manufactured Housing District is intended to provide a quiet, medium-density development for single-family residences and duplexes. Manufactured housing meeting the performance standards of Subsection (D) of this Section is allowed.
- (B) *Uses by Right.*
 - (1) Single-family homes and duplexes.
 - (2) Public utility service facilities.
 - (3) Government buildings and facilities.
 - (4) Parks and recreation facilities owned or operated by a homeowner's association.
 - (5) Accessory uses.
 - (6) Short-term rentals.
 - (7) Family child care home.
- (C) *Conditional Uses.*
 - (1) Childcare facilities.
 - (2) Skilled nursing and assisted living facilities.
 - (3) Multiple family residences.
 - (4) Bed and breakfast operations operated solely by the residents of a lot of at least 6,250 square feet providing no more than four bedrooms for rent in the dwelling unit, and the only meal provided on the premises shall be breakfast to the renters.
 - (5) Schools.
 - (6) Places of worship.
- (D) *Performance Standards.*
 - (1) Single-family homes must have a minimum roof pitch of 3:12, a minimum roof overhang of eight inches, a minimum length and width of 20 feet, wood, brick, masonry, stucco or cosmetically equivalent exterior siding, and shall be mounted on a permanent foundation.

- (2) Duplexes must have a minimum roof pitch of 3:12, a minimum roof overhang of eight inches, a minimum length and width of 20 feet per dwelling unit, wood, brick, masonry, stucco or cosmetically equivalent exterior siding, and shall be mounted on a permanent foundation.

(Ord. No. 2472, § 4-4-8.2, 5-7-2019; Ord. No. 2543, 6-15-2021)

Sec. 4-4-9. "MHR" Manufactured Housing Residential District.

- (A) *Intent.* This district is intended to provide a suitable environment for single-family conventional and mobile homes and is designed to allow a high density of single-family residences and related uses.

- (B) *Uses by Right.*

- (1) Single-family homes.
- (2) Manufactured housing/single-family homes
- (3) Mobile homes.

Mobile home parks.

- (4) Government buildings and facilities.
- (5) Parks and recreation facilities owned or operated by a homeowner association.
- (6) Places of worship.
- (7) Public utility service facilities.
- (8) Accessory uses.
- (9) Short-term rentals.
- (10) Family child care home.

- (C) *Conditional uses.*

- (1) Skilled nursing and assisted living facilities.
- (2) Rental storage units with a maximum rental unit size of 200 square feet.
- (3) Childcare facilities.
- (4) Schools.

- (D) *Compliance with Chapter 4-12.* Mobile home parks shall comply with the requirements of Chapter 12 of this Title, in addition to these Zoning Regulations. Chapter 12 of this Title shall control with respect to any conflict with these regulations.

(Ord. No. 2472, § 4-4-9, 5-7-2019)

Sec. 4-4-10. "OR" Office-Residential District.

(A) *Intent.* The "OR" Office-Residential district is intended to allow for a mix of offices and residences in areas adjacent to commercial zones or in areas in transition from residential to commercial uses.

(B) *Uses by Right.*

- (1) Offices for medically related and professional service providers including doctors, dentists, chiropractors, lawyers, engineers, surveyors, accountants, bookkeepers, secretarial services, title companies, social service providers and other similar professional service providers.
- (2) Single-family homes.
- (3) Duplexes.
- (4) Government buildings and facilities.
- (5) Places of worship.
- (6) Parks and recreation facilities owned or operated by a homeowner association.
- (7) Public utility service facilities.
- (8) Childcare facilities.
- (9) Bed and breakfast operations operated solely by the residents of a lot of at least 6,250 square feet, providing no more than four bedrooms for rent in the dwelling unit, and the only meal provided on the premises shall be breakfast to the renters.
- (10) Hospitals.
- (11) Parking facilities.
- (12) Accessory uses.
- (13) Short-term rentals.
- (14) Family child care home.

(C) *Conditional Uses.*

- (1) Multifamily residences.
- (2) Skilled nursing and assisted living facilities.
- (3) Offices not allowed as a use by right.
- (4) Schools.
- (5) Retail sales and services establishments which cater to the general shopping public.

(D) *Performance Standards.* Buildings with offices must be architecturally compatible with the residential character of the area and comply with City design standards.

(Ord. No. 2472, § 4-4-10, 5-7-2019)

Sec. 4-4-11. Commercial districts.

The commercial districts provided for in Sections 4-4-11.1 through 4-4-15 are established to provide a location for convenient exchange of goods and services in a reasonable and orderly manner. Dimensional requirements are set out in Section 4-4-22, and off-street parking requirements are found in Section 4-4-23.

(Ord. No. 2472, § 4-4-11, 5-7-2019)

Sec. 4-4-11.1. "P" Public District.

(A) *Intent.* The Public district provides public recreation facilities, government buildings and facilities, events or conference centers, schools libraries, and other public lands and buildings. Uses are of a public, nonprofit, or charitable nature and provide a local service to the people of the community on a regular basis.

(B) *Uses by Right.*

- (1) Government buildings and facilities.
- (2) Schools.
- (3) Libraries.
- (4) Public museums and visitor centers.
- (5) Public parks.
- (6) Public recreation land and facilities.
- (7) Private recreation facilities.
- (8) Open space corridors.
- (9) Places of worship.
- (10) Parking facilities.
- (11) Renewable energy facilities.
- (12) Accessory uses.

(C) *Conditional Uses.*

- (1) Commercial businesses.
- (2) Single-family homes.
- (3) Multiple-family residences.
- (4) Golf courses.

- (5) Family child care home.
- (6) Childcare facilities.
- (7) Antennas and towers are allowed only as conditional uses in all zones and are subject to the provisions of Section 4-4-21 and the other applicable requirements of City ordinances and regulations.

(Ord. No. 2472, § 4-4-11.1, 5-7-2019)

Sec. 4-4-12. "B-1" Central Business District.

(A) *Intent.* The "B-1" Central Business District is intended as a shopping and business center for the City and surrounding area. The most intensive commercial use of buildings and land is encouraged with parking primarily of public concern. No off-street parking is required, except where otherwise specified. This district is oriented to pedestrian traffic.

(B) *Uses by Right.*

- (1) Retail stores, business and professional offices, and service establishments which cater to the general shopping public.
- (2) Libraries and museums.
- (3) Government buildings and facilities.
- (4) Public utility service facilities.
- (5) Private and fraternal clubs.
- (6) Theaters.
- (7) Restaurants and taverns.
- (8) College or other place of adult education.
- (9) Fueling stations which comply with the following criteria:
 - (a) All fuel storage, except propane, shall be located underground.
 - (b) All fuel pumps, lubrication and service facilities shall be located at least 20 feet from any street right-of-way line.
- (10) Places of worship.
- (11) Childcare facilities.
- (12) Parks and playgrounds.
- (13) Accessory uses.
- (14) Hotels and motels (off-street parking required).
- (15) Single-family homes, duplexes, and multiple-family residences (off-street parking required).

- (16) Parking facilities.
- (17) Public transportation facilities.
- (18) Renewable energy facilities.
- (19) Short-term rentals.
- (20) Daytime social service activities by a social service provider, to include food storage; food distribution without monetary remuneration as a food pantry and/or food service without monetary remuneration as a soup kitchen; laundry facilities not for profit; showers; and counseling to include alcohol and/or substance abuse counseling. This use by right expressly excludes the overnight sheltering of people. For the purposes of this use by right authorization, "daytime" shall mean from 6:00 a.m. to 6:00 p.m. Mountain Standard Time. "Night" shall mean from 6:00 p.m. to 6:00 a.m. Mountain Standard Time.
- (21) Family child care home.

(C) *Conditional Uses.*

- (1) Schools.
- (2) Funeral homes.
- (3) Building materials businesses.
- (4) Automobile and other vehicle sales or service establishments.
- (5) Automobile body shops.
- (6) Distribution, warehouse and wholesale operations.
- (7) Drive-in or drive-through restaurants.
- (8) Storage facilities.
- (9) Antennas and towers are allowed only as conditional uses in all zones and are subject to the provisions of Section 4-4-21 and the other applicable requirements of City ordinances and regulations.

- (D) *Outdoor Storage Businesses.* Businesses that need outdoor storage are not compatible with this district.

(Ord. No. 2472, § 4-4-12, 5-7-2019; Ord. No. 2540, 5-4-2021)

Sec. 4-4-13. "B-2" Highway Commercial District.

- (A) *Intent.* The "B-2" Highway Commercial District is intended to provide for business oriented toward serving the motoring public. This district provides for the convenient exchange of goods and services along the major thoroughfares of the City.

(B) *Uses by Right.*

- (1) Those listed in the "B-1" district as uses by right.

- (2) Self-service laundry facilities.
- (3) Drive-in or drive-through restaurants.
- (4) Car washes.
- (5) Childcare facilities.
- (6) Rental storage units inside a building.
- (7) Veterinary clinics or hospitals for small animals.
- (8) Skilled nursing and assisted living facilities and hospitals.
- (9) Retail building material supply businesses.
- (10) Parking facilities.
- (11) Renewable energy facilities.
- (12) Short-term rentals.

(C) *Conditional Uses.*

- (1) Those conditional uses listed for the "B-1" district.
- (2) Recreational vehicle parks and campgrounds.
- (3) Retail stores, business and service establishments serving the general public but which also involve limited manufacturing of the products supplied.
- (4) Antennas and towers are allowed only as conditional uses in all zones and are subject to the provisions of Section 4-4-21 and the other applicable requirements of City ordinances and regulations.

(D) *Not Included in this District.* The following uses are not to be construed as a use by right or conditional use in the "B-2" Highway Commercial District:

- (1) Farm implement sales or service establishments.
- (2) Construction and contractor's equipment storage facilities.
- (3) Machine and welding shops.
- (4) Above ground storage facilities for hazardous fuels.
- (5) Manufacturing and industrial uses except as allowed by Subsection (C)(3) of this Section.
- (6) Storage facilities. Small rental storage units are allowed. See Subsection (B)(6) of this Section.

(E) *Performance Standards.* No use shall be established, maintained or conducted in any "B-2" Highway Commercial District that will result in any public or private nuisance.

(Ord. No. 2472, § 4-4-13, 5-7-2019)

Sec. 4-4-13.1. "B-2A" Regional Commercial District.

(A) *Intent.* "B-2A" Regional Commercial District is intended for a full spectrum of retail and services uses including both convenience goods and general merchandise.

(B) *Uses by Right.*

- (1) Uses listed as uses by right in the "B-2" and "B-1" districts.
- (2) Automobile and vehicle sales or service establishments.
- (3) Farm implement sales or service establishments.
- (4) Mobile home sales or service establishments.
- (5) Building materials sales establishments.
- (6) Rental businesses.
- (7) Veterinary clinics or hospitals for large animals.
- (8) Automobile body shops.
- (9) Automotive repair and service establishments.
- (10) Parking facilities.
- (11) Renewable energy facilities.
- (12) Short-term rentals.

(C) *Conditional Uses.*

- (1) Uses listed as conditional uses in the "B-1" and "B-2" districts.
- (2) Warehouses and storage facilities.
- (3) Manufacturing uses allowed in the "I-1" Light Industrial district.
- (4) Antennas and towers are allowed only as conditional uses in all zones and are subject to the provisions of Section 4-4-21 and the other applicable requirements of City ordinances and regulations.

(D) *Not Included in the District.* The following uses are not to be construed as a use by right or a conditional use in the "B-2A" Regional Commercial District:

- (1) Manufacturing and industrial uses, except as allowed by Subsections (C)(1) and (3) of this Section.
- (2) Above ground storage facilities for hazardous fuel.
- (3) Construction and contractor's equipment storage facilities.
- (4) Animal boarding facilities.

(E) *Performance Standards.*

- (1) Manufacturing and storage associated with manufacturing shall be indoors.

- (2) No use may create a nuisance to other property by reasons of dust, odor, noise, light, smoke, or vibration or other adverse effects which cannot be effectively confined on the premises.

(Ord. No. 2472, § 4-4-13.1, 5-7-2019)

Sec. 4-4-14. "B-3" General Commercial District.

- (A) *Intent.* The "B-3" General Commercial District is intended for a large variety of uses that require large storage areas to conveniently serve customers.

- (B) *Uses by Right.*

- (1) Uses listed as "uses by right" in the "B-1," "B-2" and "B-2A" districts.
- (2) Automobile and vehicle sales or service establishments.
- (3) Farm implement sales or service establishments.
- (4) Mobile home sales or service establishments.
- (5) Building materials sales establishments.
- (6) Rental businesses.
- (7) Feed storage and sales establishments.
- (8) Veterinary clinics or hospitals for large animals.
- (9) Automobile body shops.
- (10) Automotive repair and service establishments.
- (11) Construction and contractor's office and equipment storage facilities.
- (12) Above ground storage facilities for hazardous fuels.
- (13) Parking facilities.
- (14) Renewable energy facilities.
- (15) Short-term rentals.

- (C) *Conditional Uses.*

- (1) Uses listed as conditional uses in the "B-1," "B-2" and "B-2A" districts.
- (2) Warehouses and storage facilities.
- (3) Antennas and towers are allowed only as conditional uses in all zones and are subject to the provisions of Section 4-4-21 and the other applicable requirements of City ordinances and regulations.

- (D) *Not Included in this District.* The following uses are not to be construed as a use by right or a conditional use in the "B-3" General Commercial district:

- (1) Manufacturing and industrial uses except as allowed by Subsection (C)(1) of this Section.

(E) *Performance Standards.*

- (1) Manufacturing and storage associated with manufacturing shall be indoors.
- (2) No use may create a nuisance to other property by reasons of dust, odor, noise, light, smoke, or vibration or other adverse effects which cannot be effectively confined on the premises.

(Ord. No. 2472, § 4-4-14, 5-7-2019)

Sec. 4-4-15. "B-4" Neighborhood Shopping District.

- (A) *Intent.* The "B-4" Neighborhood Shopping District is intended to provide for retail shopping and services on a parcel or parcels of land collectively no greater than approximately five acres in size, with a convenient location relative to residential neighborhoods.

(B) *Uses by Right.*

- (1) Government buildings and facilities.
- (2) Public utility service facilities.
- (3) Retail stores, business and professional offices and service establishments which cater to the general shopping public.
- (4) Restaurants.
- (5) Self-service laundry facilities.
- (6) Places of worship.
- (7) Single-family homes, duplexes, and multiple-family residences.
- (8) Childcare facilities.
- (9) Short-term rentals.
- (10) Family child care home.

(C) *Conditional Uses.*

- (1) Fuel stations or other retail uses having fuel pumps.
- (2) Drive-in or drive-through restaurants.
- (3) Car washes.
- (4) Rental storage units inside a building.
- (5) Taverns.
- (6) Private and fraternal clubs.

- (7) Schools.
- (8) Renewable energy facilities.
- (9) Antennas and towers are allowed only as conditional uses in all zones and are subject to the provisions of Section 4-4-21 and the other applicable requirements of City ordinances and regulations.

(D) *Not Included in this District.* The following uses are not to be construed as a use by right or a conditional use in the "B-4" Neighborhood Shopping District:

- (1) Automobile or vehicle sales or service establishments
- (2) Farm implement sales or service establishments.
- (3) Trailer home or mobile home sales or service establishments.
- (4) Feed storage and sales establishments.
- (5) Veterinary clinics or hospitals.
- (6) Automobile body shops.
- (7) Construction and contractor's equipment storage facilities.
- (8) Machine and welding shops.
- (9) Warehouse and storage facilities. Small rental storage units are allowed. See Subsection (C)(4) of this Section.
- (10) Manufacturing and industrial uses.

(E) *Performance Standards.*

- (1) All uses shall be easily accessible by pedestrians from surrounding areas and shall provide appropriate sidewalk connections to the surrounding sidewalk system.
- (2) Common access and shared parking is required for multiple tenants and encouraged for multiple parcels.
- (3) Landscaping shall be reasonably compatible with that existing in the neighborhood.
- (4) Buildings shall be architecturally compatible with the residential character of the area and comply with City design standards.

(Ord. No. 2472, § 4-4-15, 5-7-2019)

Sec. 4-4-16. Industrial districts.

The industrial districts provided for in Sections 4-4-17 and 4-4-18 provide for normal manufacturing activities and related uses as indicated. No use shall be established, maintained or conducted in any "I-1" Light Industrial District that will result in any public or private nuisance.

(Ord. No. 2472, § 4-4-16, 5-7-2019)

Sec. 4-4-17. "I-1" Light Industrial district.

(A) *Intent.* The purpose of the "I-1" Light Industrial District is to accommodate a limited group of research, manufacturing uses, and transportation hub. This promotes the creation and maintenance of an environment which will serve the mutual interests of the community as a whole, of any adjacent residential areas and of the occupants of the industrial park area.

(B) *Uses by Right.*

- (1) Uses which meet the intent of Subsection (A) of this Section and the performance standards of Subsection (C) of this Section are uses by right. Typical examples of such manufacturing and non-manufacturing uses include: food processing; metal finishing and fabrication; power generation and transformer stations; paper, plastic and wood manufacturing (excluding processing of any raw materials), fabric manufacturing and similar activities.
- (2) Parks and open spaces.
- (3) Government buildings and facilities, to include airport and accessory uses.
- (4) Public utility service facilities.
- (5) Warehouse and wholesale distribution centers.
- (6) Renewable energy facilities.
- (7) Single-family homes, duplexes, and multiple-family residences.
- (8) Accessory Uses.
- (9) Aircraft support services, including, but not limited to, aircraft maintenance and passenger and crew services.
- (10) Short-term rentals.
- (11) Family child care home.
- (12) Childcare facilities.

(C) *Conditional Uses.*

- (1) Any commercial use other than the uses by right which complies with the performance standards of Subsection (C) of this Section and is consistent with the intent of Subsection (A) of this Section.

(D) *Performance Standards.*

- (1) No structure shall be constructed within 100 feet of an existing residential zone.

(Ord. No. 2472, § 4-4-17, 5-7-2019)

Sec. 4-4-18. "I-2" General Industrial District.

(A) *Intent.* The "I-2" General Industrial District allows most industrial and manufacturing uses, provided that they do not create a nuisance to other property by reasons of dust, odor, noise, light, smoke, or vibration or other adverse effects which cannot be effectively confined on the premises.

(B) *Uses by Right.*

- (1) Those uses which are uses by right in the "I-1" Light Industrial District.
- (2) Other industrial uses.
- (3) Short-term rentals.

(C) *Conditional Uses.*

- (1) Antennas and towers are allowed only as conditional uses in all zones and are subject to the provisions of Section 4-4-21 and the other applicable requirements of City ordinances and regulations.

(D) *Performance Standards.*

- (1) No structure shall be constructed within 100 feet of a residential or commercial district.

(Ord. No. 2472, § 4-4-18, 5-7-2019)

You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and the question of its passage on first reading on Tuesday, the 5th day of October, 2021, at the hour of 6:00 p.m. at the Elks' Civic Building in Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading this 5th day of October, 2021.


Douglas Glaspell, Mayor

ATTEST:


Lisa DelPiccolo, City Clerk



INTRODUCED, READ and ADOPTED on second reading this 19th day of October, 2021.

Douglas Glaspell, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk



CITY OF MONTROSE
Planning Services

MEMO

TO: City Council
FROM: Amy Sharp, Senior Planner
DATE: October 19, 2021
RE: City of Montrose Municipal Code Update, Section 4-1-3
EXHIBITS: House Bill 21-1222
Ordinance Amending MC 4-1-3 of Building Code (Redline & Clean Version)

City staff have undertaken a review of the Municipal Code Title 4, Chapter 1, Section 3 (C) in order update building code requirements for various daycare, child care, adult day care, and residential group facilities. This Code amendment is in response to House Bill 21-1222 (attached) which was signed June 7, 2021. This House Bill expands opportunities to access child care in family child care homes. According to this House Bill, family child care homes shall be treated as residential property use. This Code Amendment changes the requirement from five (5) children to twelve (12) children in the following sections to reflect the State law.

Recommended Actions:

1. Update Municipal Code Title 4, Chapter 1, Section 3 (C) to add #11-16 in Subsection (C) to reflect this change.
 - (11) Section 305.2 Daycare is amended by deleting five (5) and replacing with twelve (12).
 - (12) Section 308.4 Group I-4, Day Care Facilities is amended by deleting five (5) and replacing with twelve (12).
 - (13) Section 308.5.1 Adult Day Care is amended by deleting five (5) and replacing with twelve (12).
 - (14) Section 308.5.2 Child Care Facility is amended by deleting five (5) and replacing with twelve (12).
 - (15) Section 308.5.2 Child Care Facility, exception is amended by deleting five and replacing with twelve (12).
 - (16) Section 310.1 Residential Group R is amended by deleting five (5) and replacing with twelve (12).

An Act

HOUSE BILL 21-1222

BY REPRESENTATIVE(S) Valdez A. and Van Winkle, Bennett, Caraveo, Carver, Catlin, Cutter, Daugherty, Duran, Esgar, Exum, Gonzales-Gutierrez, Gray, Jackson, Kipp, Lontine, Lynch, McCluskie, McCormick, McLachlan, Michaelson Jenet, Mullica, Ortiz, Pelton, Ransom, Ricks, Sandridge, Sirota, Tipper, Titone, Valdez D., Van Beber, Will, Williams, Woog, Young, Garnett, Amabile, Baisley, Bird, Boesenecker, Froelich, Geitner, McKean, Pico, Snyder, Sullivan, Woodrow; also SENATOR(S) Smallwood and Winter, Bridges, Buckner, Cooke, Danielson, Fields, Ginal, Gonzales, Hisey, Jaquez Lewis, Kirkmeyer, Kolker, Lee, Liston, Moreno, Pettersen, Priola, Rankin, Scott, Simpson, Sonnenberg, Story, Zenzinger, Garcia.

CONCERNING ALIGNING LOCAL GOVERNING AUTHORITY REGULATIONS TO
EXPAND OPPORTUNITIES TO ACCESS CHILD CARE IN FAMILY CHILD
CARE HOMES.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Legislative declaration. (1) The general assembly finds and declares that:

(a) Colorado has a shortage of licensed, safe, and affordable child

care options, while at the same time there is a growing need for child care in order to bolster the economy and allow parents to work;

(b) Family child care homes provide an essential element of the child care network in both urban and rural parts of the state. In fact, in many counties, there are no licensed child care centers, making family child care homes the only option families have for licensed child care.

(c) Many parents prefer child care that is located in family homes within their neighborhood so their children can experience a home-like environment that is conducive to healthy and safe development.

(2) The general assembly further finds that:

(a) Zoning, land use development, building, and fire standards that vary across the state and that treat family child care homes differently from family residences are difficult for providers to meet, create undue hardship and barriers to entry, and negatively impact the number of providers willing and able to offer licensed child care; and

(b) The child care licensure rules promulgated by the Colorado department of human services provide rigorous protections for children's health and safety, including protective standards relating to fire and life safety, sanitation, and physical environment in family child care homes.

(3) Therefore, the general assembly declares that the regulation of family child care homes throughout the state is a matter of statewide concern and the inconsistent regulation by local governments relating to zoning, land use development, building codes, and fire and life safety hinders the ability of the state department of human services to license and inspect family child care homes and to provide accessible, safe, and affordable licensed child care options for all Colorado parents.

SECTION 2. In Colorado Revised Statutes, 26-6-104.5, **amend** (1) as follows:

26-6-104.5. Compliance with local government zoning regulations - notice to local governments - provisional licensure.

(1) (a) The department shall require any child care facility seeking licensure pursuant to section 26-6-104 to comply with any applicable

zoning AND LAND USE DEVELOPMENT regulations of the municipality, city and county, or county where the facility is situated. Failure to comply with applicable zoning AND LAND USE regulations ~~shall constitute~~ CONSTITUTES grounds for the denial of a license to a facility.

(b) NOTWITHSTANDING SUBSECTION (1)(a) OF THIS SECTION TO THE CONTRARY, THE AVAILABILITY OF SAFE, AFFORDABLE, AND LICENSED FAMILY CHILD CARE HOMES IS A MATTER OF STATEWIDE CONCERN. THEREFORE, PERMITTING FRAGMENTED REGULATION AMONG JURISDICTIONS IMPEDES AND INFRINGES UPON THE DEPARTMENT'S APPROPRIATE AND CONSISTENT LICENSING AND REGULATION OF FAMILY CHILD CARE HOMES THROUGHOUT THE STATE. ACCORDINGLY, LOCAL GOVERNING AUTHORITIES SHALL TREAT FAMILY CHILD CARE HOMES AS RESIDENTIAL PROPERTY USE IN THE APPLICATION OF LOCAL REGULATIONS, INCLUDING ZONING, LAND USE DEVELOPMENT, FIRE AND LIFE SAFETY, SANITATION, AND BUILDING CODES. LOCAL GOVERNING AUTHORITIES SHALL NOT IMPOSE ANY ADDITIONAL REGULATIONS GOVERNING FAMILY CHILD CARE HOMES THAT DO NOT ALSO APPLY TO OTHER RESIDENTIAL PROPERTIES, PROVIDED THAT THE FOREGOING DOES NOT RESTRICT AN AUTHORITY'S ABILITY TO PROHIBIT, ON A CASE-BY-CASE BASIS, THE OPERATION IN IMMEDIATELY ADJACENT RESIDENCES OF TWO OR MORE LARGE FAMILY CHILD CARE HOMES, AS THAT TERM IS DEFINED BY RULES BY THE DEPARTMENT THAT GOVERNS THE OPERATION OF FAMILY CHILD CARE HOMES, OR TO MANAGE THE FLOW OF TRAFFIC AND PARKING RELATED TO ADJACENT LARGE FAMILY CHILD CARE HOMES. RESIDENTIAL USE OF PROPERTY FOR ZONING PURPOSES INCLUDES ALL FORMS OF RESIDENTIAL ZONING AND, SPECIFICALLY, ALTHOUGH NOT EXCLUSIVELY, SINGLE-FAMILY RESIDENTIAL ZONING.

SECTION 3. In Colorado Revised Statutes, 26-6-106, **amend** (1)(a) as follows:

26-6-106. Standards for facilities and agencies - rules.

(1) (a) The department shall prescribe and publish standards for licensing. ~~Such~~ THE standards ~~shall~~ MUST be applicable to the various types of facilities and agencies for child care regulated and licensed by this part 1; except that the department shall prescribe and publish separate standards for the licensing of child placement agencies operating for the purpose of adoptive placement and adoption-related services. The department shall seek the advice and assistance of persons representative of the various types of child care facilities and agencies in establishing ~~such standards. Such~~

~~standards shall~~ THE STANDARDS, INCLUDING THE ADVICE AND ASSISTANCE OF THE DEPARTMENT OF PUBLIC SAFETY AND COUNCILS AND ASSOCIATIONS REPRESENTING FIRE MARSHALS AND BUILDING CODE OFFICIALS IN THE PROMULGATION OF ANY RULES RELATED TO ADEQUATE FIRE PROTECTION AND PREVENTION, AS ALLOWED IN SUBSECTION (2)(e) OF THIS SECTION, IN A FAMILY CHILD CARE HOME. THE STANDARDS MUST be established by rules promulgated by the state board of human services and ~~shall~~ be issued, and published, AND BECOME EFFECTIVE only in conformity with ~~the provisions and procedures specified in article 4 of title 24. C.R.S., and shall become effective only as provided in said article.~~

SECTION 4. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in

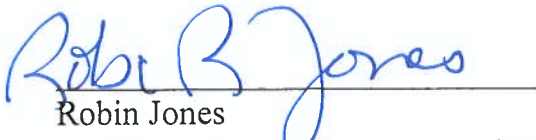
November 2022 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.



Alec Garnett
SPEAKER OF THE HOUSE
OF REPRESENTATIVES



Leroy M. Garcia
PRESIDENT OF
THE SENATE

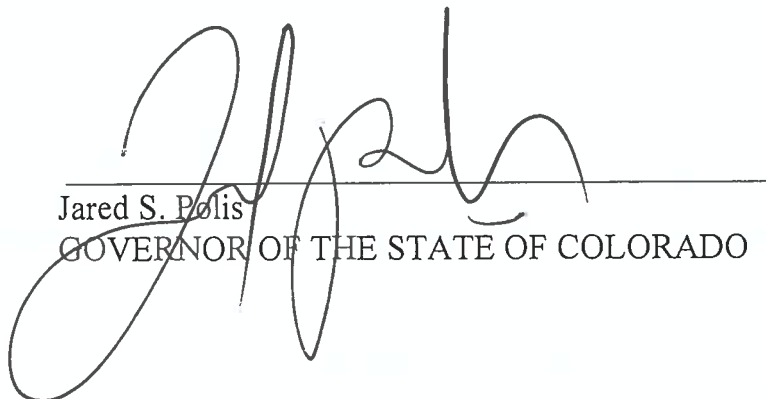


Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES



Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED June 7, 2021 at 12:40 pm
(Date and Time)



Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO,
UPDATING TITLE 4 CHAPTER 1, SECTION 3 BUILDING REGULATIONS OF
THE CITY OF MONTROSE: AMENDING TITLE 4 CHAPTER 1 SECTION 3 (4-
1-3) REGARDING BUILDING REGULATIONS.**

WHEREAS, the City's Building Regulations are updated from time to time;

WHEREAS, this update hereby amends the Building Regulations for daycare, daycare facilities, adult day care, childcare facilities, and residential group R.

WHEREAS, the City Council of the City of Montrose has determined that the changes to the Municipal Code will further the health, safety, and welfare of the people of the City of Montrose.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTROSE, COLORADO that:

The following Sections of Title 4 Chapter 1 Section 3 of the Official Code of the City of Montrose, Colorado are hereby amended as follows: Title 4 Chapter 1 Section 3 (4-1-3) is hereby amended by adding Subsection (C) 11-16. This version supersedes all previous versions of Montrose Municipal Code § 4-1-3 (C), to read as follows:

Sec. 4-1-3. Deletions, modifications and exceptions to the codes adopted by reference.

(C) The International Building Code, 2003 edition, is amended as follows:

- (1) References to jurisdiction in Section 101.1 and elsewhere mean the City.
- (2) The flood insurance study and maps referred to in Section 1612 are as adopted by Chapter 4-2 of the Official Code of the City of Montrose, Colorado.
- (3) Chapter 13 and Sections 101.4.1, 101.4.5, 103, 104.7, 104.8, 108.3, 108.4, 108.6, 112, 113.1, 113.3, 113.4, and 3410.2 are deleted.
- (4) Section 105.2 is amended to exempt the following from permit requirements:
 - (a) Uncovered decks and platforms.
 - (b) Replacement of sinks, faucets, showers, tubs, water heaters, dishwashers, garbage disposals and lawn sprinkler systems.
 - (c) Window and door replacement.

- (d) Fences.
- (5) All foundations submitted for habitable structures or additions to habitable structures, excluding patio covers and carports shall be site specific, stamped and signed by an engineer registered in the State of Colorado. One story detached accessory use structures less than 500 square feet in floor area, patio covers and carports need only comply with the requirements illustrated in the Figure set out in Subsection (J) of this Section.
 - (6) Swing and opening force. Exit doors serving an occupant load of 10 or more shall be of the pivoted, balanced, or side hinged swinging type. Exit doors shall swing in the direction of the path of exit travel. The door shall swing to the fully open position when an opening force not to exceed 30 pounds (133.45N) is applied to the latch side. Doors shall not project over public sidewalks.
 - (7) A second point of egress meeting the requirements of Section R310 (IRC) and Section 1025 (IBC) shall be provided in all basements at the time of initial construction of the basement.
 - (8) Common wall between a garage and residence must be one hour rated. Door between a garage and a residence must be solid core minimum 1 3/8 inches thick.
 - (9) Party walls between dwelling units shall be constructed in accordance with figures in Subsection (K), (L) or (M) of this Section.
 - (10) The exception from permit requirements for accessory buildings in IBC Section 105.2, is amended to read as follows:

Building. No more than one, one-story detached accessory structure for each premises as tool and storage sheds, playhouses and similar uses provided the floor area cannot exceed 200 square feet.

- (11) **Section 305.2 Daycare** is amended by deleting five (5) and replacing with twelve (12).
- (12) **Section 308.4 Group I-4, Day Care Facilities** is amended by deleting five (5) and replacing with twelve (12).
- (13) **Section 308.5.1 Adult Day Care** is amended by deleting five (5) and replacing with twelve (12).
- (14) **Section 308.5.2 Child Care Facility** is amended by deleting five (5) and replacing with twelve (12).
- (15) **Section 308.5.2 Child Care Facility, exception** is amended by deleting five and replacing with twelve (12).
- (16) **Section 310.1 Residential Group R** is amended by deleting five (5) and replacing with twelve (12).

ORDINANCE NO. 2562

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, UPDATING TITLE 4 CHAPTER 1, SECTION 3 BUILDING REGULATIONS OF THE CITY OF MONTROSE: AMENDING TITLE 4 CHAPTER 1 SECTION 3 (4-1-3) REGARDING BUILDING REGULATIONS

WHEREAS, the City's Building Regulations are updated from time to time;

WHEREAS, this update hereby amends the Building Regulations for daycare, daycare facilities, adult day care, childcare facilities, and residential group R.

WHEREAS, the City Council of the City of Montrose has determined that the changes to the Municipal Code will further the health, safety, and welfare of the people of the City of Montrose.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTROSE, COLORADO that:

The following Sections of Title 4 Chapter 1 Section 3 of the Official Code of the City of Montrose, Colorado are hereby amended as follows: Title 4 Chapter 1 Section 3 (4-1-3) is hereby amended by adding Subsection (C) 11-16. This version supersedes all previous versions of Montrose Municipal Code § 4-1-3 (C), to read as follows:

Sec. 4-1-3. Deletions, modifications and exceptions to the codes adopted by reference.

(C) The International Building Code, 2003 edition, is amended as follows:

- (1) References to jurisdiction in Section 101.1 and elsewhere mean the City.
- (2) The flood insurance study and maps referred to in Section 1612 are as adopted by Chapter 4-2 of the Official Code of the City of Montrose, Colorado.
- (3) Chapter 13 and Sections 101.4.1, 101.4.5, 103, 104.7, 104.8, 108.3, 108.4, 108.6, 112, 113.1, 113.3, 113.4, and 3410.2 are deleted.
- (4) Section 105.2 is amended to exempt the following from permit requirements:
 - (a) Uncovered decks and platforms.
 - (b) Replacement of sinks, faucets, showers, tubs, water heaters, dishwashers, garbage disposals and lawn sprinkler systems.

- (c) Window and door replacement.
- (d) Fences.
- (5) All foundations submitted for habitable structures or additions to habitable structures, excluding patio covers and carports shall be site specific, stamped and signed by an engineer registered in the State of Colorado. One story detached accessory use structures less than 500 square feet in floor area, patio covers and carports need only comply with the requirements illustrated in the Figure set out in Subsection (J) of this Section.
- (6) Swing and opening force. Exit doors serving an occupant load of 10 or more shall be of the pivoted, balanced, or side hinged swinging type. Exit doors shall swing in the direction of the path of exit travel. The door shall swing to the fully open position when an opening force not to exceed 30 pounds (133.45N) is applied to the latch side. Doors shall not project over public sidewalks.
- (7) A second point of egress meeting the requirements of Section R310 (IRC) and Section 1025 (IBC) shall be provided in all basements at the time of initial construction of the basement.
- (8) Common wall between a garage and residence must be one hour rated. Door between a garage and a residence must be solid core minimum 1 3/8 inches thick.
- (9) Party walls between dwelling units shall be constructed in accordance with figures in Subsection (K), (L) or (M) of this Section.
- (10) The exception from permit requirements for accessory buildings in IBC Section 105.2, is amended to read as follows:

Building. No more than one, one-story detached accessory structure for each premises as tool and storage sheds, playhouses and similar uses provided the floor area cannot exceed 200 square feet.
- (11) Section 305.2 Daycare is amended by deleting five (5) and replacing with twelve (12).
- (12) Section 308.4 Group I-4, Day Care Facilities is amended by deleting five (5) and replacing with twelve (12).
- (13) Section 308.5.1 Adult Day Care is amended by deleting five (5) and replacing with twelve (12).
- (14) Section 308.5.2 Child Care Facility is amended by deleting five (5) and replacing with twelve (12).
- (15) Section 308.5.2 Child Care Facility, exception is amended by deleting five and replacing with twelve (12).
- (16) Section 310.1 Residential Group R is amended by deleting five (5) and replacing with twelve (12).

You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and the question of its passage on first reading on Tuesday, the 5th day of October, 2021, at the hour of 6:00 p.m. at the Elks' Civic Building in Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading this 5th day of October, 2021.

ATTEST:



Lisa DelPiccolo, City Clerk





Douglas Glaspell, Mayor

INTRODUCED, READ and ADOPTED on second reading this 19th day of October, 2021.

Douglas Glaspell, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk



CITY OF MONTROSE
Planning Services

MEMO

TO: City Council
FROM: Amy Sharp, Senior Planner
DATE: October 19, 2021
RE: Lot 1 and Outlot A of the Yocum Subdivision Rezone
ATTACHMENTS:

- Exhibit A: Maps
- Exhibit B: Photos of Project Area
- Exhibit C: Zoning Code Excerpt
- Exhibit D: Public Comments

City Council Consideration:

City Council is considering the approval for the rezone of Lot 1 and Outlot A of the Yocum Subdivision and the adjacent right-of-ways. City Council will consider all of the information in this memo in making a decision.

Application Background:

The proposal is to rezone Lot 1 and Outlot A of the Yocum Subdivision and the adjacent right-of-ways from “R-1A” Large Estate District to “B-4” Neighborhood Shopping District for future development which could include a neighborhood center and/or housing. The property consists of approximately 6.4 acres, including both the parcels and adjacent right-of-ways.

Applicant: David Coker, Montrose Development Company, LLC

Proposed Zoning: “B-4” Neighborhood District



Staff Analysis:

1. Municipal Code, Section, 4-4-29(A), Rezoning.
“Amendments to the Official Zoning Map involving any change in the boundaries of an existing zoning district, or changing the designation of a district, shall be allowed only upon findings as follows:
 - a) The amendment is not adverse to the public health, safety and welfare; and
 - b) The amendment is in substantial conformity with the master plan or,
 - i. The existing zoning is erroneous, or
 - ii. Conditions in the area affected or adjacent areas have changed materially since the area was last zoned.”
2. The Planning Commission should consider the merits of the proposed rezone only and make a recommendation to City Council based on whether it should be rezoned to “B-4” Neighborhood Shopping District. The current zoning is “R-1A” Large Estate District.
 - Zoning Regulations. The “B-4” Neighborhood Shopping District is intended to provide for retail shopping and services on a parcel or parcels of land collectively no greater than approximately five acres in size, with a convenient location relative to residential neighborhoods. (Section 4-4-15)
 - a) Note: The parcels total approximately 5.6 acres. The adjacent right-of-ways would not be developed but are included in this rezone in order to have the right-of-way zoning match that of the adjacent parcels.
 - Exhibit B includes an excerpt from the Municipal Code showing uses by right in the “B-4” Neighborhood Shopping District.
3. This property is adjacent to properties that are zoned “R-1A” Large Estate District, “R-3A” Medium High Density District, and agricultural (outside City limits).
4. The Comprehensive Plan Future Land Use Map (Chapter 3) designates this area as Neighborhood Center.
 - Neighborhood Center: *This designation is intended for small mixed-use commercial uses such as limited convenience shopping, office and professional services, and public facilities. Buildings are encouraged to be designed to blend with the surrounding neighborhood and located near the intersections of major and minor roadways.*
 - Staff finds that the proposed zoning meets the intent of the Comprehensive Future Land Use Map.
5. The “B-4” zoning does not appear to be adverse to the public health, safety and welfare, and is consistent with Municipal Code requirements and the Comprehensive Plan.



Staff Recommendation:

Staff finds that the rezone criteria has been met; it is in compliance with the Comprehensive Plan; it is compatible with existing uses in the surrounding area; and therefore, recommends approval of the "B-4" Neighborhood Shopping Center.

Planning Commission Recommendation:

The Planning Commission recommended approval of the rezone for Lot 1 and Outlot A of the Yocum Subdivision and adjacent right-of-ways to "B-4" Neighborhood Shopping District at the August 25, 2021 meeting. The vote was four in favor and one opposed.

This item was re-heard by the Planning Commission on September 22, 2021 due to an error in the public noticing description for the initial August 25th meeting. The Planning Commission recommended approval of the rezone at the September 22nd meeting. The vote was unanimous.

City Council Options:

1. Accept the Planning Commission recommendation and approve the rezone.
2. Deny the request for a rezone and schedule a de novo hearing. The hearing date should be established in consultation with the City Attorney.

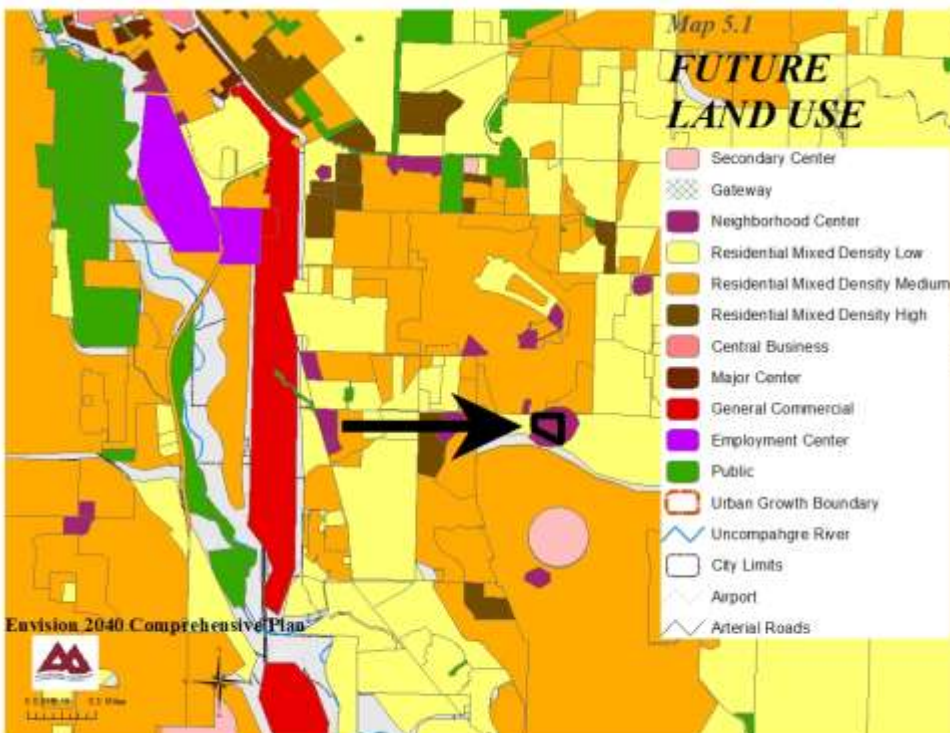


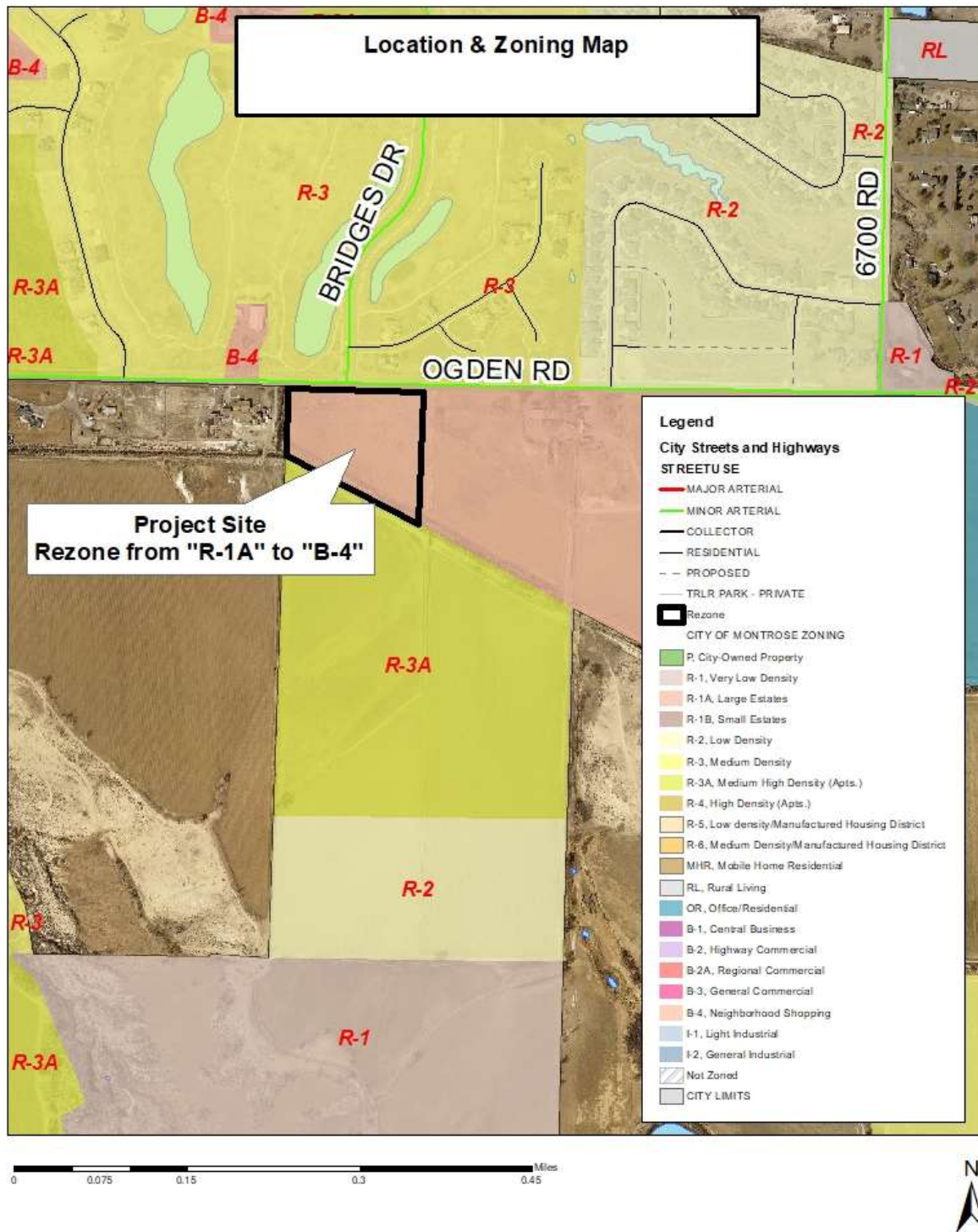
EXHIBIT A: Maps

Vicinity Map

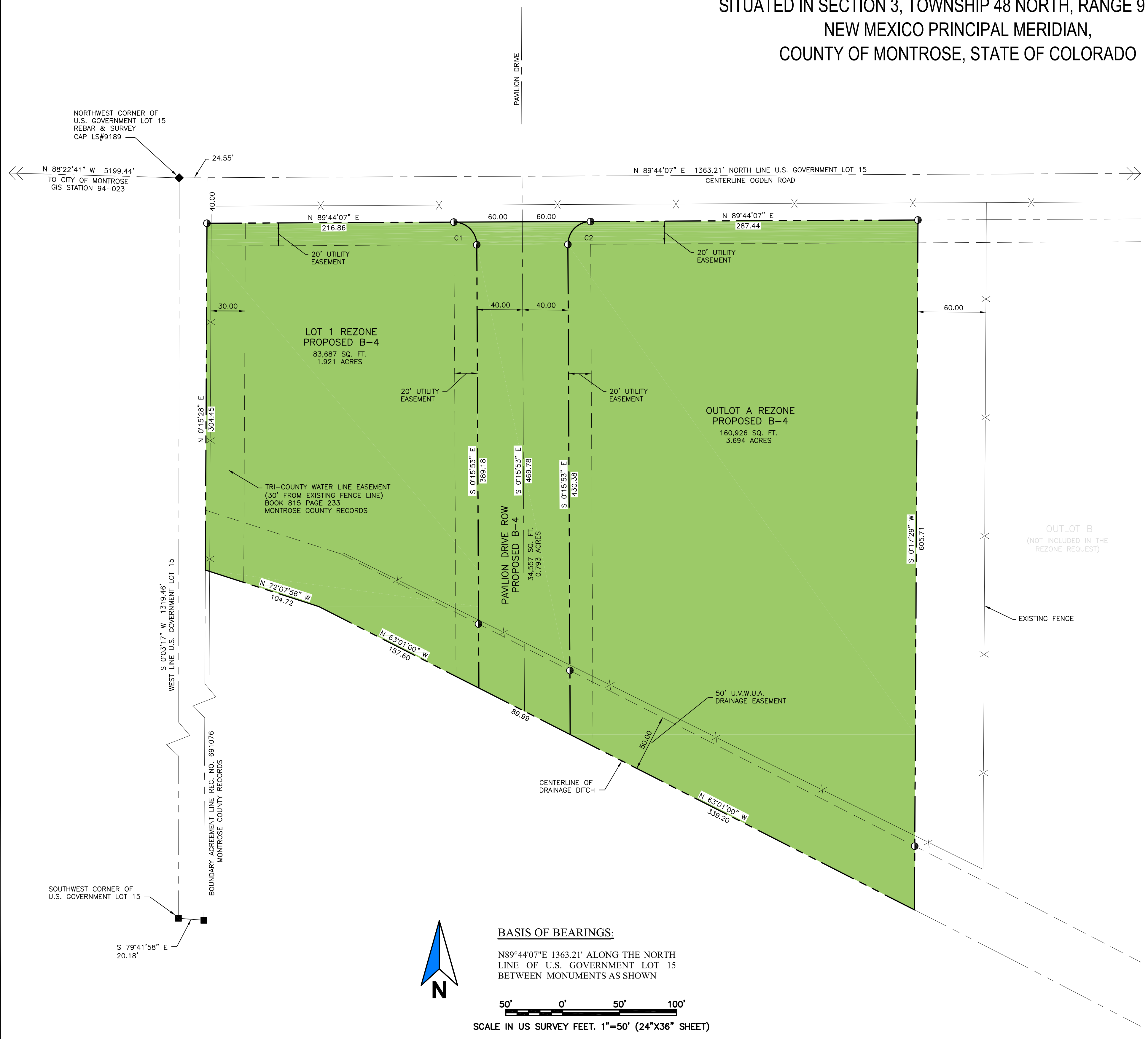


Comprehensive Plan Future Land Use Map





YOCUM SUBDIVISION REZONE MAP
SITUATED IN SECTION 3, TOWNSHIP 48 NORTH, RANGE 9 WEST,
NEW MEXICO PRINCIPAL MERIDIAN,
COUNTY OF MONTROSE, STATE OF COLORADO



ZONING BOUNDARY DESCRIPTIONS

LOT 1:
A parcel of land lying within Section 3, Township 48 North, Range 9 West of the New Mexico Principal Meridian, County of Montrose, State of Colorado, more particularly described as follows:

Being Lot 1 of the Yocum Subdivision as shown on the Plat thereof, recorded at Rec. No. 696756.

Described parcel containing 1.921 Acres more or less.

PAVILION DRIVE ROW:
A parcel of land lying within Section 3, Township 48 North, Range 9 West of the New Mexico Principal Meridian, County of Montrose, State of Colorado, more particularly described as follows:

Being Pavilion Drive of the Yocum Subdivision as shown on the Plat thereof, recorded at Rec. No. 696756.

Described parcel containing 0.793 Acres more or less.

OUTLOT A:
A parcel of land lying within Section 3, Township 48 North, Range 9 West of the New Mexico Principal Meridian, County of Montrose, State of Colorado, more particularly described as follows:

Being Outlot A of the Yocum Subdivision as shown on the Plat thereof, recorded at Rec. No. 696756.

Described parcel containing 3.694 Acres more or less.

LEGEND

- REBAR & SURVEY CAP, LS# 12180
- LOT 1 PROPOSED B-4
- PAVILION DRIVE ROW PROPOSED B-4
- OUTLOT A PROPOSED B-4

BASIS OF BEARINGS:

N89°44'07"E 1363.21' ALONG THE NORTH
LINE OF U.S. GOVERNMENT LOT 15
BETWEEN MONUMENTS AS SHOWN

50' 0' 50' 100'
SCALE IN US SURVEY FEET. 1"=50' (24"x36" SHEET)

PRELIMINARY

CLIENT/DEVELOPER:
Coker Homes LLC
501 E Main Street
Montrose, CO 81401
david@cokerhomes.com
(303) 947-8886

SURVEYOR:
Joseph S. Reese, PLS 36067
Buckhorn Engineering, 222 S. Park Avenue
Montrose, CO 81401
jrease@buckhornengineering.com

BUCKHORN
ENGINEERING
WWW.BUCKHORNENGINEERING.COM
jrease@buckhornengineering.com

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

YOCUM SUBDIVISION REZONE MAP
SITUATED IN SECTION 3, TOWNSHIP 48 NORTH, RANGE 9 WEST,
NEW MEXICO PRINCIPAL MERIDIAN,
COUNTY OF MONTROSE, STATE OF COLORADO

PROJECT 2021-026-CIV
DATE 8/02/2021
DRAFTER JC
CHECKED JSR

SHEET
EX
1 OF 1

EXHIBIT B: Photos of Project Area



EXHIBIT C: Zoning Code Excerpt

Sec. 4-4-15. "B-4" Neighborhood Shopping District.

- (A) *Intent.* The "B-4" Neighborhood Shopping District is intended to provide for retail shopping and services on a parcel or parcels of land collectively no greater than approximately five acres in size, with a convenient location relative to residential neighborhoods.
- (B) *Uses by Right.*
- (1) Government buildings and facilities.
 - (2) Public utility service facilities.
 - (3) Retail stores, business and professional offices and service establishments which cater to the general shopping public.
 - (4) Restaurants.
 - (5) Self-service laundry facilities.
 - (6) Places of worship.
 - (7) Single-family homes, duplexes, and multiple-family residences.
 - (8) Childcare facilities.
 - (9) Short-term rentals.
- (C) *Conditional Uses.*
- (1) Fuel stations or other retail uses having fuel pumps.
 - (2) Drive-in or drive-through restaurants.
 - (3) Car washes.
 - (4) Rental storage units inside a building.
 - (5) Taverns.
 - (6) Private and fraternal clubs.
 - (7) Schools.
 - (8) Renewable energy facilities.
 - (9) Antennas and towers are allowed only as conditional uses in all zones and are subject to the provisions of Section 4-4-21 and the other applicable requirements of City ordinances and regulations.
- (D) *Not Included in this District.* The following uses are not to be construed as a use by right or a conditional use in the "B-4" Neighborhood Shopping District:
- (1) Automobile or vehicle sales or service establishments
 - (2) Farm implement sales or service establishments.
 - (3) Trailer home or mobile home sales or service establishments.
 - (4) Feed storage and sales establishments.



- (5) Veterinary clinics or hospitals.
- (6) Automobile body shops.
- (7) Construction and contractor's equipment storage facilities.
- (8) Machine and welding shops.
- (9) Warehouse and storage facilities. Small rental storage units are allowed. See Subsection (C)(4) of this Section.
- (10) Manufacturing and industrial uses.

(E) *Performance Standards.*

- (1) All uses shall be easily accessible by pedestrians from surrounding areas and shall provide appropriate sidewalk connections to the surrounding sidewalk system.
- (2) Common access and shared parking is required for multiple tenants and encouraged for multiple parcels.
- (3) Landscaping shall be reasonably compatible with that existing in the neighborhood.
- (4) Buildings shall be architecturally compatible with the residential character of the area and comply with City design standards.

(Ord. No. 2472 , § 4-4-15, 5-7-2019)





Amy Sharp <asharp@ci.montrose.co.us>

Fwd: Planning Commission Error - Wrongful Identification

Lisa DelPiccolo <ldelpiccolo@cityofmontrose.org>
Reply-To: ldelpiccolo@cityofmontrose.org
To: Amy Sharp <asharp@ci.montrose.co.us>

Tue, Sep 7, 2021 at 7:32 AM

LISA DELPICCOLO, MMC

City Clerk's Office
City Clerk
970.240.1422 Office



----- Forwarded message -----

From: **jim** <jim_32766@hotmail.com>
Date: Mon, Sep 6, 2021 at 10:45 AM
Subject: Planning Commission Error - Wrongful Identification
To: <dfrank@cityofmontrose.org>
Cc: <ldelpiccolo@cityofmontrose.org>, <dglaspeil@cityofmontrose.org>, <arusso@cityofmontrose.org>, <jdreed@cityofmontrose.org>

Dr Mr. Frank,

The City of Montrose Planning Commission has made a procedural error regarding a proposed zoning change described as " Lot 1 and Outlot A of the Yocum subdivision". The parcel was wrongfully identified as being at Ogden Road and Pavilion Drive (see attached image). The correct location is at Ogden Road and Bridges Drive.

Many citizens disregarded the notification based on the error, effectively being deprived of their right to representation on the matter.

Please reject this zoning change and re-engage the process from the beginning so that citizens of Montrose can engage as intended.

Additional consideration for rejecting the proposed change:

Pre-existing nearby B-4 zoning - there is a parcel 1/4 west of the parcel under consideration that is already zoned B-4. There is no need for another B-4 parcel this close.

Lack of infrastructure - Ogden road is not up to current standards, lacking shoulders, bike paths, side walks, etc. Until Ogden road is brought up to current standards no additional traffic-generating changes should be considered. This is a safety matter.

Best,

Jim Carlson

IMG-2685.jpg
1752K





August 9, 2021

Dear Property Owner,

The City of Montrose Planning Commission will hold a public hearing to consider the proposed rezone of Lot 1 and Outlot A of the Yocum Subdivision located at Ogden Road and Pavilion Drive. The property to be rezoned is approximately 6.4 acres. The property is currently zoned "R-1A" Large Estate District. The proposed new zoning is "B-4" Neighborhood Shopping District. The meeting packet and agenda will be posted on the City's website the week prior to the meeting.

<https://www.cityofmontrose.org/126/Planning-Commission>

The hearing will be on **Wednesday, August 25, 2021 at 5:00 p.m.** in the City Council Chambers at 107 S. Cascade Ave., Montrose CO 81401. The public is invited to attend in-person or virtually and can be accessed by video conference or phone.

Join by Video Conference: <https://us02web.zoom.us/j/82894683047>

Join by Phone: Dial (for higher quality, dial a number based on your current location): US: +1 346 248 7799 or +1 669 900 9128 or +1 253 215 8782 or +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592

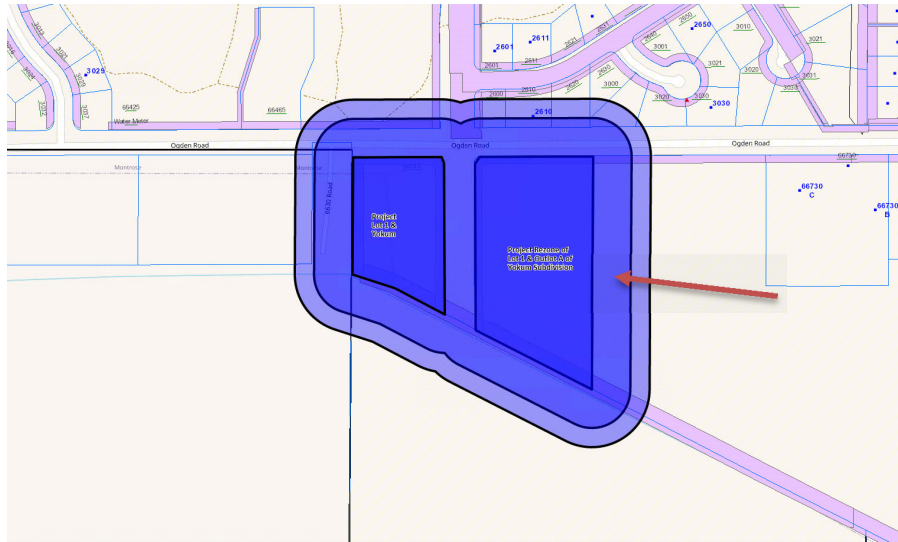
If you have questions or concerns, please contact Amy Sharp at asharp@cityofmontrose.org, 970-240-1478, or written comments may be sent to the Planning Services Department, City of Montrose, P.O. Box 790, Montrose, CO 81402-0790.

Sincerely,

Amy Sharp, Senior Planner
City of Montrose

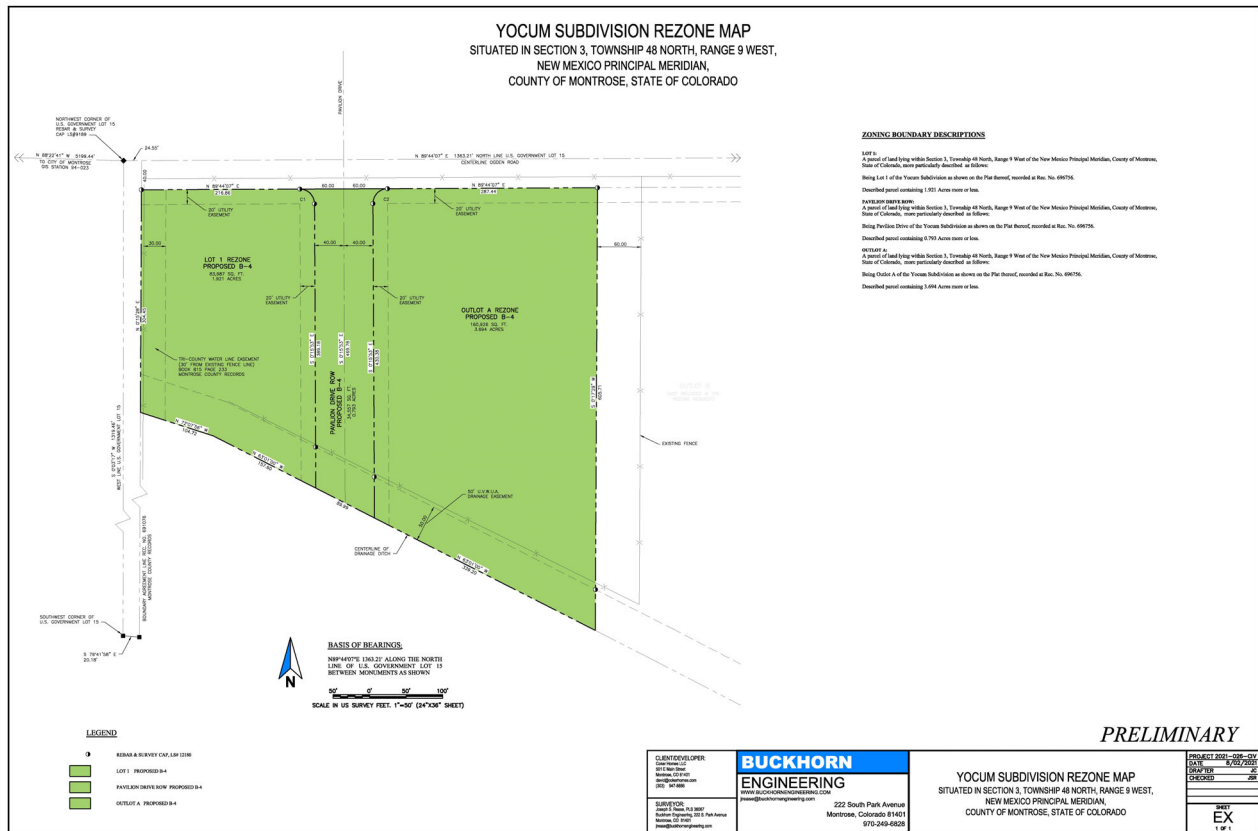
*Continued on back

General Notification Area



*Note: This letter was sent to property owners living within a 100' distance of the proposed development area in accordance with the City of Montrose Municipal Code.

Property to be Re-zoned





Amy Sharp <asharp@ci.montrose.co.us>

Fwd: Yocum Subdivision Rezoning

Lisa DelPiccolo <ldelpiccolo@cityofmontrose.org>
Reply-To: ldelpiccolo@cityofmontrose.org
To: Amy Sharp <asharp@ci.montrose.co.us>

Tue, Sep 7, 2021 at 7:31 AM

Hello Amy,

I have received several emails regarding the Yocum rezone. I will forward them all to you. Please let me know if you need me to do anything else with them.

Thanks!

LISA DELPICCOLO, MMC

City Clerk's Office
City Clerk
970.240.1422 Office



----- Forwarded message -----

From: **Terry & Verena Ferris** <pumarun@comcast.net>
Date: Mon, Sep 6, 2021 at 8:26 PM
Subject: Yocum Subdivision Rezoning
To: DelPiccolo Lisa <ldelpiccolo@cityofmontrose.org>

To: Lisa DelPiccolo
From: Terrence M. Ferris, Verena Ferris
Subject: Yocum Subdivision, Lot 1 and Outlot A rezoning
Date: September 6, 2021

We moved to Montrose four years ago from Denver for the quality of life in this area.

The proposed zoning change from R-1 to B-4 allows for a wide variety of commercial facilities, and therefore, will put a lot more traffic on Ogden Road which is already heavily used and make walking or bicycling on Ogden virtually impossible.

As far as shopping is concerned, within a 1/2 to one mile we have grocery stores, big box stores, restaurants and many other services. In addition there are many retail and commercial buildings vacant in this area and downtown.

Therefore, we are against the rezoning of this property.

Respectfully,

Terrence (Terry) and Verena Ferris
[2700 Red Cliff Circle](#)
[Montrose, Co. 81401](#)



Amy Sharp <asharp@ci.montrose.co.us>

Fwd: Lot 1 and Outlot A of the Yocum subdivision

Lisa DelPiccolo <ldelpiccolo@cityofmontrose.org>
Reply-To: ldelpiccolo@cityofmontrose.org
To: Amy Sharp <asharp@cityofmontrose.org>

Tue, Sep 7, 2021 at 4:38 PM

LISA DELPICCOLO, MMC

City Clerk's Office
City Clerk
970.240.1422 Office



----- Forwarded message -----

From: **Fritz Flower** <fritzflowermotor@yahoo.com>
Date: Tue, Sep 7, 2021 at 4:13 PM
Subject: Lot 1 and Outlot A of the Yocum subdivision
To: ldelpiccolo@cityofmontrose.org <ldelpiccolo@cityofmontrose.org>

Lisa and City Council members,

My wife April Flower and myself (Fritz Flower), are against the rezoning of the Yocum subdivision. There are several reasons we feel this way. First off we feel that there is plenty of shopping close by (.5-2 miles) for the neighbors in the bridges and surrounding subdivisions. Secondly we also strongly feel that rezoning this property for commercial use will devalue the price of our home we built in the bridges subdivision in 2019. Thirdly, the sign that was placed on the fence at bridges Drive and Ogden Road last spring fell off and laid on the ground for most of the notification period. We feel that the city's process of notification should be nullified and should have to start over.

Fourthly, we feel that Ogden road is not substantial enough to handle the increased influx of traffic this would impose. Lastly there are many vacant retail/commercial buildings in downtown Montrose and south Montrose areas. Creating new business areas is not needed at this time. Thank you.

Fritz Flower

Flower Motor Co. Inc. 1760 N. Townsend Ave Montrose, CO. 81401

(970) 249-9690 Office (970) 209-8127 Cell



Amy Sharp <asharp@ci.montrose.co.us>

Fwd: Zoning change for the 6.4 acre parcel south of Ogden

Lisa DelPiccolo <ldelpiccolo@cityofmontrose.org>
Reply-To: ldelpiccolo@cityofmontrose.org
To: Amy Sharp <asharp@ci.montrose.co.us>

Wed, Sep 8, 2021 at 12:59 PM

LISA DELPICCOLO, MMC

City Clerk's Office
City Clerk
970.240.1422 Office



----- Forwarded message -----

From: **Wendi Hurst** <wchurst57@gmail.com>
Date: Wed, Sep 8, 2021 at 12:05 PM
Subject: Zoning change for the 6.4 acre parcel south of Ogden
To: <ldelpiccolo@cityofmontrose.org>
Cc: Larry Kinnick <lrkinnick@gmail.com>

We are writing to express our opposition to the zoning change of this parcel from R-1 to B-4.

It just does not make any sense to bring a commercial/shopping district out this far away from the highway.

This area is a beautiful area that is more meant for residential. Putting in a shopping district would add to the noise, extra traffic and light pollution that would detract from the area.

Please vote against this proposal.

Regards,
Larry R. Kinnick
Wendi C. Hurst



Amy Sharp <asharp@ci.montrose.co.us>

Fwd: FW: Proposed rezone of Lot 1 and Outlot A of the Yocum subdivision

Lisa DelPiccolo <ldelpiccolo@cityofmontrose.org>
Reply-To: ldelpiccolo@cityofmontrose.org
To: Amy Sharp <asharp@ci.montrose.co.us>

Tue, Sep 7, 2021 at 9:01 AM

LISA DELPICCOLO, MMC

City Clerk's Office
City Clerk
970.240.1422 Office



----- Forwarded message -----

From: rob@flowermotor.com <rob@flowermotor.com>
Date: Tue, Sep 7, 2021 at 9:01 AM
Subject: FW: Proposed rezone of Lot 1 and Outlot A of the Yocum subdivision
To: <ldelpiccolo@cityofmontrose.org>

To whom it may concern.

My name is Robert Loewen, I reside at [2671 Red Cliff Circle](#), in the Bridges at Black Canyon Subdivision.

The proposed rezone in question brings a few concerns to me regarding the safety of Ogden rd.

The intersection of Bridges Blvd, and Ogden rd, is where the street I live on is located, and the traffic at this intersection and on Ogden rd is already fast and frequent. I am concerned that that Ogden rd. Is not suitable to handle the current traffic load, not to mention the additional load that will be added in the future.

Can you please tell me how you plan to ensure the current residents of the area that there will be sufficient upgrades to the streets effected by the proposed changes to the current plan?

Please keep in mind that there are currently no curb and gutter or sidewalks in this area, and pedestrian traffic will be effected as well as travel by automobile.

I would consider the current status of Ogden road as unsuitable for commercial traffic with regard to the infrastructure that is currently there.

Thank You.

Rob Loewen GM
Montrose Auto Connection
970-765-3751



Amy Sharp <asharp@ci.montrose.co.us>

Fwd: Rezone

Lisa DelPiccolo <ldelpiccolo@cityofmontrose.org>
Reply-To: ldelpiccolo@cityofmontrose.org
To: Amy Sharp <asharp@ci.montrose.co.us>

Tue, Sep 7, 2021 at 7:32 AM

LISA DELPICCOLO, MMC

City Clerk's Office
City Clerk
970.240.1422 Office



----- Forwarded message -----

From: **john meredith** <tei4batteries@sbcglobal.net>

Date: Mon, Sep 6, 2021 at 7:23 PM

Subject: Rezone

To: ldelpiccolo@cityofmontrose.org <ldelpiccolo@cityofmontrose.org>

Cc: Jim Carlson <jim_32766@hotmail.com>, Chandra Panther <chandra.panther@gmail.com>

We live on Red Cliff Circle and oppose the proposed rezoning described in "Lot 1 and Outlot A of the Yocum Subdivision" for the following reasons:

1. The city failed to follow their notification requirements, depriving the community of the opportunity to address the topic. This single point should require the city to nullify the process conducted to this point in time and start over.

The notification letter, which was only mailed to property owners within 100 feet of the affected property, falsely stated the property under consideration was located at Bridges Drive and Pavilion Drive. The property was actually located at Bridges Drive and Ogden Road.

The sign placed on the fence at bridges Drive and Ogden Road in the spring fell off and laid on the ground for most of the notification period.

2. There is B-4 zoned property on Ogden Road less than 1/2 mile west of the property under discussion, making additional B-4 zoning in this area redundant. This westerly

property is currently in the county but will likely be annexed to the city prior to development. Note, this other B-4 property was not identified or mentioned by the city in the recent zoning meeting.

3. Ogden Road “as-is” will not support additional traffic associated with a new shopping district. At minimum any zoning consideration should be postponed until the necessary improvements to Ogden Road are implemented.

4. There are plenty of shopping opportunities within 1/2 to 2 miles of the communities in this area: Brown Ranch, The Preserve, the Glens, Mountain Pine, The Bridges. There is no need or demand for additional, closer shopping areas.

5. There are many vacant retail/commercial buildings in the downtown and south Montrose areas.

6. This rezoning will increase traffic unnecessarily on Bridges Dr. and increase the likelihood of accidents between vehicles and golf carts crossing city streets.

Sincerely,
John & Lois Meredith

[2691 Red Cliff Circle](#)

September 5, 2021

Paul Panther
2601 Red Cliff Circle
Montrose, Colorado 81401
(970) 209-0818

Members of the City Council,

I am writing this letter to voice my opposition to the rezone of Lot 1 and Outlot A of the Yocum Subdivision immediately south of the intersection of Ogden Road and Bridges Drive. This potential rezone from R-1A Large Estate District, to B-4 Neighborhood Shopping District is completely unnecessary, completely unwanted by the adjoining and nearby residential property owners and has no specific direction.

I personally have many reasons why I oppose the rezone as listed below. Before that I'd like to state my great displeasure of the process to date.

Regarding this rezone, the Montrose City Planning Commission held a public hearing on August 25th. This meeting was improperly noticed and misleading to the community. During the meeting which was well attended by area residents, thanks to a few people "getting the word out", several nearby residents including myself spoke in person or by Zoom and offered many sound arguments why the rezone isn't a needed element in this vicinity of our community. Only one public voice supported the rezone. That of the applicant.

A huge amount of the Montrose retail element is located as close as 1/2 mile from this site with the very, very dense retail within two miles. The centers of Walmart, City Market, Target and many, many more smaller retailers in these centers are within 2 miles. The use of convenience as part of the justification to all of us by the City Planning Staff is a non-starter for sure. The Planning Staff and Planning Commission all but ignored our statements that the nearby retail is VERY convenient. Staff fell back on the excuse of this is "Part of the Master Plan". Master plans are revised in many communities (including ours) continually. The applicant himself stated in the Planning Commission meeting "I haven't really even thought of what I might do with this site" and the B-4 zoning. In my mind with that comment alone he completely shoots down any "Master Planning" compliance.

During the meeting, people who asked to be heard after additional information was put forth, were told that they would be escorted out of the meeting if they continued to try and speak. What has the Planning Commission become when upstanding, tax paying property owners are silenced like this based on some unsupported protocol? VERY alarming for sure.

Continuing with the argument against the rezone, as I stated none of the nearby property owners and/or residents support this rezone.

A few reasons listed below:

- Plenty of retail locally available. No need for more.
- The landowner immediately to the west of this property and affronting Ogden Road, already has commercial zoning in place in the County. Even though I understand he will have to satisfy the City with subdivision plans, that zoning is already in place. And I imagine will most likely remain in place.
- Our land values WILL be negatively affected. Me and my wife's possibly more than others as we have our primary residence immediately across the street. We also own a second lot very close to the site and I am one of the investors in the Bridges Villas development, which to say the least will be visually and negatively affected by a commercial use on this site.
- Virtually no improvements to Ogden Road are in place to support the traffic.
- Subdivision of the property immediately south of this site (controlled by the applicant), has not been vetted by the City. There could be serious conflicts with this B-4 zoning not yet known.
- The B-4 zoning is VERY gracious in it's allowed uses either by 1. Use by Right, 2. Conditional Uses and 3. Special Use Permit. In short, we have no idea what ultimately will be the physical use(s) allowed under this zoning. And the Planning Commission did specifically state that the applicant could do whatever he wanted as allowed in the zoning.
- The people living in this area built and bought based on the existing zoning. It is unfair for the change to the property zoning to be so extreme as to allow shopping centers in our backyards.

Thank you in advance for your consideration.



Amy Sharp <asharp@ci.montrose.co.us>

Fwd: My name is Steve Roddy I live at 2610 red cliff circle right in front of the locum subdivision I think we do not need a b 4 zoning charge on this property this should stay a r 1. We all ready have a b 4 zoning less than a half mile down the road plus every few people were noticed of the change in zoning

Lisa DelPiccolo <ldelpiccolo@cityofmontrose.org>
Reply-To: ldelpiccolo@cityofmontrose.org
To: Amy Sharp <asharp@ci.montrose.co.us>

Tue, Sep 7, 2021 at 12:23 PM

LISA DELPICCOLO, MMC

City Clerk's Office
City Clerk
970.240.1422 Office



----- Forwarded message -----

From: **steveroddy01** <steveroddy01@aol.com>

Date: Tue, Sep 7, 2021 at 12:21 PM

Subject: My name is Steve Roddy I live at [2610 red cliff circle](#) right in front of the locum subdivision I think we do not need a b 4 zoning charge on this property this should stay a r 1. We all ready have a b 4 zoning less than a half mile down the road plus every few people were noticed of the change in zoning

To: <ldelpiccolo@cityofmontrose.org>

Sent from my Verizon, Samsung Galaxy smartphone



Amy Sharp <asharp@ci.montrose.co.us>

Fwd: Rezoning OPPOSITION

Lisa DelPiccolo <ldelpiccolo@cityofmontrose.org>
Reply-To: ldelpiccolo@cityofmontrose.org
To: Amy Sharp <asharp@cityofmontrose.org>

Tue, Sep 21, 2021 at 2:56 PM

LISA DELPICCOLO, MMC

City Clerk's Office
City Clerk
970.240.1422 Office



----- Forwarded message -----

From: <dmschuttig@comcast.net>
Date: Tue, Sep 21, 2021 at 2:36 PM
Subject: Rezoning OPPOSITION
To: <ldelpiccolo@cityofmontrose.org>

Hi Lisa.

I understand that as the City Clerk for the City of Montrose, I can send my OPPOSITION to proposed rezoning to you and you will make these comments available to the planning commission as part of their deliberations? Please let me know if I am mistaken. I can plan to attend the meeting scheduled for Sep 22 to make these comments heard if necessary.

The property under rezoning consideration is described as " Lot 1 and Outlot A of the Yocum subdivision" – a 6.4 acre parcel of land on the south side of Ogden directly in line with Bridges Drive. The proposed zoning change is from R-1 to B-4. Zoning category B-4 is described as a neighborhood shopping district.

I OPPOSE this rezoning for the following reasons:

1. **Disruption to community continuity.** Think about the best neighborhoods in Montrose (to name a few: Brown Ranch, Solar Hills, Fox Park, Monte Vista, Raven Crest, American Village), and none of them are marred by commercial buildings. Permitting commercial building at this property makes growth of the best neighborhood here unlikely.
2. **Excess commercial space is currently available.** The established commercial zones along Townsend and Main are a short distance from this location (2.6 miles and 1.2 miles respectively) and have numerous empty lots, buildings, and offices that are likely a better location for any commercial venture than a venue a mile off the main drag and currently surrounded by fields.
3. **No plans.** There are, at present, no plans for what commercial building or enterprise would be built on this property.

Because there are currently no plans for this property, I have the following additional concerns:

4. **Additional loose trash** that is generated by any sort of business. Every business generates more trash than a personal property; even small offices generate invoices and small bags that end up loose in the environment.

Given the prevailing winds, this additional trash will roll over the Bridges golf course and around Remington's - both sources of substantial revenue for the community - negatively impacting the desirability of these properties for big "destination" revenue-generating events (such as the AJGA tournament held earlier this summer).

5. **Additional night-time lighting.** This will negatively impact the "dark sky" status of the neighborhood.
6. **Additional noise.**
7. **Impact to sightlines.**
8. **Unsightliness of commercial signage.**
9. **Additional traffic.**

Knowing what commercial enterprise is planned for the property might change the calculus, but without that information I believe the zoning commission should deny the application for a zoning change at this property.

Thanks.

Anne Schuttig

[2432 Shavano Circle, Montrose](#)

James Yannaccone
3000 Sleeping Bear Rd
Montrose, CO 81401
970-819-3436
j.yannaccone@yahoo.com

09/07/2021

Attention Montrose City Council Members,

This letter is written in regard to the current request made for Zoning Reclassification to the parcels described as “Lot 1 and Outlot A of the Yocum Subdivision”. This combined 6.4 acre site is located just south of Ogden Road and the Bridges Golf Course and is presently slated for zoning change from current “R-1A Large Estate District” to “B-4 Neighborhood Shopping District”.

As a current resident at the Bridges Golf Community and located in relatively close proximity to the subject site, I am writing to express my concerns related to this potential change to the community.

1) Safety and Hazard Concerns

Ogden Road is currently not improved with sidewalks nor adequate shoulder area to provide a safe path for pedestrian or bicycle access. The subject site on Ogden Road is located a mile to Townsend Avenue, the Rec Center and several large commercial and business shopping centers are already in place. Allowing for a shopping center or new business district should include a preliminary study and/or approval for safe and adequate access prior to a major Zoning change, especially noted when conversion from a residential to business classification.

At the Regular Planning Commission Meeting on 08/25/2021 the Planning Commission stated Ogden Road would require taking possession of private land in order to improve the road and take adequate “Right of Way” for improvement. This obviously has been ignored in this decision since it could take quite some time to complete with Eminent Domain studies and access for possession to each site.

2) B-4 Zoning Classification allows for too broad of spectrum for Use.

The original zoning plan of R1A - Large Estate District still conforms well with the surrounding residential properties and light business uses found in this immediate neighborhood. Changing from an open space residential zoning to a retail shopping center classification I believe, was not the original intended motivations of any of the residents who purchased properties in this portion of Montrose.

Although the Planning Commission may have future comprehensive plans in place, in my opinion under the B-4 classification, this change allows for many more commercial and business uses than what may be suitable for the original design and the plans originally created for this growing residential neighborhood.

3) Economic Impact

I question if the current economy, number of vacant business sites on Main Street and Townsend Avenue, along with the noticeable number of “Help Wanted” signs all over town are also being considered in this decision. This zoning change was not made clearly

evident to the local business community. The business owners who are struggling to find employees right now, (just a mile away), also may not agree with this “quick” decision being made.

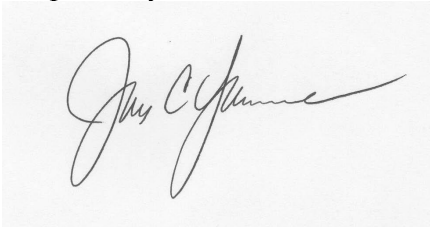
4) The B-4 Classification only Provides incentive to the Developer

Once the Zoning classification is changed to B-4, the applicant is given rights to a new marketable product that could easily be sold off to a major retailer and/or developer and have no way to stop a project that meets Uses by Right, but could potentially be a detriment to the neighborhood or impact market values.

In Conclusion

Based on the information provided and as a concerned citizen of Montrose, it is my opinion this decision is clearly premature for this area. Since there are no immediate plans for development as stated by the applicant at the last meeting, I ask that the council at least “table” this decision until further studies are performed regarding a safe, hazard free access to the subject site and possibly establish a more defined study of any potential business uses at a later date.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James Yannaccone", written on a light-colored rectangular background.

James Yannaccone



Amy Sharp <asharp@ci.montrose.co.us>

Fwd: Rezone at Bridges Drive and Ogden Road is scheduled to be heard by the Montrose City Council on October 5th

Lisa DelPiccolo <ldelpiccolo@cityofmontrose.org>

Wed, Sep 29, 2021 at 8:21 AM

Reply-To: ldelpiccolo@cityofmontrose.org

To: Amy Sharp <asharp@cityofmontrose.org>

LISA DELPICCOLO, MMC

City Clerk's Office

City Clerk

970.240.1422 Office



----- Forwarded message -----

From: **Paul Panther** <panther.rms@gmail.com>

Date: Wed, Sep 29, 2021 at 7:12 AM

Subject: Rezone at Bridges Drive and Ogden Road is scheduled to be heard by the Montrose City Council on October 5th

To: <ldelpiccolo@cityofmontrose.org>

Dear Council Members,

I'm writing to voice my opinion of why the rezone of the property south at Bridges Drive and Ogden Road should be DENIED.

The main frontage road serving this property, (Ogen Road), needs numerous and huge improvements for miles before any commercial type of development can be properly served along this frontage. With no sidewalks and no reasonable shoulders along this road, along with a minimum road width, there just isn't sufficient infrastructure to support commercial zoning and development here. There are dangers along this road for sure until that infrastructure is completed.

Living just off Ogden Road on Red Cliff Circle I witness both pedestrians and bicycle riders continually struggle to walk / ride along this road. Often with VERY dangerous results as vehicular traffic attempts to avoid these users and are forced to swing out, often over the yellow dividing line, into oncoming traffic. I've seen (and have had to do it myself) vehicles pretty much stop in the road to wait for oncoming traffic to clear before one can make a safe pass of these users.

I have many other reasons. Such as plenty of B-4 and other commercial / retail zoning and existing development within as close to 1/2 mile from this location. Severe negative

impacts to adjacent and nearby property owners with regards to lost property values and reduced quality of living, one of which is me. Unknown use of the property as the applicant has even gone as far to say publicly "I don't even know what I'm planning to do there yet".

The City should get the Ogden Road improvements done and then consider the re-zone at that time if you must. But it's too early right now for sure.

Paul Panther
2601 Red Cliff Circle
Montrose, CO. 81401



Amy Sharp <asharp@ci.montrose.co.us>

Fwd: Zoning

Lisa DelPiccolo <ldelpiccolo@cityofmontrose.org>
Reply-To: ldelpiccolo@cityofmontrose.org
To: Amy Sharp <asharp@cityofmontrose.org>

Tue, Sep 28, 2021 at 5:34 PM

LISA DELPICCOLO, MMC

City Clerk's Office
City Clerk
970.240.1422 Office



----- Forwarded message -----

From: **RickMolly PURDY** <rickmolly1@msn.com>
Date: Tue, Sep 28, 2021 at 5:29 PM
Subject: Re: Zoning
To: ldelpiccolo@cityofmontrose.org <ldelpiccolo@cityofmontrose.org>

As a Montrose resident living at the Bridges Golf Club Resort, WE STRONGLY OBJECT to this STUPID rezoning project. We live on Redcliff Circle and our front yard faces Ogden Road and the beautiful views we have of the mountains in the distance. WE and EVERYONE in our neighborhood joins us in DETESTING this STUPID IDEA. If you lived in the area, you would also join us in opposing this project. Get a LIFE, and stop trying to ruin what we so enjoy.

Rick Purdy

ORDINANCE NO. 2564

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, AMENDING THE ZONING DISTRICT DESIGNATION OF LOT 1 AND OUTLOT A OF THE YOCUM SUBDIVISION FROM "R-1A", LARGE ESTATE DISTRICT TO "B-4", NEIGHBORHOOD SHOPPING DISTRICT

WHEREAS, Phoebe Benziger moved, and Chad Huffman seconded, to recommend the City Council approval of the rezone for Lot 1 and Outlot A of the Yocum Subdivision, City of Montrose; and

WHEREAS, the motion carried and Planning Commission has recommended the zoning changes provided herein; and

WHEREAS, the City Council has determined that such zoning will be consistent with the public health, safety and welfare, the City's Master Plan and changed conditions in the area.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTROSE, COLORADO, that

SECTION 1:

The Official Zoning Map is amended to designate Lot 1 and Outlot A of the Yocum Subdivision, more particularly described as:

Lot 1 and Outlot A as shown on the Final Plat recorded at the Montrose County Clerk and Recorder's Office under Reception No. 696756; zoning boundary descriptions as shown in Yocum Subdivision Rezone Map, attached hereto as Exhibit A

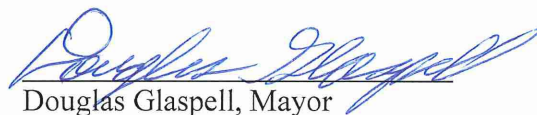
as a "B-4", Neighborhood Shopping District, according to the Official Zoning Map.

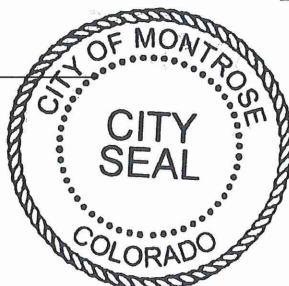
You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and on the question of its passage on first reading on Tuesday, the 5th day of October, 2021, at the hour of 6:00 p.m. at Montrose City Council Chambers, Elks' Civic Building in Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading this 5th day of October, 2021.

ATTEST:


Lisa DelPiccolo, City Clerk


Douglas Glaspell, Mayor



INTRODUCED, READ and ADOPTED on second reading this 19th day of October, 2021.

ATTEST:

Douglas Glaspell, Mayor

Lisa DelPiccolo, City Clerk

Odgen Rd development near Bridges Drive



External



Inbox x

Alicia <alicia@myrapidsys.com>

1:29 PM (2 hours ago)



to Idelpiccolo ▾

Hello, Lisa

Has the idea for developing the area south of Bridges Drive already been approved by the Council?

I understand that you have received some push back by my neighbors. Please accept one more thought.

The widening of Ogden Rd, which must be done to some extent to accommodate the current bicycle and pedestrian traffic along Ogden Rd, will be significantly expanded with the allowed commercial construction. While low impact commercial construction may not be a significant negative, a high impact commercial development would be bad for both the immediate area, and for the developed shopping area just south of Ogden near Townsend, which appears to be currently underutilized. Your approval should be conditional based on impact. This developer may have low impact in the plan, but that would not limit future high impact to replace it.

The City's goal must be to maximize the good attributes of this wonderful town. The addition of bike and walking paths along Ogden would be welcome. If you approve the developer' plan without restriction, the danger to the bikers and walkers may continue, even with wider paths. I hope you can restrict any harmful development.

Thank you,
Alicia Conroyd
2740 Redcliff Circle



CITY OF MONTROSE

Planning Services

MEMO

TO: City Council
FROM: Amy Sharp, Senior Planner
DATE: October 19, 2021
RE: ANX21-0080 McCracken Addition

ATTACHMENTS:

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

City Council Consideration:

City Council is considering this annexation application and the associated zoning, which is done by considering approval of an annexation ordinance and a zoning ordinance at a first and second reading. Council will consider all of the information in this memo in making a decision.

Proposed schedule:

August 16:	Council Work Session Overview
September 7:	Council Resolution to set a hearing date
September 22:	Planning Commission zoning hearing
October 19:	City Council Annexation hearing, 1st reading of annexation ordinance, and 1st reading of zoning ordinance
November 2:	2nd reading of annexation and zoning ordinances

Application Background:

The McCracken Addition is a proposed annexation approximately 2.295 acres in size. The parcel is located east of the Uncompahgre River, west of Hwy 50, south of Industrial Drive, and north of N. Grand Avenue. It is within the City's Urban Growth Boundary, the City of Montrose Water Service Area, and the City of Montrose Sewer Service Area. Annexation of this property will allow for future development of the property and connection to City utilities. An Annexation Agreement will be required.

Proposed Zoning: "B-3" General Commercial District

Applicant: Ray McCracken

Staff Analysis:

1. The City-County IGA gives the City the option to annex properties within the IGA. The area is urbanizing and more than 1/6 of the perimeter is contiguous to the city limits. These factors support annexation.
2. An annexation agreement is required as a condition of this annexation.
3. Zoning Regulations
 - a. Municipal Code, Section, 4-4-29(B), Zoning of Additions. "The Planning Commission shall recommend to the Council a zoning district designation for all property annexed to the City not previously subject to City zoning, and shall follow the review procedure set out in Section 4-4-31 in arriving at its recommendation. Proceedings concerning the zoning of property to be annexed may be commenced at any time prior to the effective date of the annexation ordinance or thereafter. *The zoning designation for newly annexed property shall not adversely affect the public health, safety and welfare* (emphasis added)."
 - b. Municipal Code, Section 4-4-14(A) Intent: The "B-3" General Commercial District is intended for a large variety of uses that require large storage areas to conveniently serve customers.
 - c. The proposed zoning is compatible with existing zoning and general conditions in the area. The property is adjacent to properties that are zoned "I-2" General Industrial District, "P" Public District, and agricultural (outside City limits).
4. The Comprehensive Plan Future Land Use Map designates the area of the McCracken Addition as Employment Center. This land use designation is intended to encourage the development of planned light industrial, office, and business parks, as well as to identify locations for medium industrial uses such as manufacturing, warehousing and distributing, and indoor and outdoor storage. This district is also intended to accommodate secondary uses that complement and support the primary workplace uses, such as hotels, restaurants, convenience shopping, childcare, and housing.
5. The property is located within Growth Area 1 and Growth Area 2. According to the Comprehensive Plan, Growth Area 1 represents the most cost-efficient areas for the city to grow and comprises platted but unbuilt lots, annexed but un-platted land, and un-annexed small enclaves. Growth Area 2 has some level of, or moderate proximity to, existing infrastructure.
6. The "B-3" zoning does not appear to be adverse to the public health, safety and welfare.

Staff Recommendation:

Staff recommends approval of the annexation and "B-3" General Commercial District.

Map 5.1
FUTURE
LAND USE

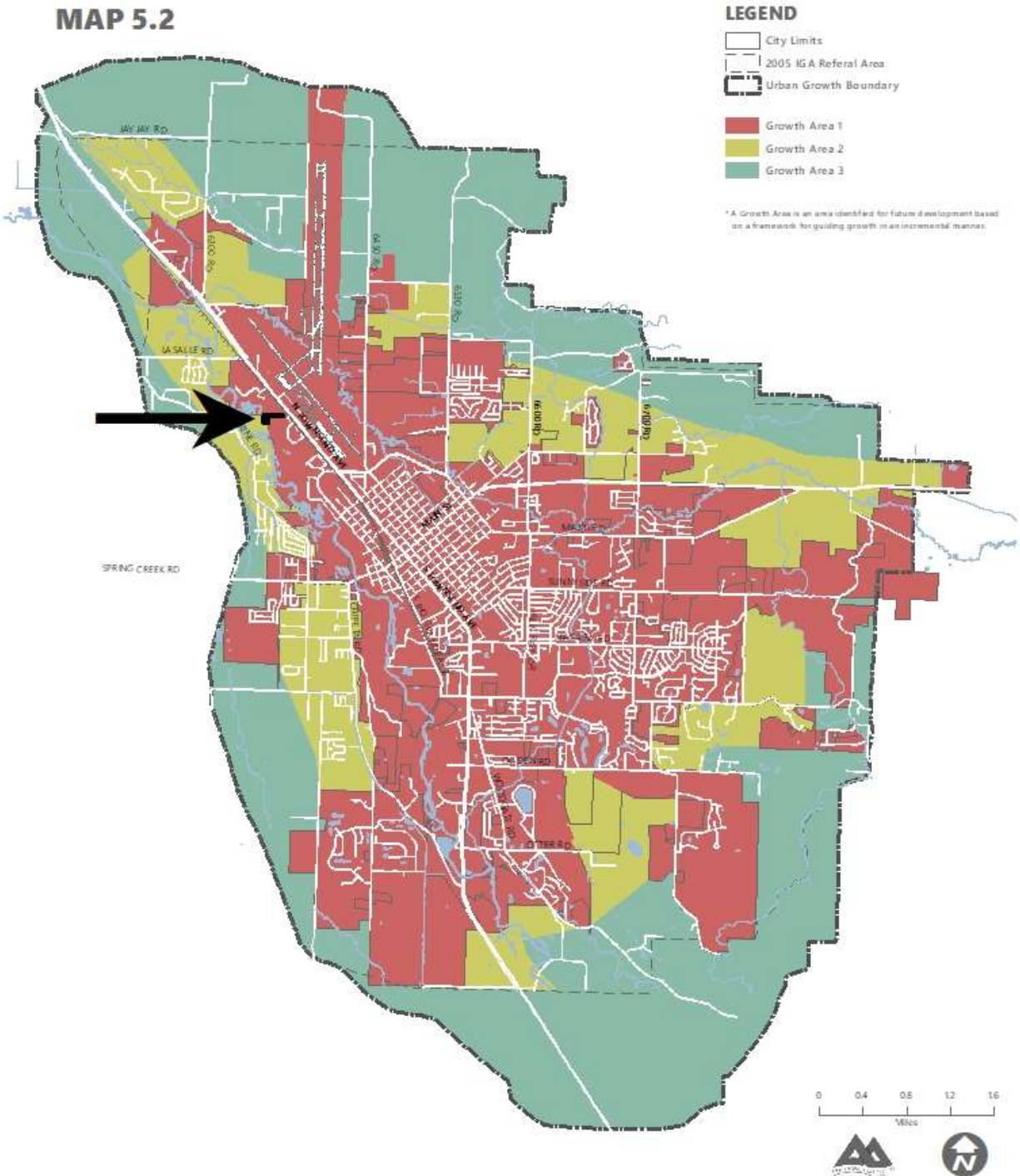
- Secondary Center
- Gateway
- Neighborhood Center
- Residential Mixed Density Low
- Residential Mixed Density Medium
- Residential Mixed Density High
- Central Business
- Major Center
- General Commercial
- Employment Center
- Public
- Urban Growth Boundary
- Uncompaghe River
- City Limits
- Airport
- Arterial Roads

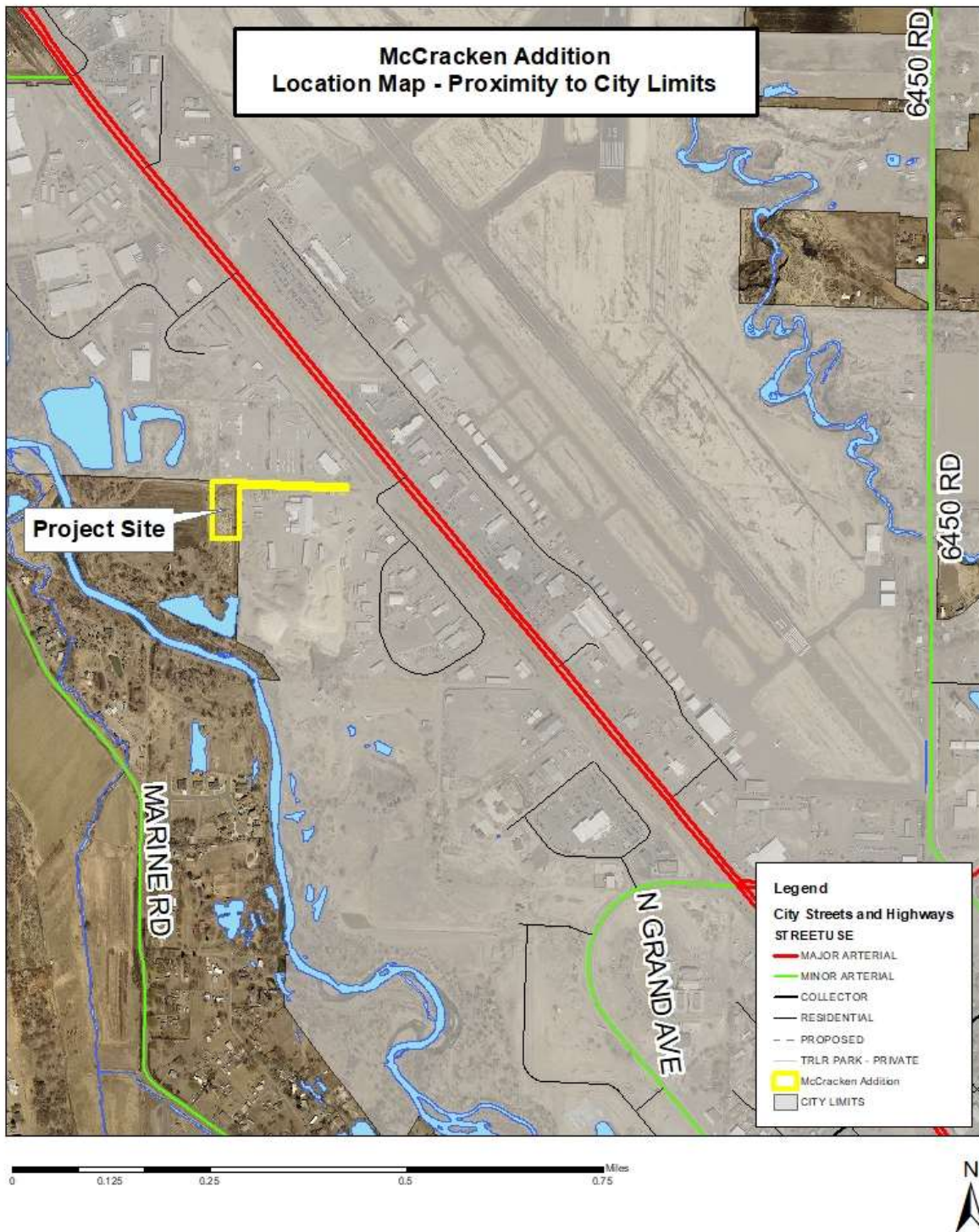
Envision 2040 Comprehensive Plan

0 0.1 0.5 1.2 Miles

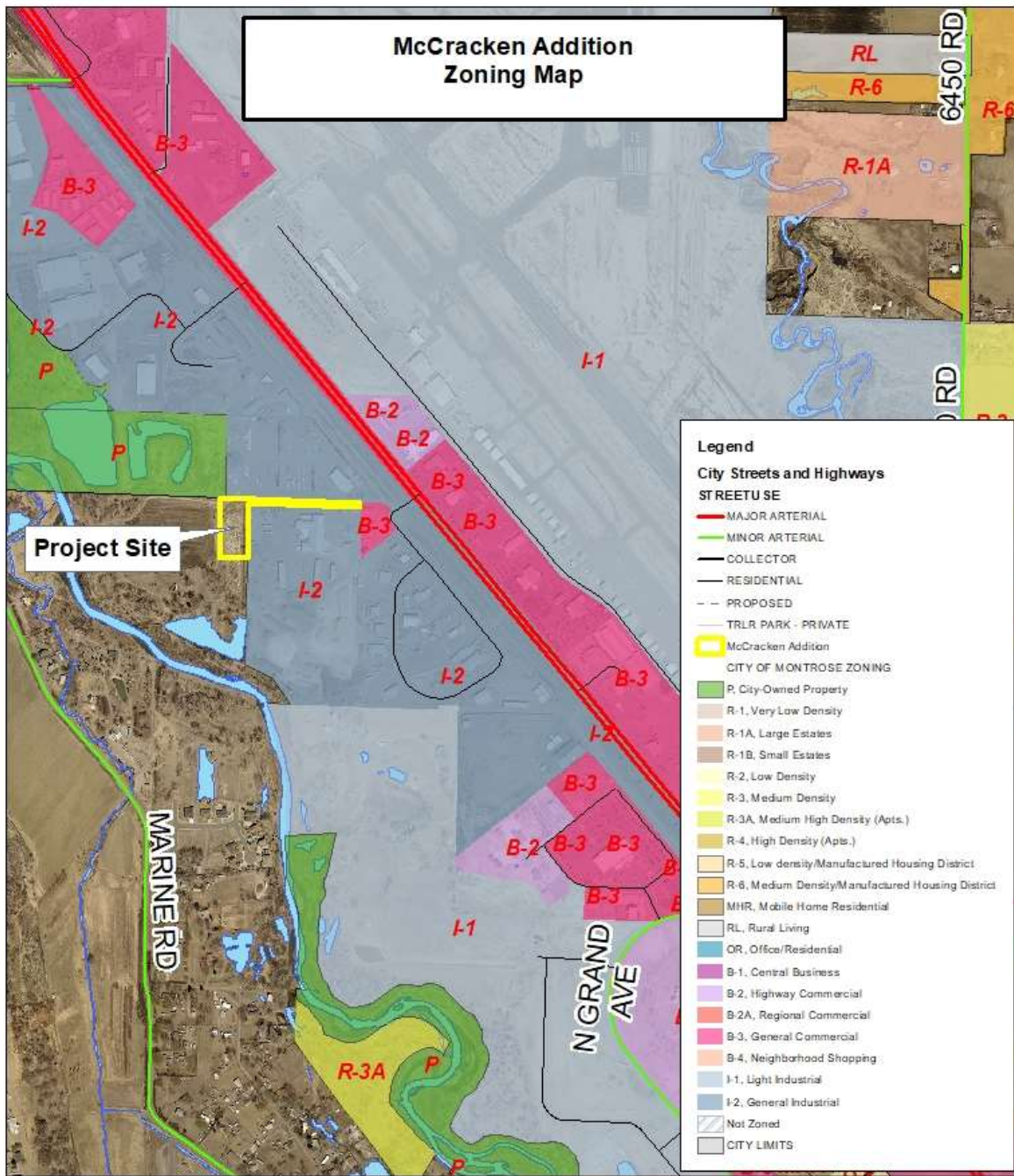
GROWTH AREAS*

MAP 5.2





Map created 7/27/2021



0 0.125 0.25 0.5 0.75 Miles



Map created 7/27/2021

McCRACKEN ADDITION

WITHIN THE NW1/4 SE1/4 OF SECTION 20 T.49N., R.9W., N.M.P.M.
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO

LEGEND

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

CITY LIMITS

TOTAL PERIMETER = 2660.30'
PERIMETER CONTIGUOUS TO CITY LIMITS = 2058.29'

C1/4
FOUND 2" ALUMINUM CAP PLS 12180

S 89°34'09" E 400.30'

SEWER LINE EASEMENT TO CITY OF MONTROSE RECORDED IN BOOK 715
PAGE 580, MONTROSE COUNTY RECORDS.

60' ACCESS AND UTILITY
EASEMENT PER RECEPTION
NO. 937322.

20' WIDE SEWER LINE EASEMENT TO CITY OF MONTROSE RECORDED IN
BOOK 736 PAGE 726, M.C.R.

NON-EXCLUSIVE PERPETUAL ROAD USE & RIGHT-OF-WAY EASEMENT
RECORDED AT RECEPTION NO. 654853.

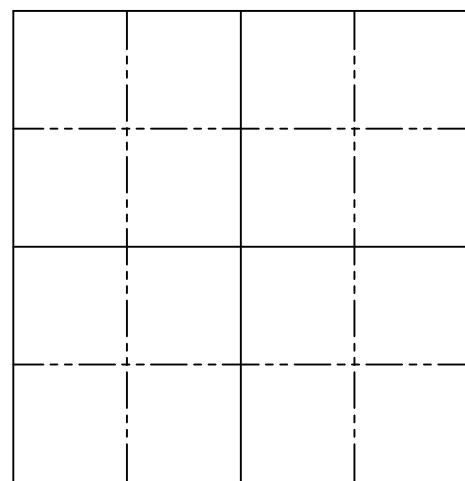
CE1/16

S 00°26'10" E
30.27'

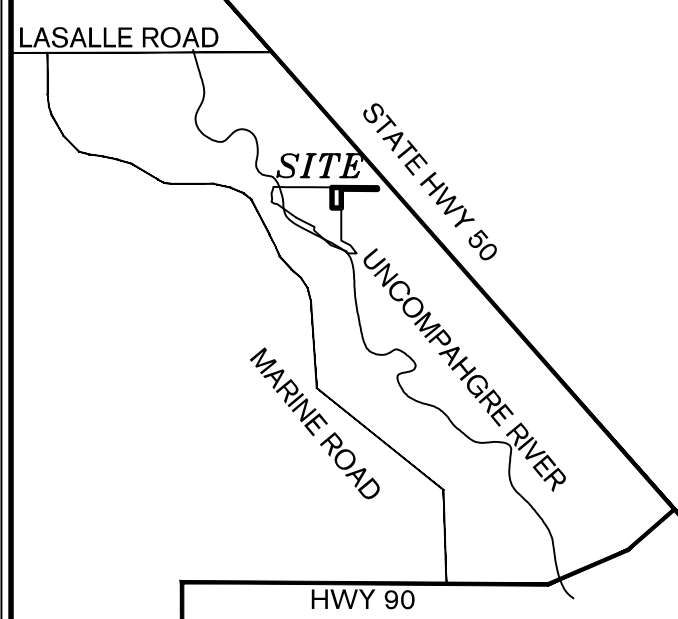
FOUND 1 1/2" ALUMINUM CAP PLS 17509 BEARING S.00°01'10"W, 0.6'
FROM TRUE CORNER POSITION.
USED AS WITNESS CORNER.

N 89°29'54" W 727.81'

SEE PLAT



CONTROL MAP



AREA LOCATOR

TYPICAL LEGEND

- Found PK Nail in Asphalt
- Set 5/8" rebar 30" long with 2" aluminum cap PLS25972
- Set 5/8" rebar 30" long with 2" aluminum cap as Witness corner or linepin PLS25972
- Found 5/8" rebar with 1 1/2" aluminum cap LS12180 or as noted.
- Found 5/8" rebar with 2" aluminum cap as Witness corner or linepin PLS38255
- Found 3/4" rebar 30" long with 3-1/4" aluminum cap PLS25972 per monument record
- Found 5/8" rebar with 1 1/2" aluminum cap LS17509 or as noted
- Found 5/8" rebar with 1 1/2" aluminum cap RLS 1456 or as noted
- Found 5/8" rebar with 1 1/2" aluminum cap LS 12420
- Found 5/8" rebar with 1 1/2" aluminum cap LS 7160
- Fencelines
- Electric (overhead)
- Electric (underground)
- Water line
- Easement
- Previous Parcel Boundary
- CL River
- East Bank of old River
- R.O.W. Easement Reception No. 654853.

BASIS OF BEARINGS:

N.89°32'46"W, FROM THE C1/4
CORNER TO THE 1/4 CORNER
COMMON TO SECTIONS 19 AND 20
GEODETIC NORTH
GPS OBSERVATION

SCALE 1"=50 U.S. SURVEY FEET

0 25 50 100

TOTAL ACRES
99983 Sq. Feet
2.295 Acres

NOTE:

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

PROPERTY DESCRIPTION

McCRACKEN ADDITION
PARCEL A, McCRACKEN EXEMPTION PLAT FOR BOUNDARY LINE ADJUSTMENT
A tract of land situated in the NW1/4 of the SE1/4 Section 20, Township 49 North, Range 9 West, N.M.P.M.,
Montrose County, Colorado and being more particularly described as follows: Beginning at the NE corner of
said NW1/4 of the SE1/4, also being the CE1/16 corner and running thence S.00°26'10"E, 30.27 feet; thence
N.89°29'54"W, 727.81 feet; thence S.00°01'10"W, 382.64 feet; thence N.89°34'09"W, 190.00 feet; thence
N.00°01'10"E, 412.01 feet to the north line of said NW1/4 of the SE1/4; thence along the north line of said
NW1/4 of the SE1/4 S.89°34'09"E, 917.57 feet to the Point of Beginning, said parcel contains 2.295 acres,
more or less.
City of Montrose,
County of Montrose,
State of Colorado.

MAYOR'S CERTIFICATE

This is to certify that the City of Montrose, a municipal corporation in the County of Montrose, State of Colorado
has by its Ordinance No. _____
adopted on the _____ day of _____, 20____ annexed the property hereon to the City of Montrose.

Mayor

Attest

City Clerk

SURVEYOR'S CERTIFICATE

Randy A. Wilmore, a Registered Land Surveyor in the State of Colorado, do hereby
certify that the survey represented by this plat was made under my responsible charge and that this plat accurately
reflects said survey.

Signature

Date

CLERK AND RECORDER'S CERTIFICATE

This plat was filed in the office of the Clerk and Recorder of Montrose
County, Colorado, at _____ m. on this _____ day of _____, A.D. 20____;
Reception Number _____.

County Clerk & Recorder, by Deputy



WILMORE & COMPANY
PROFESSIONAL LAND SURVEYING, INC.

406 Grand Avenue P.O. Box 1652
Paonia, Colorado 81428
970.527-4200 PHONE
970.527-4202 FAX
www.wilmorelandsurveying.com
EMAIL randy@wilmorelandsurveying.com

FIELD CREW:

RAW, TWG

DRAFTER:

RAW

CHECKED BY:

KC

McCRACKEN ADDITION

WITHIN THE NW1/4 SE1/4 OF SECTION 20 T.49N., R.9W., N.M.P.M.
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO

J20124 ADDITION FINAL

27 JULY 2021

EXHIBIT B: Zoning Code Excerpt

Sec. 4-4-12. "B-1" Central Business District.

- (A) *Intent.* The "B-1" Central Business District is intended as a shopping and business center for the City and surrounding area. The most intensive commercial use of buildings and land is encouraged with parking primarily of public concern. No off-street parking is required, except where otherwise specified. This district is oriented to pedestrian traffic.
- (B) *Uses by Right.*
- (1) Retail stores, business and professional offices, and service establishments which cater to the general shopping public.
 - (2) Libraries and museums.
 - (3) Government buildings and facilities.
 - (4) Public utility service facilities.
 - (5) Private and fraternal clubs.
 - (6) Theaters.
 - (7) Restaurants and taverns.
 - (8) College or other place of adult education.
 - (9) Fueling stations which comply with the following criteria:
 - (a) All fuel storage, except propane, shall be located underground.
 - (b) All fuel pumps, lubrication and service facilities shall be located at least 20 feet from any street right-of-way line.
 - (10) Places of worship.
 - (11) Childcare facilities.
 - (12) Parks and playgrounds.
 - (13) Accessory uses.
 - (14) Hotels and motels (off-street parking required).
 - (15) Single-family homes, duplexes, and multiple-family residences (off-street parking required).
 - (16) Parking facilities.
 - (17) Public transportation facilities.
 - (18) Renewable energy facilities.
 - (19) Short-term rentals.
 - (20) Daytime social service activities by a social service provider, to include food storage; food distribution without monetary remuneration as a food pantry and/or food service without monetary remuneration as a soup kitchen; laundry facilities not for profit; showers; and counseling to include alcohol and/or substance abuse counseling. This use by right expressly excludes the overnight sheltering of people. For the purposes of this use by right authorization, "daytime" shall mean from 6:00 a.m. to 6:00 p.m. Mountain Standard Time. "Night" shall mean from 6:00 p.m. to 6:00 a.m. Mountain Standard Time.
- (C) *Conditional Uses.*
- (1) Schools.

- (2) Funeral homes.
 - (3) Building materials businesses.
 - (4) Automobile and other vehicle sales or service establishments.
 - (5) Automobile body shops.
 - (6) Distribution, warehouse and wholesale operations.
 - (7) Drive-in or drive-through restaurants.
 - (8) Storage facilities.
 - (9) Antennas and towers are allowed only as conditional uses in all zones and are subject to the provisions of Section 4-4-21 and the other applicable requirements of City ordinances and regulations.
- (D) *Outdoor Storage Businesses.* Businesses that need outdoor storage are not compatible with this district.
- (Ord. No. 2472 , § 4-4-12, 5-7-2019; Ord. No. 2540 , 5-4-2021)

Sec. 4-4-13. "B-2" Highway Commercial District.

- (A) *Intent.* The "B-2" Highway Commercial District is intended to provide for business oriented toward serving the motoring public. This district provides for the convenient exchange of goods and services along the major thoroughfares of the City.
- (B) *Uses by Right.*
- (1) Those listed in the "B-1" district as uses by right.
 - (2) Self-service laundry facilities.
 - (3) Drive-in or drive-through restaurants.
 - (4) Car washes.
 - (5) Childcare facilities.
 - (6) Rental storage units inside a building.
 - (7) Veterinary clinics or hospitals for small animals.
 - (8) Skilled nursing and assisted living facilities and hospitals.
 - (9) Retail building material supply businesses.
 - (10) Parking facilities.
 - (11) Renewable energy facilities.
 - (12) Short-term rentals.
- (C) *Conditional Uses.*
- (1) Those conditional uses listed for the "B-1" district.
 - (2) Recreational vehicle parks and campgrounds.
 - (3) Retail stores, business and service establishments serving the general public but which also involve limited manufacturing of the products supplied.
 - (4) Antennas and towers are allowed only as conditional uses in all zones and are subject to the provisions of Section 4-4-21 and the other applicable requirements of City ordinances and regulations.

- (D) *Not Included in this District.* The following uses are not to be construed as a use by right or conditional use in the "B-2" Highway Commercial District:
- (1) Farm implement sales or service establishments.
 - (2) Construction and contractor's equipment storage facilities.
 - (3) Machine and welding shops.
 - (4) Above ground storage facilities for hazardous fuels.
 - (5) Manufacturing and industrial uses except as allowed by Subsection (C)(3) of this Section.
 - (6) Storage facilities. Small rental storage units are allowed. See Subsection (B)(6) of this Section.
- (E) *Performance Standards.* No use shall be established, maintained or conducted in any "B-2" Highway Commercial District that will result in any public or private nuisance.
- (Ord. No. 2472 , § 4-4-13, 5-7-2019)

Sec. 4-4-13.1. "B-2A" Regional Commercial District.

- (A) *Intent.* "B-2A" Regional Commercial District is intended for a full spectrum of retail and services uses including both convenience goods and general merchandise.
- (B) *Uses by Right.*
- (1) Uses listed as uses by right in the "B-2" and "B-1" districts.
 - (2) Automobile and vehicle sales or service establishments.
 - (3) Farm implement sales or service establishments.
 - (4) Mobile home sales or service establishments.
 - (5) Building materials sales establishments.
 - (6) Rental businesses.
 - (7) Veterinary clinics or hospitals for large animals.
 - (8) Automobile body shops.
 - (9) Automotive repair and service establishments.
 - (10) Parking facilities.
 - (11) Renewable energy facilities.
 - (12) Short-term rentals.
- (C) *Conditional Uses.*
- (1) Uses listed as conditional uses in the "B-1" and "B-2" districts.
 - (2) Warehouses and storage facilities.
 - (3) Manufacturing uses allowed in the "I-1" Light Industrial district.
 - (4) Antennas and towers are allowed only as conditional uses in all zones and are subject to the provisions of Section 4-4-21 and the other applicable requirements of City ordinances and regulations.
- (D) *Not Included in the District.* The following uses are not to be construed as a use by right or a conditional use in the "B-2A" Regional Commercial District:
- (1) Manufacturing and industrial uses, except as allowed by Subsections (C)(1) and (3) of this Section.

- (2) Above ground storage facilities for hazardous fuel.
- (3) Construction and contractor's equipment storage facilities.
- (4) Animal boarding facilities.

(E) *Performance Standards.*

- (1) Manufacturing and storage associated with manufacturing shall be indoors.
- (2) No use may create a nuisance to other property by reasons of dust, odor, noise, light, smoke, or vibration or other adverse effects which cannot be effectively confined on the premises.

(Ord. No. 2472 , § 4-4-13.1, 5-7-2019)

Sec. 4-4-14. "B-3" General Commercial District.

- (A) *Intent.* The "B-3" General Commercial District is intended for a large variety of uses that require large storage areas to conveniently serve customers.
- (B) *Uses by Right.*
- (1) Uses listed as "uses by right" in the "B-1," "B-2" and "B-2A" districts.
 - (2) Automobile and vehicle sales or service establishments.
 - (3) Farm implement sales or service establishments.
 - (4) Mobile home sales or service establishments.
 - (5) Building materials sales establishments.
 - (6) Rental businesses.
 - (7) Feed storage and sales establishments.
 - (8) Veterinary clinics or hospitals for large animals.
 - (9) Automobile body shops.
 - (10) Automotive repair and service establishments.
 - (11) Construction and contractor's office and equipment storage facilities.
 - (12) Above ground storage facilities for hazardous fuels.
 - (13) Parking facilities.
 - (14) Renewable energy facilities.
 - (15) Short-term rentals.
- (C) *Conditional Uses.*
- (1) Uses listed as conditional uses in the "B-1," "B-2" and "B-2A" districts.
 - (2) Warehouses and storage facilities.
 - (3) Antennas and towers are allowed only as conditional uses in all zones and are subject to the provisions of Section 4-4-21 and the other applicable requirements of City ordinances and regulations.
- (D) *Not Included in this District.* The following uses are not to be construed as a use by right or a conditional use in the "B-3" General Commercial district:
- (1) Manufacturing and industrial uses except as allowed by Subsection (C)(1) of this Section.
- (E) *Performance Standards.*
- (1) Manufacturing and storage associated with manufacturing shall be indoors.
 - (2) No use may create a nuisance to other property by reasons of dust, odor, noise, light, smoke, or vibration or other adverse effects which cannot be effectively confined on the premises.

(Ord. No. 2472 , § 4-4-14, 5-7-2019)

RESOLUTION NO. 2021-22

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MONTROSE, COLORADO, as follows:

The City Council hereby set forth its findings of fact and conclusions based thereon with respect to the annexation of the **McCracken Addition** based on the evidence contained in the official file, the official records of the City of Montrose, Colorado and the evidence produced at the Hearing held on October 19, 2021.

FINDINGS OF FACT

1. The requirements of the applicable parts of Sections 31-12-104 and 31-12-105, C.R.S. have been met including the following:
 - A. Not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City as can be seen from the annexation map.
 - B. A community of interest exists between the area proposed to be annexed and the City, due to the proximity of the area to the City, the desire the owners to annex and existing City services in the area.
 - C. The area is urban or will be urbanized in the near future and the area is already substantially integrated with, and is capable of being fully integrated with the City.
 - D. It is practical to extend City services to the area on the same terms and conditions on which services are available to City citizens generally.
 - E. No land held in identical ownership has been divided into separate parts. No tract over 20 acres with a valuation of over \$200,000 has been included without written consent. No annexation proceedings concerning this area have been commenced by any other municipality.
 - F. This annexation will not result in any detachment of area from the Montrose School District No. RE-IJ. No part of the area to be annexed extends any more than three miles from the existing City boundaries. The City has in place a plan for that area as required by C.R.S. 31-12-105.
 - G. The entire width of any streets to be annexed are included within the annexation.
 - H. Access shall be allowed to annexed portions of the street to the owners of unincorporated property adjoining annexed streets on a reasonable basis.
2. No petition for annexation election has been submitted and an election is not required pursuant to C.R.S. 31-12-107(2).

3. The City Council has determined that additional terms and conditions will not be imposed.
4. The Petition was signed by the owners of 100% of the property to be annexed exclusive of streets and alleys.
5. Proper notice of this hearing was published and mailed as required by C.R.S. 31-12-108.
6. An Annexation Impact Report is not required.

CONCLUSIONS

1. The area proposed for annexation as the **McCracken Addition** is eligible for annexation pursuant to applicable parts of C.R.S. 31-12-104.
2. None of the limitations of C.R.S. 31-12-105 apply to restrict annexation.
3. Said Addition may be annexed by Ordinance pursuant to C.R.S. 31-12-111, without election.

ADOPTED this 19th day of October, 2021, by the Montrose City Council.

CITY OF MONTROSE, COLORADO

By _____
Douglas Glaspell, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

ORDINANCE NO. 2565

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, FOR THE ANNEXATION OF THE MCCRACKEN ADDITION

WHEREAS, a petition for the annexation of a tract of land known as the **McCracken Addition** has been submitted to the City of Montrose and has been found by the City Council to be in substantial compliance with C.R.S. 31-12-107(1), and

WHEREAS, said petition has been signed by the owners of 100% of the area proposed to be annexed exclusive of streets and alleys, and

WHEREAS, the property is eligible for annexation in accordance with the Municipal Annexation Act of 1965, as amended,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTROSE, COLORADO, as follows:

SECTION 1:

The property described in **Exhibit A**, known as the **MCCRACKEN ADDITION**, is hereby annexed to the City of Montrose, Colorado.

You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and on the question of its passage on first reading on Tuesday, the 19th day of October, 2021, at the hour of 6:00 p.m. at Montrose City Council Chambers, Elks Building, Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading this 19th day of October, 2021.

Douglas Glaspell, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

INTRODUCED, READ and ADOPTED on second reading this 2nd day of November, 2021.

Douglas Glaspell, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

EXHIBIT A

Legal Description

A tract of land situated in the NW1/4 of the SE1/4 Section 20, Township 49 North, Range 9 West, N.M.P.M., Montrose County, Colorado and being more particularly described as follows: Beginning at the NE corner of said NW1/4 of the SE1/4, also being the CE1/16 corner and running thence S00°26'10"E, 30.27 feet; thence N89°29'54"W, 727.81 feet; thence S00°01'10"W, 382.64 feet; thence N89°34'09"W, 190 feet; thence N00°01'10"E, 412.01 feet to the north line of said NW1/4 of the SE1/4; thence along the north line of said NW1/4 of the SE1/4 S89°34'09"E, 917.14 feet to the Point of Beginning, said parcel contains 2.295 acres, more or less. City of Montrose, County of Montrose, State of Colorado.

ORDINANCE NO. 2566

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, PROVIDING FOR THE ZONING OF THE MCCRACKEN ADDITION AS A "B-3", GENERAL COMMERCIAL DISTRICT

WHEREAS, the **McCracken Addition** has been recently annexed to the City of Montrose, Colorado; and

WHEREAS, the owners of such property have requested zoning which the Planning Commission has reviewed and recommended in accordance with the requirements of the City Code; and

WHEREAS, the proposed recommendation is substantially in accord with the City's Master Plan, is compatible with existing zoning in nearby or adjoining properties, and is in the public interest.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTROSE, COLORADO, that

The Official Zoning Map is hereby amended to designate the **McCracken Addition**, according to the Official Annexation Map thereof, as a "B-3", General Commercial District.

You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and on the question of its passage on first reading on Tuesday, the 19th day of October, 2021, at the hour of 6:00 p.m. at Montrose City Council Chambers, Elks' Civic Building in Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading this 19th day of October, 2021.

Douglas Glaspell, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

INTRODUCED, READ and ADOPTED on second reading this 2nd day of November,

2021.

ATTEST:

Douglas Glaspell, Mayor

Lisa DelPiccolo, City Clerk



CITY OF MONTROSE
Planning Services

MEMO

TO: City Council
FROM: Amy Sharp, Senior Planner
DATE: October 19, 2021
RE: Sunrise Creek II Filing No. 5 Final Plat
ATTACHMENTS
● Exhibit A: Maps

City Council Consideration: City Council is considering approval of this final plat application. Council will consider all of the information in this memo in making a decision.

Application Background:

The Sunrise Creek II Filing No. 5 Final Plat proposes to create six (6) new single-family residential lots. The property is approximately 1.47 acres in size and is bordered on the north by Market Street, on the east by Snowbrush Avenue, on the west by a dedicated alley and S. Hillcrest Drive, and on the south by Sunrise Creek Subdivision. The property is zoned “B-4” Neighborhood Shopping District. The intent is to construct residential, single-family housing on these lots which is a use-by-right in this zoning district. The preliminary plat was approved in May 2021.

Total Size of Property: 1.47 acres

Applicant: Elliot Steinberg for Sunrise Creek LLC

Staff Analysis:

1. Lots/blocks:
 - a. All lots meet the minimum lot size required for this zoning district.
2. Streets
 - a. Surrounding streets must be in place, inspected and approved by the City Engineer prior to final approval.



3. Utilities

- a. Easements are shown.
- b. City sewer and other utilities must be installed and available to serve all lots prior to final approval.

Staff Recommendation:

Conditional Approval

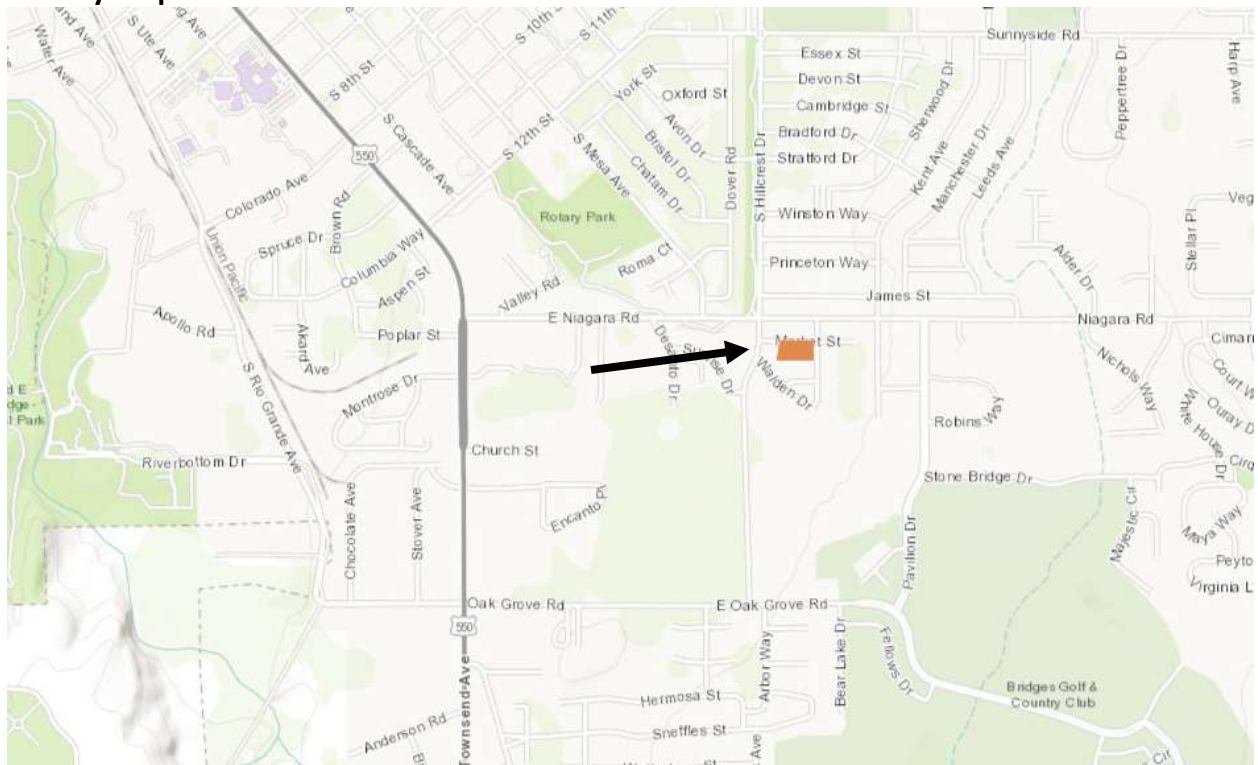
Conditions:

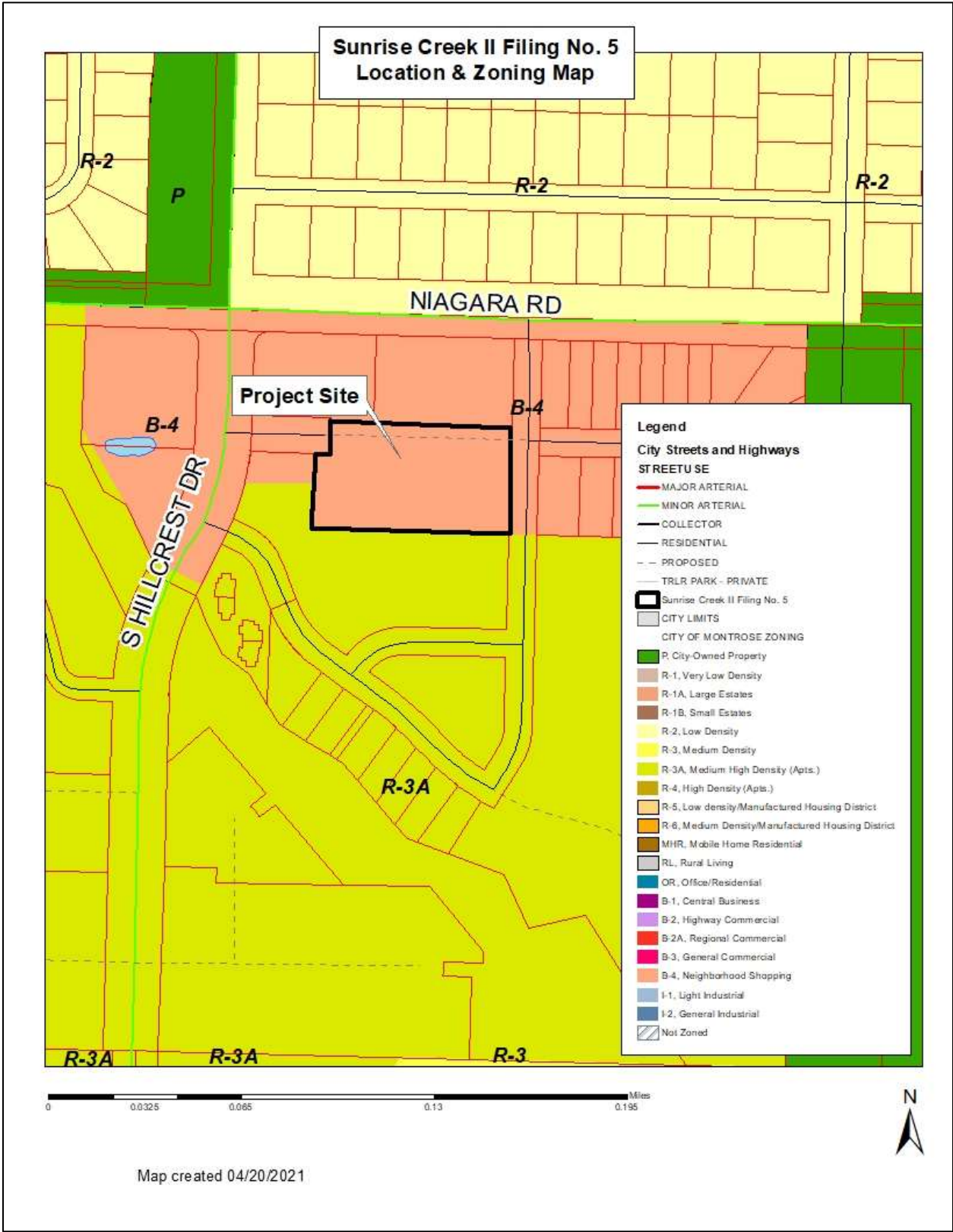
1. [Standard Condition]: The approval of this Final Plat is expressly conditioned upon City staff ensuring that all policies, regulations, ordinances and municipal code provisions are met and that the Applicant adequately addresses all of staff's concerns prior to the execution of the Final Plat. The City staff is not authorized by this approval to execute the Final Plat prior to all conditions being satisfied.



EXHIBIT A: Area Maps

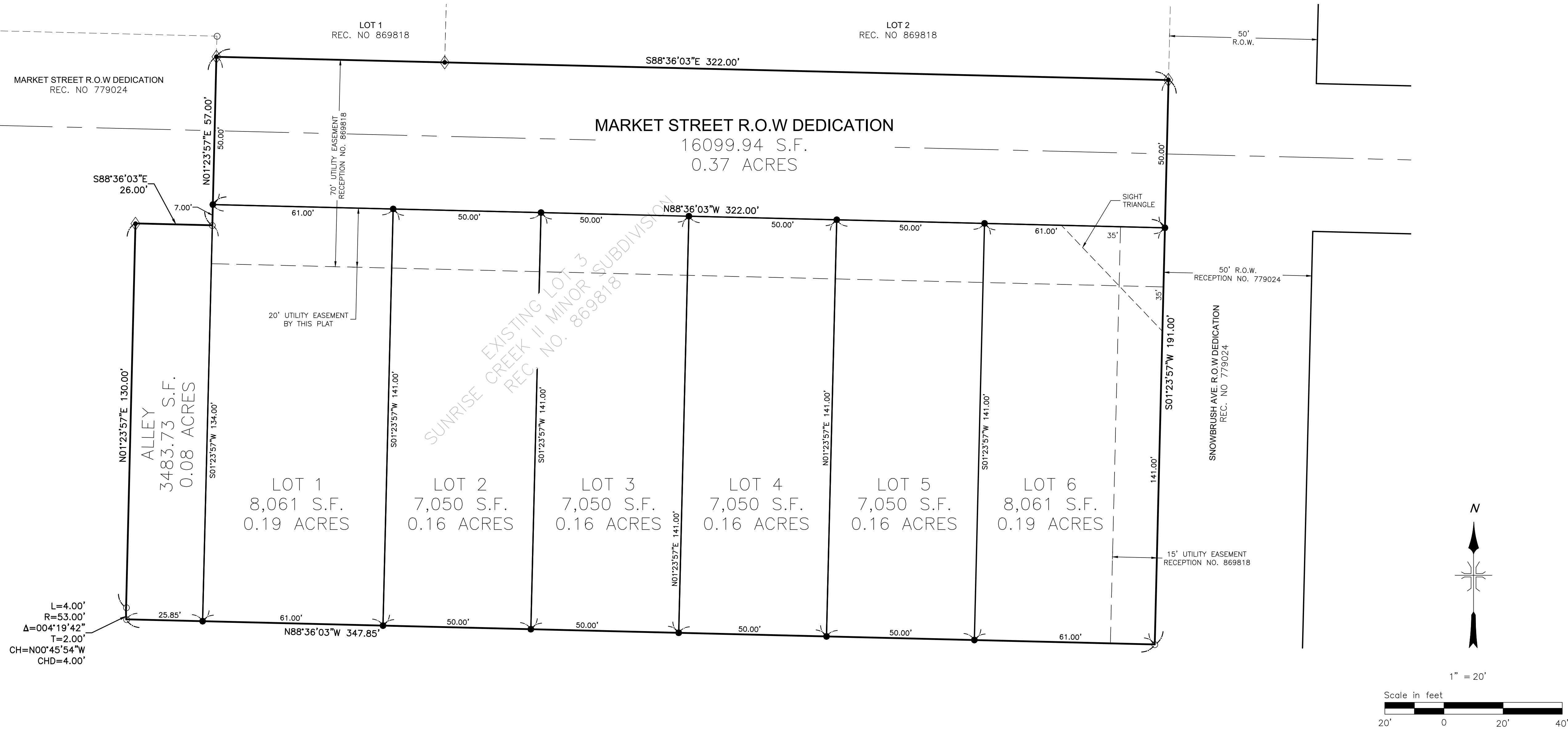
Vicinity Map





SUNRISE CREEK II FILING NO. 5

SITUATED IN SECTION 35, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO
FINAL PLAT



- LEGEND**
- = FOUND REBAR & CAP (L.S. 16840)
 - ◆ = FOUND REBAR & CAP (L.S. 24299)
 - = SET 5/8"x18" REBAR W/ 1 1/2" ALUMINUM CAP (PLS 38037)

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

DMC DEL-MONT CONSULTANTS, INC. ENGINEERING & SURVEYING 125 Colorado Ave. • Montrose, CO 81401 • (970) 248-2251 • (970) 248-2242 FAX www.del-mont.com • service@del-mont.com		TITLE: FINAL PLAT MONTROSE COLORADO	
		CLIENT: SUNRISE CREEK LLC	
FIELD BOOK: 711		ADDRESS & PHONE: P.O. BOX 3271 TELLURIDE, CO 81435 (970) 728-4343	
DRAWN BY: MGW		DATE: 2021-10-06	
SHEET: 2 of 2		JOB NO.: 20109	
FILE: 20109V_PLAT-F5		TYPE: FINAL PLAT	



CITY OF MONTROSE
Planning Services

MEMO

TO: City Council
FROM: Amy Sharp, Senior Planner
DATE: October 19, 2021
RE: Sunrise Creek III Filing No. 2 Final Plat
ATTACHMENTS
● Exhibit A: Maps

City Council Consideration: City Council is considering approval of this final plat application. Council will consider all of the information in this memo in making a decision.

Application Background:

The Sunrise Creek III Filing No. 2 Final Plat will subdivide Sunrise Creek III Filing No. 1 Outlot A and Outlot B into 14 residential lots. The property is approximately 2.67 acres in size and is located south of Market ST, north of Walden DR, and east of Hillcrest DR. The property is zoned "R-3A" Medium High Density District. The intent is to construct single family residential housing on these lots which is a use-by-right in this zoning district. The surrounding roads have been dedicated and constructed by previous filings. The construction for this project includes the alley in Outlot A with a new sewer line, an alley through Outlot B, sidewalks, and extending utilities to accommodate single family homes. The preliminary plat was approved in May 2021.

Total Size of Property: 2.67 acres

Applicant: Sunrise Creek Montrose, LLC – Jack Petruccelli

Staff Analysis:

1. Lots/blocks:
 - a. All lots meet the minimum lot size required for this zoning district.



2. Streets
 - a. Surrounding streets must be in place, inspected and approved by the City Engineer prior to final approval.
3. Utilities
 - a. Easements are shown.
 - b. City sewer and other utilities must be installed and available to serve all lots prior to final approval.

Staff Recommendation:

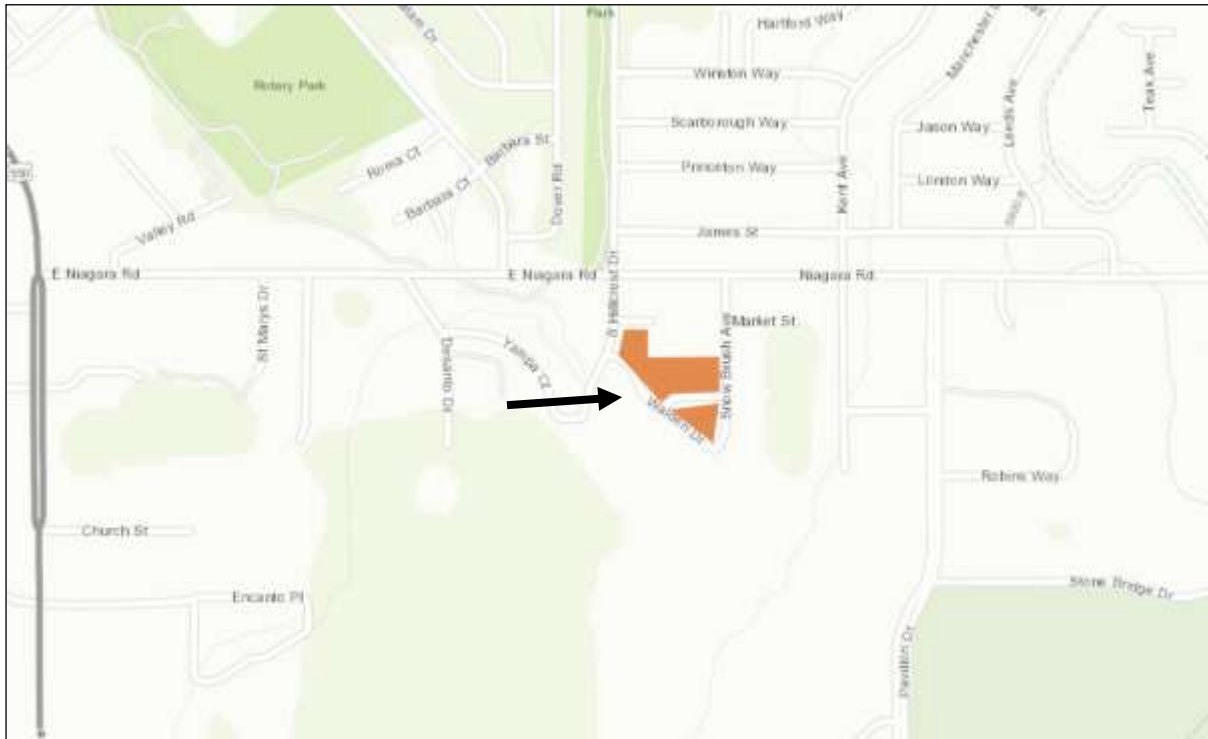
Conditional Approval

Conditions:

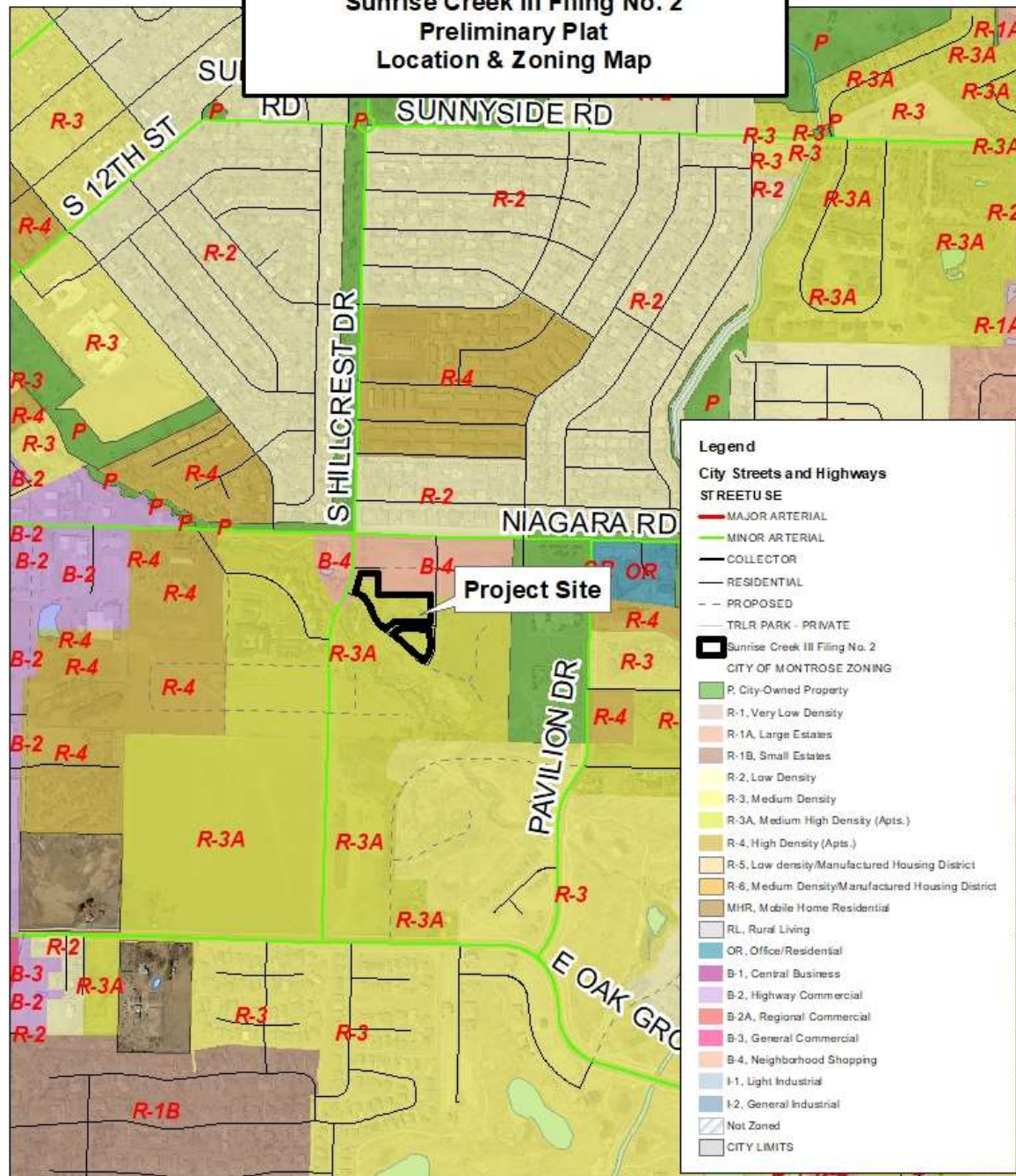
1. [Standard Condition]: The approval of this Final Plat is expressly conditioned upon City staff ensuring that all policies, regulations, ordinances and municipal code provisions are met and that the Applicant adequately addresses all of staff's concerns prior to the execution of the Final Plat. The City staff is not authorized by this approval to execute the Final Plat prior to all conditions being satisfied.



EXHIBIT A: Area Maps
Vicinity Map



**Sunrise Creek III Filing No. 2
Preliminary Plat
Location & Zoning Map**



Map created June 7, 2021

Stay here. Play everywhere.
MONTROSE COLORADO

SUNRISE CREEK III FILING NO. 2

A REPLAT OF OUTLOTS A AND B OF SUNRISE CREEK III FILING NO. 1

SITUATED IN THE NW¼SW¼ SECTION 35, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN

CITY OF MONTROSE, STATE OF COLORADO

FINAL PLAT

MISCELLANEOUS PLAT NOTES

1. Privately Owned Open Space, Parks, and Other Improvements

In agreement with the approved P.D. Plan for Sunrise Creek II Subdivision as recorded in the Montrose County Public Records at Reception Nos. 715915, 735675, all Open Space Tracts, and Parks now existing or hereafter dedicated, shall be owned and maintained by a homeowners association, or until such time as a homeowners association is lawfully formed for such purposes, by the owners of all lots as platted hereon, jointly and severally. The City is not responsible or liable in any manner for the maintenance, repair, or operation of such properties and/or improvements. Upon failure to properly maintain such properties and/or improvements shown hereon, or in the need to abate a nuisance or public hazard, the City may cause the maintenance or repair to be performed and assess the costs thereof to such owner, or the City may certify such charges as a delinquent charge to the County Treasurer to be collected similarly to taxes or in any lawful manner.

2. Money in lieu of School Land Dedication

All residential lots hereon shall be required to make payment of money in lieu of school land dedication, at the time of issuance of building permit or certificate of occupancy relative to improvements upon said lot. The payment of money in lieu of school land dedication is subject to §4-7-7(C)(7) of the Municipal Code. Payments shall be made to the City, to be later disbursed to the RE-1J School District.

The following lots are limited to 1 dwelling unit each: Lots 801-810 and 901 through 904.

3. Zoning

The zoning of this property is shown on the Sunrise Creek Planned Development plan and as "R-3A" per the City's Official Zoning Map, and as defined and described by the City of Montrose Municipal Code at the time of approval and recordation of this plat, and is subject to change.

4. Recreation Path Assessment

All lots platted hereon shall be subject to an assessment for the costs to construct improvements for a soft surface trail parallel to the Montrose Arroyo, lying within Tracts E and F, as shown in the Sunrise Creek II PD Plan, and reception numbers 922365, 735678, 749527, and 866155; and other related improvements. The Montrose City Clerk is hereby appointed as the Attorney-in-fact of each of the owners of the Subdivision for the purposes of executing improvement district petitions on their behalf, voting on their behalf in any election to approve any financial obligation for such improvement districts and for all other purposes related to the formation of such districts and construction of such improvements. These obligations shall run with the land and be binding upon all successors in interest to the said lots.

5. Planned Development Note

All lots platted hereon are subject to the conditions set forth in the Sunrise Creek II P.D. Plan recorded June 19, 2015 under Reception No. 866155.

6. Private Alley/Driveway Reciprocal Access Easements

Reciprocal Access Easements

The Owner(s) denoted on the CERTIFICATE OF DEDICATION AND OWNERSHIP, hereon, for and in consideration of TEN AND NO/100 DOLLARS (\$10.00), and other good and valuable consideration, in hand paid, hereby sell(s), and quit claim(s) to The Villas at Sunrise Creek Homeowners Association, Inc. in Sunrise Creek III, Filing No. 2, their respective heirs, successors and assigns, a perpetual and reciprocal right-of-way easements noted on this plat as easements B and C, and the 20' wide Alley and Utility easement per Reception No. 779024, over said portions so selected and reserved for use as driveways for ingress and egress. These reciprocal easements shall be appurtenant to each of the said lots in Sunrise Creek III, Filing No. 2, which right shall run with the land, and shall be a benefit and a burden to each of the said lots, their owners and all parties claiming by, through, or under them.

7. Private Alley/Driveway Maintenance

Any driveways owned by: 1) the owners' association, if any, or 2) jointly held by the owners of more than one division of real property located in the Sunrise Creek III, Filing No. 2, subdivision, or 3) subject to a reciprocal driveway use or access agreement or plat note, shall be jointly responsible for the maintenance of said driveways, unless said maintenance responsibilities are addressed by this subdivision's Covenants Conditions and Restrictions, if any, filed with the Montrose County Clerk and Recorder's Office for the County of Montrose, Colorado, in which case said driveway maintenance shall be as set forth in said Covenants Conditions and Restrictions. This provision shall run with the land in the Sunrise Creek III, Filing No. 2 subdivision, and shall be a benefit and a burden to the owners of all lots final platted thereon, and shall be applicable to said owners, their successors, heirs, and assigns, and all parties claiming by through or under them.

8. Private Utility Easements

Utility Service Easements

The Owner(s) denoted on the CERTIFICATE OF DEDICATION AND OWNERSHIP, hereon, do by this plat cause to be created Private Utility Easements referred hereon as Easements E, F, and G for the express use of providing access for the installation, construction, and maintenance of utility services for the adjoining properties to which these easements abut. These easements shall be appurtenant to each of the said lots in Sunrise Creek III, Filing No. 2, which right shall run with the land, and shall be a benefit and a burden to each of the said lots, their owners and all parties claiming by, through, or under them.

9. Special Private Utility Easement Note

The Alley and Utility Easement (Rec. No. 779024) and 20' Driveway and Utility Easement (by this plat) shall be maintained clear of obstructions, fences or other permanent construction. Availability for through vehicle traffic must be maintained at all times to allow access by utility repair or maintenance vehicles. The utilities requiring access shall include, but not be limited to Delta-Montrose Electric Assn. (DMEA), Black Hills Energy, CenturyLink, and the City of Montrose.

10. Special Access Note for Lots 801, 802, and 803.

Access to Lot 801 shall be from the alley to the East of this property only. Access directly onto Hillcrest Drive or Market Street is expressly denied.

Access to Lot 802 shall be from the alley to the East of this property only. Access directly onto Hillcrest Drive is expressly denied.

Access to Lot 803 may be from the alley to the East of this property or at an expressly approved driveway location on Walden Drive only. Access directly onto Hillcrest Drive or expressly denied.

11. Public Sidewalk Note

Sidewalks located within the 23.5' wide Open Space and Utility Easements, and the 15' wide Utility Easements paralleling Public Street Rights-of-way are public sidewalks.

12. Final Plat Conditional Approval

The approval of the Sunrise Creek II Filing No. 5 Final Plat is expressly conditioned upon City staff ensuring that all policies, regulations, ordinances and municipal code provisions are met, and that the Applicant adequately addresses all of staff's concerns.

BASIS OF BEARINGS:

The bearing between the found monument for City of Montrose GPS Control Monument 94-035 and the the found monument for City of Montrose GPS Control Monument 94-036 bears N33°05'31"W. (ASSUMED)

LINEAL UNITS STATEMENT:

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

CERTIFICATE OF DEDICATION AND OWNERSHIP

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

OUTLOT A AND OUTLOT B OF SUNRISE CREEK III FILING NO. 1 AS RECORDED AT RECEPTION NO. 905515 IN THE MONTROSE COUNTY CLERK AND RECORDER'S OFFICE

County of Montrose,
State of Colorado

Have by these presents laid out, platted and subdivided the same into lots, as shown on this plat, under the name and style of SUNRISE CREEK III FILING NO. 2.
The easements shown on this plat are dedicated, granted, and conveyed to the City of Montrose, Colorado for public access, public parking, and public utilities including but not limited to water, sewer, electrical, telephone, gas, fiber optic, CATV lines, and drainage easements specifically labeled for dedication together with perpetual right of ingress and egress for installation, maintenance and replacement of such facilities. The dedication of easements as herein provided shall not include those easements exclusively utilized for irrigation improvements or otherwise subject to a previously recorded conveyance.

Executed this _____ day of _____, 20____

By: _____
Alpine Investment & Realty, LLC by Jack T. Petruccelli, Manager
Manager of Sunrise Creek Montrose, LLC

STATE OF COLORADO }
COUNTY OF MONTROSE } ss.

The above Certificate of Dedication and Ownership was acknowledged before me on this

_____ day of _____, 20____, by _____

Witness my hand and official seal.
My commission expires: _____

Notary (SEAL)

SURVEYOR'S CERTIFICATE

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

Section 38-51-106 Statement: This plat does not represent a title search by the Surveyor, nor by any professional corporation or business entity with which said Surveyor may be associated. Information regarding the title work performed for and used in producing this plat may be found in the title policy issued by LAND TITLE GUARANTEE COMPANY, dated April 26, 2021, bearing order number 87018933.

Nicholas Barrett
Colorado Registered Land Surveyor
Registration No. 38037
Date: _____

ENGINEER'S CERTIFICATE

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

Nicholas Barrett, P.E./PLS Registration No. 42106

Date: _____

CERTIFICATE OF COMPLETED IMPROVEMENTS

I, Scott Murphy, City Engineer, certify that all improvements and utilities required by the current Subdivision Regulations of the City of Montrose, have been constructed, inspected and approved in this Subdivision in accordance with applicable City Ordinances, Regulations and Specifications, and a Preliminary Letter of Infrastructure Completion has been issued as required by the City's Municipal Code.
Improvement Agreement: _____

City Engineer
Registration No. _____

ATTORNEY'S CERTIFICATE

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

Attorney
Registration No. _____

Date: _____

APPROVAL OF CITY MANAGER

Approved this _____ day of _____, 2021, by _____
City Manager of the City of Montrose.

City Manager

APPROVAL OF CITY ATTORNEY

Approved for recording this _____ day of _____, 2021, by _____, City Attorney of the City of Montrose.

City Attorney

APPROVAL OF CITY COUNCIL

Approved this _____ day of _____, 2021, by _____
Mayor of the City of Montrose.

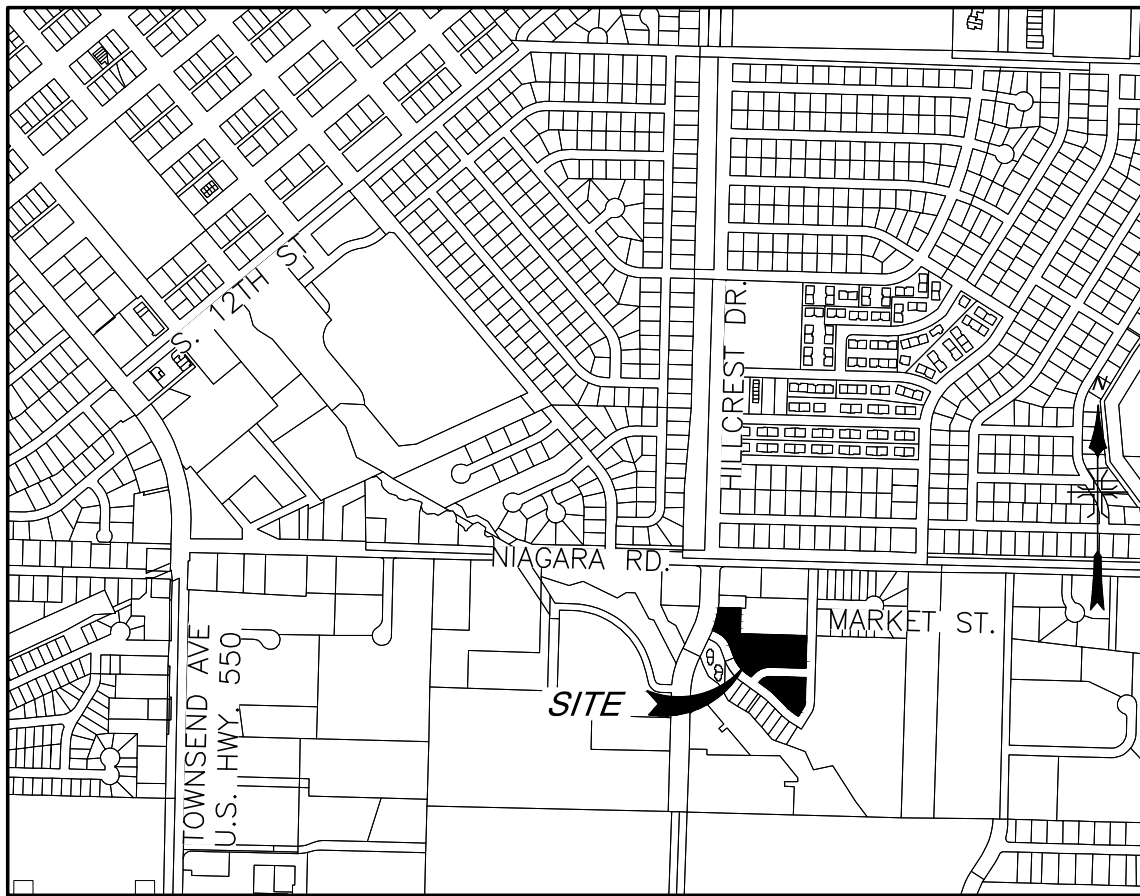
All conveyance of interests in real property made on this plat are hereby accepted by the City.

Mayor

RECORDER'S CERTIFICATE:

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

County Clerk & Recorder Deputy by _____



VICINITY MAP
N.T.S.

		DEL-MONT CONSULTANTS, INC. ENGINEERING & SURVEYING 125 Colorado Ave. • Montrose, CO 81401 • (970) 249-2251 • (970) 249-2342 FAX www.del-mont.com • service@del-mont.com	
		FIELD BOOK: 711 DRAWING: MGW DATE: 2021-10-11 SHEET: 1 of 2 FILE: 20184V_PLAT-F2 JOB NO.: 20184	
TITLE: FINAL PLAT CITY OF MONTROSE		CLIENT: JACK PETRUCCELLI ADDRESS & PHONE: PO BOX 381 RIDGWAY, CO 81432 (970) 209-0195 TYPE: FINAL PLAT	

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

SUNRISE CREEK III FILING NO. 2

A REPLAT OF OUTLOTS A AND B OF SUNRISE CREEK III FILING NO. 1

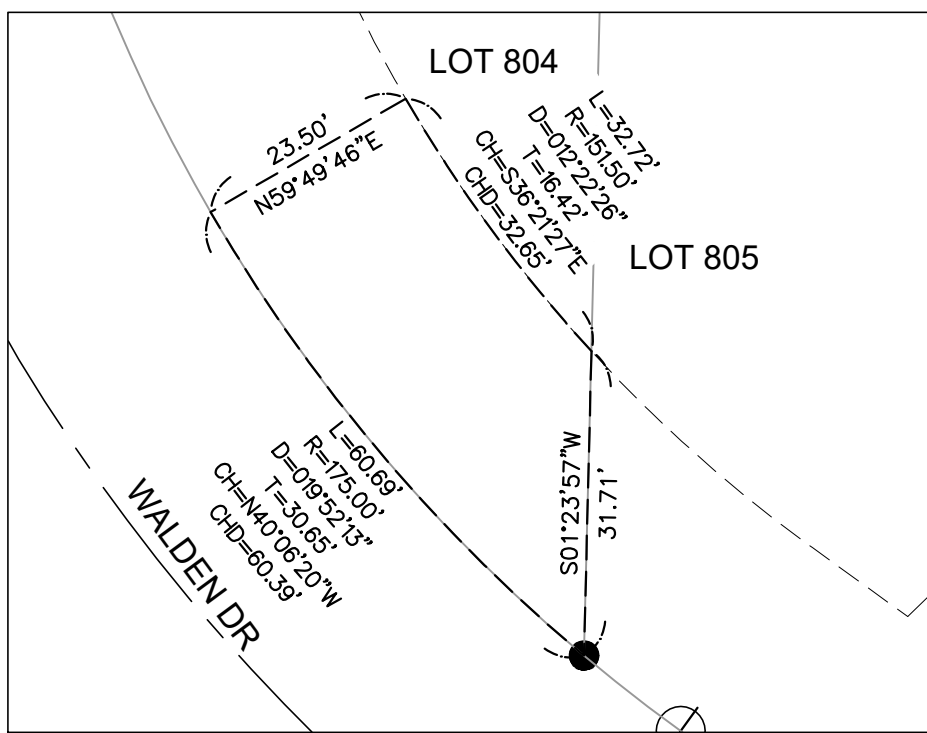
SITUATED IN THE NW¼SW¼ SECTION 35, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN

CITY OF MONTROSE, STATE OF COLORADO

FINAL PLAT

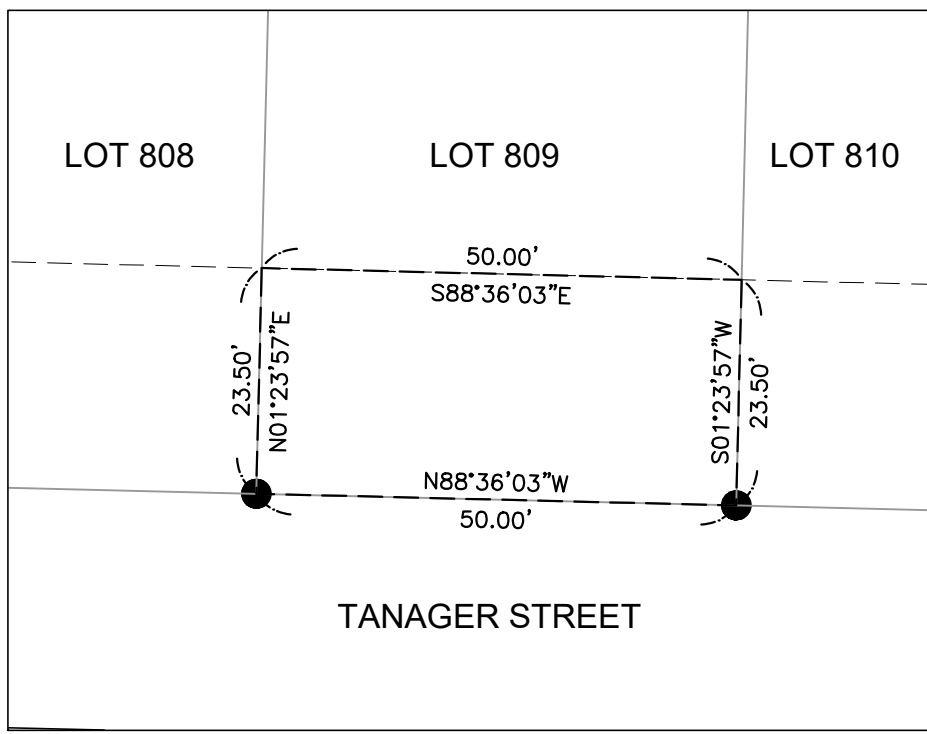
CURVE DATA					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	64.06'	275.00'	013°20'47"	N51°40'16"W	63.91'
C2	30.29'	525.00'	003°18'22"	N46°39'04"W	30.29'
C3	54.21'	525.00'	005°54'59"	N51°15'44"W	54.19'
C4	101.52'	175.00'	033°14'22"	N37°36'03"W	100.11'
C5	95.28'	125.00'	043°40'19"	N42°49'01"W	92.99'
C6	122.56'	450.00'	015°36'17"	N14°21'36"E	122.18'
C7	4.00'	53.00'	004°19'42"	S00°45'54"E	4.00'
C8	120.28'	125.00'	055°08'02"	S63°49'56"W	115.70'
C9	71.75'	75.00'	054°48'35"	N63°59'39"E	69.04'
C10	39.61'	75.00'	030°15'23"	S16°31'39"W	39.15'
C11	12.77'	175.00'	004°10'47"	N52°07'50"W	12.76'
C12	88.76'	175.00'	029°03'35"	N35°30'39"W	87.81'
C13	9.66'	450.00'	001°13'47"	N21°32'51"E	9.66'
C14	52.10'	450.00'	006°38'01"	N17°36'57"E	52.07'
C15	60.80'	450.00'	007°44'28"	N10°25'42"E	60.75'
C16	39.79'	125.00'	018°14'18"	S82°16'48"W	39.62'
C17	59.43'	125.00'	027°14'20"	S59°32'29"W	58.87'
C18	21.07'	125.00'	009°39'23"	S41°05'37"W	21.04'
C19	84.51'	525.00'	009°13'21"	N49°36'33"W	84.41'

LOT SETBACKS	
FACE OF LOT	DISTANCE (FT.)
FRONT	15
REAR	0
SIDE	0 EXCEPT 3' FROM ANY PEDESTRIAN CORRIDOR
CORNER	15
THESE SETBACKS ARE BASED ON THE 2015 PD PLAN FOR THIS SUBDIVISION	



EASEMENT E

1" = 20'



EASEMENT F

1" = 20'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N58°20'40"W	5.66'
L2	N88°36'03"W	10.88'
L3	N20°58'51"W	15.34'
L4	S01°23'57"W	28.05'

LEGEND

- = FOUND REBAR & CAP (P.L.S. 16840)
- ◆ = FOUND REBAR & CAP (P.L.S. 24299)
- ◇ = FOUND REBAR & CAP (P.L.S. 37690)
- = SET 5/8"x18" REBAR W/ 1 1/2" ALUMINUM CAP (PLS 38037)
- (A) = 23.5' OPEN SPACE AND UTILITY EASEMENT
- (B) = 20' DRIVEWAY AND UTILITY EASEMENT
- (C) = 20' ALLEY AND UTILITY EASEMENT
- (D) = 15' UTILITY EASEMENT
- (T) = 40'x40' SIGHT TRIANGLE PER C.O.M. DETAIL ST-07
- (U) = 60'x60' SIGHT TRIANGLE PER C.O.M. DETAIL ST-07

TITLE	FINAL PLAT CITY OF MONTROSE
CLIENT	JACK PETRUCCELLI
ADDRESS & PHONE	PO BOX 381 RIDGWAY, CO 81432 (970) 209-0195
TYPE	FINAL PLAT

FIELD BOOK	711	DATE	2021-10-11
DRAWN BY	MGW	FILE	20184V_PLAT-F2
SHEET	2 of 2	JOB NO.	20184

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



CITY OF MONTROSE

MEMO

TO: City Council
FROM: Ross Valdez, Community Engagement Specialist
DATE: October 19, 2021
RE: Lease Agreement for 1800 Pavilion Drive (Montrose Botanic Gardens)
ATTACHMENTS: Original Draft Lease, Final "Clean" Lease

City Council Consideration

City Council is considering a new lease agreement for the City-owned property located at 1800 Pavilion Drive, currently the location of the Montrose Botanic Gardens.

Background

The City of Montrose ("City") leases the property located at 1800 Pavilion Drive ("Botanic Garden") to the Montrose Botanical Society ("MBS"). The City and MBS entered into the current fifty-year lease in 1996 and it expires in 2046. City Council is considering a new twenty five-year lease which will expire in 2046 with changes that reflect the current state of the Botanic Garden, its use, and the City's support.

The MBS utilizes the property for the Botanic Gardens. The Botanic Gardens are an area for demonstration, education, and leisure.

Attached to this memo, please find a final proposed lease as well as the original draft version. Notable changes include the following:

- Clarification of guidelines surrounding approval of improvements on the property to align with other City-owned properties.
- Addition and recognition of a Conceptual Master Plan, including requirement of City Council approval before implementation of Conceptual Master Plan components, including an environmental education center and other improvements.
- Commitment from the City of treated water as well as irrigation water in support of the Botanic Garden.
- Description of fee-based use of the Botanic Gardens, to include rentals as well as photography sessions.
- The Botanic Garden is for the free enjoyment of the public.
- Definition of the View Corridor as well as the MBS's obligation to preserve it.

- In the event the MBS is no longer able to lease the property, the City would maintain it.



AMENDED LEASE AGREEMENT

THIS LEASE is entered into effective this ___ day of ____, 2021 between the MONTROSE BOTANICAL SOCIETY, INC. ("Tenant") and the CITY OF MONTROSE ("City"), as follows:

WHEREAS, the City owns certain real property in Montrose County, Colorado, located south of the Montrose Pavilion Event Center ("The Pavilion") at 1800 Pavilion Drive; and

WHEREAS, the Parties mutually agree to lease a portion of that property to Tenant for the continued development, maintenance and use as the Montrose Botanic Gardens for public enjoyment; and

WHEREAS, the Parties further agree that such development of this property shall constitute an appurtenant use of The Pavilion and provide a tangible benefit to the community; and

WHEREAS, the Parties desire to clarify responsibilities in order to ensure the ongoing success of the Botanic Gardens;

NOW, THEREFORE, the Parties hereby enter into the following Lease:

1. **Description of Premises:**

The City hereby agrees to lease to the Tenant, subject to the terms and conditions of this Agreement, approximately 3.55 acres of the property, which is delineated on the attached Exhibit 1 and incorporated herein by reference, and which is hereby referred to as "Premises". The City reserves the right to install, operate, maintain and replace walkways, water lines, appurtenances and other utilities in and under the premises, but shall coordinate any such operations to avoid unreasonable interference with Tenant's use of the property. Tenant accepts the premises as is.

2. **Term of Lease:**

The term of this Lease shall be for a period of 50 years from the initial effective date of December 4, 1996, subject to termination of the Lease in accordance with any of the remaining provisions of this Lease.

3. **Purpose:**

The purpose of this Lease is to facilitate with the Tenant the development of a free public amenity as a botanic garden. The Montrose Botanical Society's mission is to provide horticulture education and leadership for residents of the Uncompahgre Valley Region through the development of the Botanic Gardens for demonstration, education and leisure. All improvements installed on the Premises shall serve these purposes as they pertain to the development, operation and maintenance of the Montrose Botanic Gardens.

4. **Conditions:**

- A. Tenant agrees to complete and maintain a Conceptual Master Plan for eventual buildout of the Botanic Gardens (see Section 5) subject to review and approval by City Council in association with this Lease Agreement. The current master plan for the site is included as Exhibit 2; however, it is understood that this master plan is subject to future revision. Any revisions to the master plan shall be approved by City Council prior to implementation of master plan components. Changes to the master plan do not require amendment or modification of this lease agreement.
- B. Construction and installation of Substantial Improvements on the Premises shall be pursued in extensive conformity with the current and approved Conceptual Master Plan. For purposes of this section, Substantial Improvements are defined as improvements requiring a permit by the City of Montrose and/or considered a permanent hardscape. It is expected that prior to construction and installation of improvements, Tenant shall confirm with the City Manager or their designee(s) that such construction and implementation is identified on and in compliance with the approved Conceptual Master Plan. No Substantial Improvements may take place without written approval from the City Manager's office and appropriate permit if applicable.
- C. All improvements, including but not limited to, structures, fountains, rock walls, plants and irrigation equipment shall become part of this Lease, and upon termination of this Lease for any reason, shall become the property of the City.
- D. Tenant shall with due diligence design, install and construct Substantial Improvements to the Botanic Gardens, subject to prior City approval as provided herein.
- E. City and Tenant agree to meet the first quarter of each calendar year on an annual basis to review capital, construction and discuss updates and concerns of both parties, including the review of the View Corridor and operational plans for the upcoming year. The City representative and Tenant agree to communicate calendars in a timely manner to coordinate usage of the Pavilion Event Center & Commons area and the Botanic Gardens.
- F. City shall provide water for the Botanic Gardens subject to the following conditions:
 - 1) City of Montrose shall provide up to 1,900,000 gallons of City of Montrose treated water per calendar year to the Botanic Gardens at no charge to the Tenant. If Botanic Gardens treated water needs increase beyond this amount, Tenant shall pay commercial water rate for use of City of Montrose treated water.

The Tenant recognizes the importance of wise use of water in its irrigation and domestic use. Tenant will promote wise management and efficient use of water resources. Efforts will be made to install effective water use facilities and irrigation systems. Water wise strategies will be incorporated into the Botanic Garden planning & design, plantings, efficient irrigation systems and management of resources.

- 2) Treated water is provided by the City via 5/8 and 1-1/2 inch meters on the northeastern and southern end of the property along Pavilion Drive, respectively. All treated water use shall utilize these two (2) existing meters.
- 3) The City of Montrose shall pay for and make its 12.3 shares of Uncompahgre Valley Water Users Association (UVWUA) irrigation water available for use by the Botanic Gardens, to the extent that this water is made available to the City by the UVWUA. In the event that the City shall need use of these water shares for irrigation of the Pavilion property, City and Tenant agree to coordinate watering schedules. This water is available during the irrigation season which typically runs from mid-April through October of each year.
- 4) Any expansion of the Botanic Gardens shall utilize UVWUA irrigation water to the fullest extent practicable, as opposed to increasing the use of treated water.
- 5) Any modifications to irrigation diversion structures shall be approved in writing by the City prior to implementation and notification sent in writing to the Tenant.

G. City shall not be bound by the terms of this Lease to assist Tenant in the development of the premises; however, City may provide such assistance as it deems appropriate and feasible to partner in the maintenance and growth of this community asset. Tenant shall request assistance from the City Manager or their designee. It is contemplated that such assistance may include the following:

- 1) Support with improvements or repair inside the premises.
- 2) Provide parking lot, walkways and other necessary infrastructure improvements adjacent to the premises.
- 3) Grant writing assistance and support.
- 4) Marketing assistance
- 5) Intermittent use of adjacent City owned property for special events
- 6) Facilitation of utility access to property as feasible

H. Tenant agrees to maintain the premises in a safe condition and in a manner consistent with the use of the premises for botanic displays and consistent with the approved Conceptual Master Plan. This shall include all turf cutting, pruning, vegetation maintenance, disease and pest control, and the like within the Botanic Gardens lease area at Tenant's expense. The City shall be responsible for maintaining and repairing the parking lot and other infrastructure outside of the Botanic Gardens lease area.

I. The premises shall be used primarily for botanic purposes including display and propagation of species and educational activities. Other accessory activities are allowed including recreational activities, fundraising events, community events, and facility rental for private events. Other uses of the premises by Tenant must be approved in advance by the City Council.

J. Tenant may use the Pavilion Commons area (as depicted on Exhibit 1) and other adjacent areas for the purposes described in this section upon advance approval by the City. Any such request for use of the Pavilion Commons area must be presented by Tenant to the

- Pavilion Manager, and reviewed and approved by the Pavilion Manager at least (30) days prior to scheduled events. Exact location and details of events will be discussed and provided in writing to ensure agreement between both parties.
- K. Tenant's use of the premises shall conform to all applicable laws and regulations of the United States, the State of Colorado, Montrose County and the City of Montrose.
 - L. Tenant may request use of the Pavilion Drive power station, and shall do so at least thirty (30) days in advance for use during events to ensure usage does not impact events at The Pavilion. The Pavilion may request use of the Botanic Garden power outlets and shall do so thirty (30) days in advance for use during events to ensure usage does not impact events at the Botanic Gardens.
 - M. The Pavilion may request use of the Botanic Gardens premises and shall do so at least thirty (30) days in advance for use related to Pavilion events to ensure usage does not impact operations of the Botanic Garden. A fee and a signed facility use agreement will be required by the patrons of the Pavilion for up to one hour use for photography sessions; a fee and a signed facility use agreement will be required by the patrons of the Pavilion for use of Entry Garden area for up to one and a half hours for a wedding, etc. Pavilion patrons may select both Entry Garden usage and Photography session usage for a combined fee. Tenant will provide copies of the usage agreements to the Pavilion staff to facilitate the coordination with events at the Pavilion..
 - 1) Tenant shall not unreasonably refuse such request for usage.
 - N. All parking lot space adjacent to the Botanic Garden is for public use.
 - O. The sidewalks and lawn within the Pavilion Commons area are for public use. Because they are public access, The City provides snow removal, irrigation, and lawn maintenance as needed.
 - P. A View Corridor shall be established and maintained year-round pursuant to Exhibit 3, for the purpose of preserving the view of the San Juan Mountains looking south from the top of The Pavilion south steps. The preservation of the View Corridor may require regular maintenance and trimming of trees which shall be at the sole expense of the Tenant. Maintenance of the View Corridor is the sole responsibility of the Tenant and is of significant importance to the City. The City and Tenant will meet at its annual meeting in the first quarter of the calendar year to evaluate the state of the View Corridor and identify necessary maintenance. The City may, at any time, require maintenance on behalf of the Tenant to preserve the View Corridor.
 - Q. Tenant may lawfully solicit donations to support the Montrose Botanical Society and operations of the Botanic Gardens, but shall not impose fees for public enjoyment of the premises, except for periodic special fundraising events and rentals.

- R. Any amendment to this Lease Agreement may be made upon mutual consent of the Tenant and the City.

5. **Conceptual Master Plan Shall Include the Following:**

In the spirit of mutual considerations for the development of the Montrose Botanic Gardens with the City of Montrose, a Conceptual Master Plan will be approved by the Montrose City Council. A Conceptual Master Plan provides a vision for the development of the Gardens. The Plan will be updated as sections of the Gardens are being planned, designed and developed. The Tenant agrees to abide by regulations of the City including applying for permits as necessary and consideration of Dark Sky lighting. The Tenant recognizes the importance of the City's interest in maintaining the View Corridor as described and depicted in Exhibit 3. Tenant will maintain and develop the Botanic Gardens to ensure the agreed to View Corridor is preserved.

6. **Termination of Lease:**

This lease may be terminated upon any of the following events:

- A. Dissolution, insolvency or bankruptcy of the Tenant or Tenant's vacancy of the premises.
- B. The foreclosure and sale of the leasehold interest resulting from any lien that is not satisfied and paid by Tenant.
- C. Material breach of any of the obligations of the Tenant under this Lease Agreement PROVIDED HOWEVER that said breach is not cured within the time provided in Section 6 (E) below.
- D. Any unauthorized use of the premises PROVIDED HOWEVER that said breach is not cured within the time provided in Section 6 (E) below.
- E. In the event that the Lessor wishes to terminate this Lease Agreement pursuant to the provisions of Section 6 (C) or Section 6 (D) above, written notice of the intent to terminate shall first be provided to the Tenant by certified mail, return receipt requested, at the address of the Tenant stated herein, or at any other subsequent address given to the Lessor in writing. Said notice shall provide a clear statement of the reason for termination. The Tenant shall then have a period of thirty (30) days from the date of receipt of said notice within which to cure the default which forms the basis of the notice of termination, and in the event such cure is timely made by Tenant, the Lease Agreement shall remain in full force and effect.
- F. The City may terminate this Lease with six months advance written notice to the Tenant if the premises are needed for a public purpose, including but not limited to public rights-of-way, which would be sufficient to support an action for eminent domain to acquire the property, pursuant to Colorado statutes and common law as in effect on the date of this Lease Agreement. Termination of the lease with regard to specific portions of the premises may also occur upon the same notice requirement. Upon termination of the lease, or termination of a portion of the leased premises, Tenant shall immediately vacate

the premises, or that portion of the premises subject to lease termination.

- G. The City may terminate this Lease if the uses of the premises as provided herein are contrary to any existing deed restriction or third-party contractual obligation which prohibits such uses. Termination of the lease with regard to specific portions of the premises may also occur upon the same notice requirement. Upon termination of the lease, or termination of a portion of the leased premises, Tenant shall immediately vacate the premises, or that portion of the premises subject to lease termination.
- H. The City shall not be liable for any losses whatsoever incurred by the Tenant as a result of termination of this Lease or any specific portions thereof.

7. Disclaimer of City of any Liability for Liens:

Nothing in the terms of this Lease shall be construed as the City authorizing the Tenant to make any improvements on the real property that would subject the property to a mechanic's lien. To the extent that the Tenant may make improvements upon the premises and fail to pay for the same, such that a mechanic's lien is placed upon the premises, said liens shall attach only to the leasehold interest of Tenant to the premises, and shall be subject to all the terms of this Lease (including the provisions for termination of the Lease upon the filing of a mechanic's lien). Tenant shall not create any liens upon said property and liens shall attach only to Tenant's leasehold interest.

8. Access to the Property:

- A. The City shall have the right to enter upon or across the leased premises or to cross such premises at any and all times and may authorize any of its officers, agents, employees to do so also. Reasonable notice shall be provided, absent emergency situations.
- B. The City shall also have the right to inspect the inside of any of the improvements on the premises at all times.

9. Taxes and Utilities:

- A. In the event any ad valorem, real or personal property taxes or payments in lieu thereof, are due or assessed upon the leased property or any improvements thereof, the payment of such taxes shall be the sole obligation of the Tenant. In the event the City receives any tax notices, it shall deliver them to the Tenant for payment.
- B. Tenant shall promptly pay as due all bills for utilities including power, water, and trash collection as applicable to serve the premises, except to the extent City may provide water as set out in Section 4.

10. Indemnification and Insurance:

- A. Indemnification
 - 1) The Tenant agrees to indemnify and hold harmless City, its officers, employees,

insurers, and self-insurance pool, from and against all liability, claims, and demands, on account of injury, loss, or damage, including without limitation claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever, which arise out of or are in any manner connected with this Lease (1) if such injury, loss, or damage is caused in whole or in part by, or is claimed to be caused in whole or in part by, the act, omission, error, professional error, mistake, negligence, or other fault of the Tenant, any sublessee of the Tenant, or any officer, employee, representative, volunteer or agent of the Tenant or of any sublessee of the Tenant; or (2) which arise out of any worker's compensation claim of any employee or volunteers of the Tenant or of any employee of any subcontractor or sublease of the Tenant; or (3) if such claims are made by any participant in, or spectator of, Tenant's programs or use, or a use authorized by Tenant and arise out of the use of the premises.

- 2) The Tenant agrees to investigate, handle, respond to, and to provide defense for and defend against, any such liability, claims or demands at the sole expense of the Tenant, or at the option of City, agrees to pay City or reimburse City for the defense costs incurred by City in connection with, any such liability, claims, or demands. The Tenant also agrees to bear all other costs and expenses related thereto, including court costs and attorney fees, whether or not any such liability, claims, or demands alleged are groundless, false, or fraudulent.

B. Insurance

- 1) The Tenant agrees to procure and maintain, at its own cost, a policy or policies of insurance sufficient to insure against all liability, claims, demands, and other obligations assumed by the Tenant pursuant to this Agreement. Such insurance shall be in addition to any other insurance requirements imposed by this contract or by law. The Tenant shall not be relieved of any liability, claims, demands, or other obligations assumed pursuant to Section 10 ¶A. by reason of its failure to procure or maintain insurance, or by reason of its failure to procure or maintain insurance in sufficient amounts, durations, or types.
 - a. Tenant shall procure and maintain, and shall cause any subcontractor or sublessee of the Tenant to procure and maintain, the minimum insurance coverages listed below. Such coverages shall be procured and maintained with forms and insurers acceptable to City. All coverages shall be continuously maintained to cover all liability, claims, demands, and other obligations assumed by the Tenant pursuant to Section 10 ¶A. In the case of any claims-made policy, the necessary retroactive dates and extended reporting periods shall be procured to maintain such continuous coverage.
 - b. Worker's Compensation insurance to cover obligations imposed by applicable laws for any employee engaged in the performance of work for Tenant.
 - c. Commercial General Liability insurance with minimum combined single limits of \$150,000 each occurrence and \$600,000 aggregate and adjusted in accordance with CGIA updates. The policy shall be applicable to all premises and operations. The policy shall include coverage for bodily injury, broad form property damage (including completed operations),

personal injury, blanket contractual, and completed operations. The policy shall contain a severability of interest's provision.

- 2) The policy required by Section 9 ¶B. (l) (b) above shall be endorsed to include City and City's officers and employees as additional insureds. Every policy required above shall be primary insurance as to City and its officers and employees and any insurance carried by City, its officers, or its employees, or carried by or provided through any insurance pool of City, shall be excess and not contributory insurance to that provided by Tenant. No additional insured endorsement to any policy shall contain any exclusion for bodily injury or property damage arising from completed operations. The Tenant shall be solely responsible for any deductible losses under any policy required above.
- 3) A certificate of insurance shall be completed by the Tenant's insurance agent as evidence that policies providing the required coverages, conditions, and minimum limits are in full force and effect, and shall be reviewed and approved by City prior to commencement of any construction upon the premises. The certificate shall identify this Lease and shall provide that the coverages afforded under the policies shall not be canceled, terminated or materially changed until at least 30 days prior written notice has been given to City. The completed certificate of insurance shall be sent to City.
- 4) Failure on the part of the Tenant to procure or maintain policies providing the required coverages, conditions, and minimum limits shall constitute a material breach of contract upon which City may immediately terminate this contract, or at its discretion City may procure or renew any such policy or any extended reporting period thereto and may pay any and all premiums in connection therewith, and all monies so paid by City shall be repaid by Tenant to City upon demand, or City may offset the cost of the premiums against any monies due to Tenant from City.
- 5) City reserves the right to request and receive a certified copy of any policy and any endorsement thereto.
- 6) The parties hereto understand and agree that City is relying on, and does not waive or intend to waive by any provision of this Lease, the monetary limitations or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, CRS §24-10-101 et seq., as from time to time amended, or otherwise available to City, its officers, or its employees.
- 7) Tenant shall have the insurable improvements on the premises covered by Tenant's property insurance policies and provide City with a certificate of such insurance. Tenant shall be responsible for all losses to Tenant's property including losses not covered due to said policy's deductible, or for losses outside the scope of such policy's coverage and hereby waives any claim against City for such losses.

11. **Waiver:**

No waiver of any breach of any one or more of the conditions and covenants of this Lease by the Tenant or City shall be deemed and constitute a waiver of any succeeding or other breach under this Lease.

12. **Notices:**

All notices required to be given to the City or the Tenant herein shall be mailed to them to the following addresses:

City of Montrose:
City of Montrose
Attn. City Manager
P.O. Box 790 Montrose, CO 81402

Montrose Botanical Society:
Montrose Botanical Society, Inc.
P.O. Box 323 Montrose, CO 81402

Notice shall be effective when deposited in the U.S. Mail, certified return receipt requested, addressed to the above address or any address notice of which address change has been given in writing to the other party.

13. **Prior Agreements:**

This Agreement constitutes the entire agreement and understanding between the parties to the Agreement and supersedes all prior and contemporaneous negotiations and understandings between the parties whether oral or written, expressed, or implied.

14. **Non-assignability:**

Tenant may neither sublease nor assign its interest hereunder.

IN WITNESS WHEREOF, the Parties have entered into this Lease on this ____ day of _____, 2021, effective December 4, 1996.

CITY OF MONTROSE

MONTROSE BOTANICAL SOCIETY

Mayor

President

ATTEST:

ATTEST:

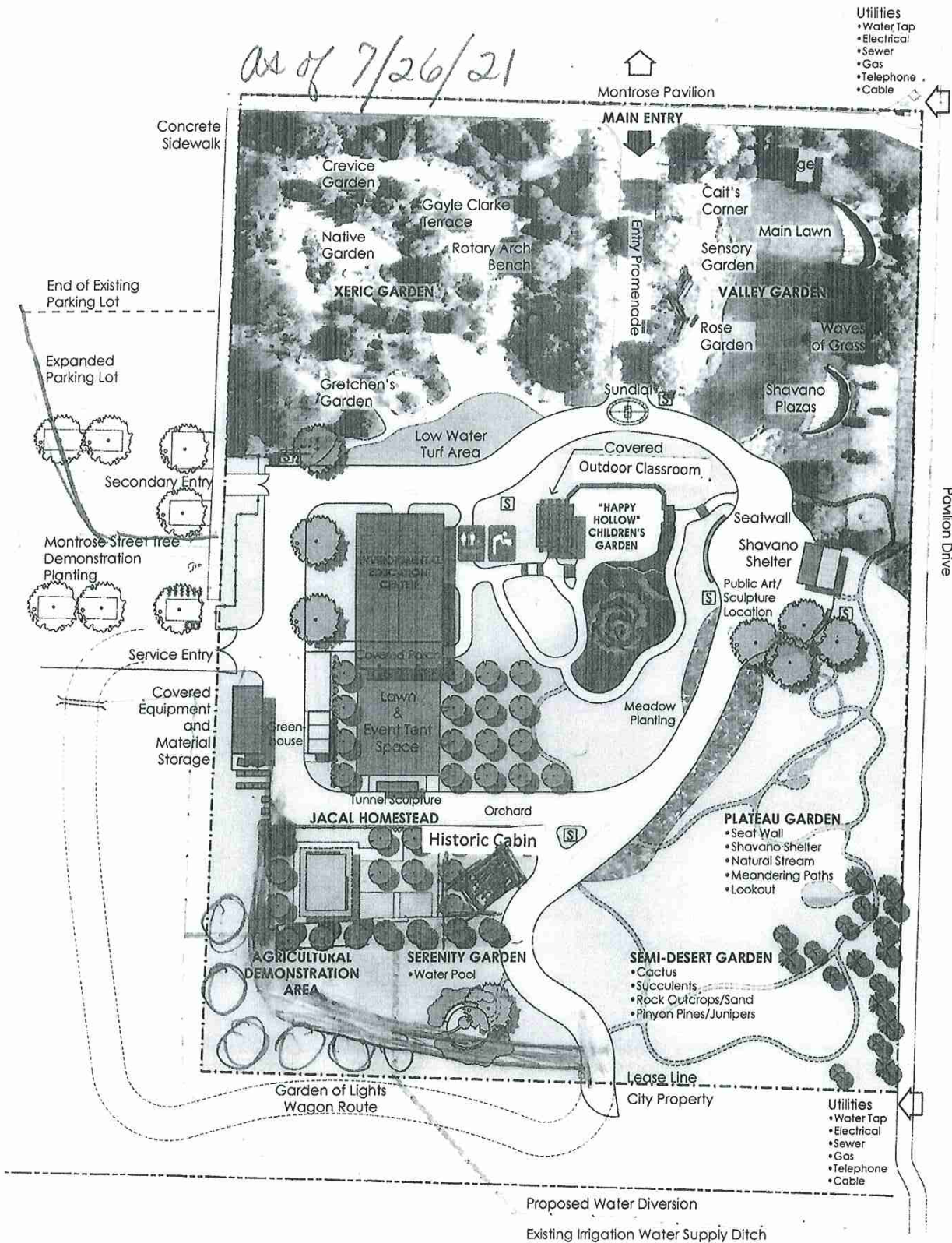
City Clerk

Secretary

Exhibit 1



Exhibit 2 (Conceptual Master Plan)



MONTROSE BOTANIC GARDENS MASTER PLAN

1800 Pavilion Drive, Montrose, Colorado

Montrose Botanical Society

www.montrosegardens.org

P.O. Box 323, Montrose, Colorado 81402

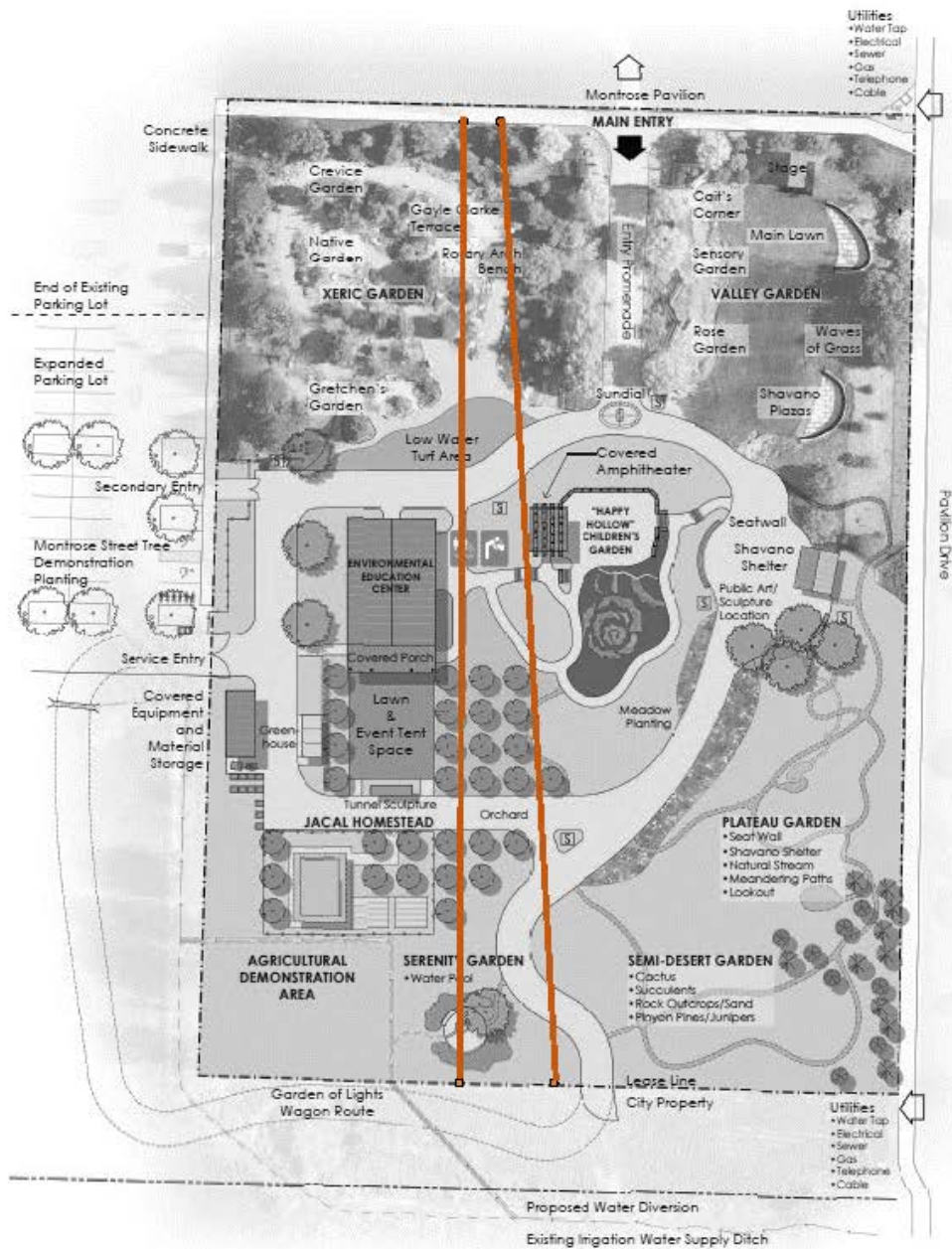
OCTOBER 2019

PRODUCED BY:
MT DAILY ENTERPRISES, LLC
LANDSCAPE ARCHITECTURE
www.mtdaily.com
970.963.9896

Exhibit 3 (View Corridor)



COMPONENT - View Corridor



MONTROSE BOTANIC GARDENS MASTER PLAN

1800 Pavilion Drive, Montrose, Colorado

Montrose Botanical Society

www.montrosegardens.org

P.O. Box 323, Montrose, Colorado 81402



OCTOBER 2011
DESIGNED BY
MONTROSE BOTANICAL SOCIETY
LANDSCAPE ARCHITECTURE
WWW.MONTROSEGARDENS.ORG
81402.0001

AMENDED LEASE AGREEMENT

THIS LEASE is entered into effective this ___ day of ___, 2021 between the MONTROSE BOTANICAL SOCIETY, INC. ("Tenant") and the CITY OF MONTROSE ("City"), as follows:

WHEREAS, the City owns certain real property in Montrose County, Colorado, located south of the Montrose Pavilion Event Center ("The Pavilion") at 1800 Pavilion Drive; and

WHEREAS, the Parties mutually agree to lease a portion of that property to Tenant for the continued development, maintenance and use as the Montrose Botanic Gardens for public enjoyment; and

WHEREAS, the Parties further agree that such development of this property shall constitute an appurtenant use of The Pavilion and provide a tangible benefit to the community; and

WHEREAS, the Parties desire to clarify responsibilities in order to ensure the ongoing success of the Botanic Gardens;

NOW, THEREFORE, the Parties hereby enter into the following Lease:

1. Description of Premises:

The City hereby agrees to lease to the Tenant, subject to the terms and conditions of this Agreement, approximately 3.55 acres of the property, which is delineated on the attached Exhibit 1 and incorporated herein by reference, and which is hereby referred to as "Premises". The City reserves the right to install, operate, maintain and replace walkways, water lines, appurtenances and other utilities in and under the premises, but shall coordinate any such operations to avoid unreasonable interference with Tenant's use of the property. Tenant accepts the premises as is.

2. Term of Lease:

The term of this Lease shall be for a period of 50 years from the initial effective date of December 4, 1996, subject to termination of the Lease in accordance with any of the remaining provisions of this Lease.

3. Purpose:

The purpose of this Lease is to facilitate the development of a free public amenity where plants are grown for education, conservation, display and which will contribute to the well-being of the Montrose community. All improvements installed on the Premises shall serve this purpose and shall not detract from the use and enjoyment of The Pavilion or adjacent properties by the public and residents.

4. Conditions:

- A. Tenant agrees to complete and maintain a Conceptual Master Plan for eventual buildout of the Botanic Gardens (see Section 5) subject to review and approval by City Council in

association with this Lease Agreement. The current master plan for the site is included as Exhibit 2; however, it is understood that this master plan is subject to future revision. Any revisions to the master plan shall be approved by City Council prior to implementation of master plan components. Changes to the master plan do not require amendment or modification of this lease agreement.

- B. Construction and installation of Substantial Improvements on the Premises shall, following approval of this Lease Agreement, be pursued in extensive conformity with the current and approved Conceptual Master Plan. For purposes of this section, Substantial Improvements shall be defined as any improvement to the property with the exception of shrubs and plantings which are less than 4 feet in mature height, interpretive signage, and/or temporary/seasonal decorations. It is expected that prior to construction and installation of all improvements, Tenant shall confirm with the City Manager or their designee(s) that such construction and implementation is identified on and in compliance with the approved Conceptual Master Plan. No Substantial Improvements may take place without written approval from the City Manager's office.
- C. All improvements, including but not limited to, structures, fountains, rock walls, plants and irrigation equipment shall become part of this Lease, and upon termination of this Lease for any reason, shall become the property of the City.
- D. Tenant shall with due diligence design, install and construct any additions to the Botanic Gardens, subject to prior City approval as provided herein.
- E. City and Tenant agree to meet, at a minimum, on an annual basis to review capital, construction, and operational plans for the upcoming year.
- F. City shall provide water for irrigation of the Botanic Gardens subject to the following conditions:
 - 1) City of Montrose shall provide up to 1,000,000 gallons of City of Montrose treated water per calendar year to the Botanic Gardens at no charge to the Botanic Gardens. If Botanic Gardens treated water needs increase beyond this amount, Tenant shall pay commercial water rate for use of City of Montrose treated water.
 - 2) Treated water is provided by the City via $\frac{5}{8}$ and 1- $\frac{1}{2}$ inch meters on the northeastern and southern end of the property along Pavilion Drive, respectively. All treated water use shall utilize these existing meters; additional water taps will not be made available.
 - 3) The City of Montrose shall make its 12 shares of Uncompahgre Valley Water Users Association (UVWUA) irrigation water available for use by the Botanic Gardens, to the extent that this water is made available to the City by the UVWUA. In the event that the City shall need use of these water shares for irrigation of the Pavilion property, City and Botanic Gardens agree to coordinate watering schedules as to avoid overuse of the allocated shares. This water is available during the irrigation season which typically runs from mid-April through October of each year.
 - 4) Any expansion of the Botanic Gardens shall utilize UVWUA irrigation water to the fullest extent practicable, as opposed to increasing the use of treated water.
 - 5) Any modifications to irrigation diversion structures shall be approved in writing by the City prior to implementation.

- G. City shall not be bound by the terms of this Lease to assist Tenant in the development of the premises; however, City may provide such assistance as it deems appropriate and feasible to partner in the maintenance and growth of this community asset. Botanic Gardens shall request assistance from the City Manager or their designee. It is contemplated that such assistance may include the following:
- 1) Support with improvements or repair inside the premises.
 - 2) Provide parking lot, walkways and other necessary infrastructure improvements adjacent to the premises.
 - 3) Grant writing assistance.
- H. Tenant agrees to maintain the premises in a safe condition and in a manner consistent with the use of the premises for botanic displays and consistent with the approved Conceptual Master Plan. This shall include all turf cutting, pruning, vegetation maintenance, disease and pest control, and the like within the Botanic Gardens lease area at Tenant's expense. The City shall be responsible for maintaining and repairing the parking lot and other infrastructure outside of the Botanic Gardens lease area.
- I. The premises shall be used primarily for botanic purposes including display and propagation of species and educational activities. Other accessory activities are allowed including recreational activities, fundraising events, community events, and facility rental for private events. Other uses of the premises by Tenant must be approved in advance by the City Council.
- J. Tenant may use the Pavilion Commons area (as depicted on Exhibit 1) and other adjacent areas for the purposes described in this section upon advance approval by the City. Any such request for use of the Pavilion Commons area or for events including but not limited to fundraising events, community events, and private events that take place in the Botanic Gardens and which are likely to have attendance in excess of typical daily use must be presented by Tenant to the Pavilion Manager, and reviewed and approved by the Pavilion Manager at least (30) days prior to scheduled events. Exact location and details of events will be discussed and provided in writing to ensure agreement between both parties.
- K. Tenant's use of the premises shall conform to all applicable laws and regulations of the United States, the State of Colorado, and the City of Montrose.
- L. Tenant may request use of the Pavilion Drive power station, and shall do so at least thirty (30) days in advance for use during events to ensure usage does not impact events at The Pavilion.
- M. Tenant shall allow the use of the premises by the public as an appurtenance to the Pavilion, including allowing patrons of The Pavilion free access to take photos in the Botanic Garden during their scheduled event at The Pavilion.
- 1) Tenant shall not unreasonably refuse such use but may impose reasonable conditions to protect the integrity of the premises and protect Tenant from

unreasonable risk.

- N. All parking lot space adjacent to the Botanic Garden is for public use.
- O. The sidewalks and lawn within the Pavilion Commons area are for public use. Because they are public access, The Pavilion provides snow removal, irrigation, and lawn maintenance as needed.
- P. A View Corridor shall be established and maintained year-round pursuant to Exhibit 3, for the purpose of preserving the view of the San Juan Mountains looking south from the top of The Pavilion south steps. The preservation of the View Corridor may require regular maintenance and trimming of trees which shall be at the sole expense of the Tenant. Maintenance of the View Corridor is the sole responsibility of the Tenant and is of significant importance to the City. The City and Tenant will meet yearly in the fall and in the spring to evaluate the state of the View Corridor and identify necessary maintenance. The City may, at any time, require maintenance on behalf of the Tenant to preserve the View Corridor.
- Q. Tenant may lawfully solicit donations to support the Montrose Botanical Society and operations of the Botanic Gardens, but shall not impose fees for public enjoyment of the premises, except for periodic special fundraising events.
- R. No new signs shall be allowed on or off the premises which promote the location of the Botanic Gardens, but it is contemplated by the Parties that some signage identifying plant species and providing educational information may be utilized.
- S. Any amendment to this Lease Agreement may be made upon mutual consent of the Botanic Gardens and City Council.

5. **Conceptual Master Plan Shall Include the Following:**

- A. It is anticipated that the Botanic Gardens will update the Conceptual Master Plan over time as outlined in Section 4. The Conceptual Master Plan shall ideally contain but is not limited to the following components:
 - 1) Tree planting plan showing the location of all existing and proposed trees, including general description of proposed trees such as species and anticipated heights.
 - 2) View Corridor Plan, as described in Section 4 ¶P of this document.
 - 3) Existing and anticipated structures, including location, dimensions, and exterior materials.
 - 4) Existing and proposed improvements including but not limited to plant beds, boulder installations, and fountains.
 - 5) General description of existing and proposed use of areas such as natural grass demonstration garden area, children's garden area, and native plant area.
 - 6) Existing and proposed walkways and public access points.
 - 7) Existing and proposed fences.
 - 8) Existing and proposed lighting plan in compliance with Dark Sky practices.

6. Termination of Lease:

This lease may be terminated upon any of the following events:

- A. Dissolution, insolvency or bankruptcy of the Tenant or Tenant's vacancy of the premises.
- B. The foreclosure and sale of the leasehold interest resulting from any lien that is not satisfied and paid by Tenant.
- C. Material breach of any of the obligations of the Tenant under this Lease Agreement PROVIDED HOWEVER that said breach is not cured within the time provided in Section 6 ¶E below.
- D. Any unauthorized use of the premises PROVIDED HOWEVER that said breach is not cured within the time provided in Section 6 ¶E below.
- E. In the event that the Lessor wishes to terminate this Lease Agreement pursuant to the provisions of Section 6 ¶C or Section 6 ¶D above, written notice of the intent to terminate shall first be provided to the Tenant by certified mail, return receipt requested, at the address of the Tenant stated herein, or at any other subsequent address given to the Lessor in writing. Said notice shall provide a clear statement of the reason for termination. The Tenant shall then have a period of thirty (30) days from the date of receipt of said notice within which to cure the default which forms the basis of the notice of termination, and in the event such cure is timely made by Tenant, the Lease Agreement shall remain in full force and effect.
- F. The City may terminate this Lease with six months advance written notice to the Tenant if the premises are needed for a public purpose, including but not limited to public rights-of-way, which would be sufficient to support an action for eminent domain to acquire the property, pursuant to Colorado statutes and common law as in effect on the date of this Lease Agreement. Termination of the lease with regard to specific portions of the premises may also occur upon the same notice requirement. Upon termination of the lease, or termination of a portion of the leased premises, Tenant shall immediately vacate the premises, or that portion of the premises subject to lease termination.
- G. The City may terminate this Lease if the uses of the premises as provided herein are contrary to any existing deed restriction or third-party contractual obligation which prohibits such uses. Termination of the lease with regard to specific portions of the premises may also occur upon the same notice requirement. Upon termination of the lease, or termination of a portion of the leased premises, Tenant shall immediately vacate the premises, or that portion of the premises subject to lease termination.
- H. The City shall not be liable for any losses whatsoever incurred by the Tenant as a result of termination of this Lease or any specific portions thereof.

7. Disclaimer of City of any Liability for Liens:

Nothing in the terms of this Lease shall be construed as the City authorizing the Tenant to make

any improvements on the real property that would subject the property to a mechanic's lien. To the extent that the Tenant may make improvements upon the premises and fail to pay for the same, such that a mechanic's lien is placed upon the premises, said liens shall attach only to the leasehold interest of Tenant to the premises, and shall be subject to all the terms of this Lease (including the provisions for termination of the Lease upon the filing of a mechanic's lien). Tenant shall not create any liens upon said property and liens shall attach only to Tenant's leasehold interest.

8. Access to the Property:

- A. The City shall have the right to enter upon or across the leased premises or to cross such premises at any and all times and may authorize any of its officers, agents, employees to do so also. Reasonable notice shall be provided, absent emergency situations.
- B. The City shall also have the right to inspect the inside of any of the improvements on the premises at all times.

9. Taxes and Utilities:

- A. In the event any ad valorem, real or personal property taxes or payments in lieu thereof, are due or assessed upon the leased property or any improvements thereof, the payment of such taxes shall be the sole obligation of the Tenant. In the event the City receives any tax notices, it shall deliver them to the Tenant for payment.
- B. Tenant shall promptly pay as due all bills for utilities including power, water, and trash collection as applicable to serve the premises, except to the extent City may provide water as set out in Section 4.

10. Indemnification and Insurance:

A. Indemnification

- 1) The Tenant agrees to indemnify and hold harmless City, its officers, employees, insurers, and self-insurance pool, from and against all liability, claims, and demands, on account of injury, loss, or damage, including without limitation claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever, which arise out of or are in any manner connected with this Lease (1) if such injury, loss, or damage is caused in whole or in part by, or is claimed to be caused in whole or in part by, the act, omission, error, professional error, mistake, negligence, or other fault of the Tenant, any sublessee of the Tenant, or any officer, employee, representative, volunteer or agent of the Tenant or of any sublessee of the Tenant; or (2) which arise out of any worker's compensation claim of any employee or volunteers of the Tenant or of any employee of any subcontractor or sublease of the Tenant; or (3) if such claims are made by any participant in, or spectator of, Tenant's programs or use, or a use authorized by Tenant and arise out of the use of the premises.
- 2) The Tenant agrees to investigate, handle, respond to, and to provide defense for and defend against, any such liability, claims or demands at the sole expense of the Tenant, or at the option of City, agrees to pay City or reimburse City for the

defense costs incurred by City in connection with, any such liability, claims, or demands. The Tenant also agrees to bear all other costs and expenses related thereto, including court costs and attorney fees, whether or not any such liability, claims, or demands alleged are groundless, false, or fraudulent.

B. Insurance

- 1) The Tenant agrees to procure and maintain, at its own cost, a policy or policies of insurance sufficient to insure against all liability, claims, demands, and other obligations assumed by the Tenant pursuant to this Agreement. Such insurance shall be in addition to any other insurance requirements imposed by this contract or by law. The Tenant shall not be relieved of any liability, claims, demands, or other obligations assumed pursuant to Section 10 ¶A. by reason of its failure to procure or maintain insurance, or by reason of its failure to procure or maintain insurance in sufficient amounts, durations, or types.
 - a. Tenant shall procure and maintain, and shall cause any subcontractor or sublessee of the Tenant to procure and maintain, the minimum insurance coverages listed below. Such coverages shall be procured and maintained with forms and insurers acceptable to City. All coverages shall be continuously maintained to cover all liability, claims, demands, and other obligations assumed by the Tenant pursuant to Section 10 ¶A. In the case of any claims-made policy, the necessary retroactive dates and extended reporting periods shall be procured to maintain such continuous coverage.
 - b. Worker's Compensation insurance to cover obligations imposed by applicable laws for any employee engaged in the performance of work for Tenant.
 - c. Commercial General Liability insurance with minimum combined single limits of \$150,000 each occurrence and \$600,000 aggregate. The policy shall be applicable to all premises and operations. The policy shall include coverage for bodily injury, broad form property damage (including completed operations), personal injury, blanket contractual, and completed operations. The policy shall contain a severability of interest's provision.
- 2) The policy required by Section 9 ¶B. (1) (b) above shall be endorsed to include City and City's officers and employees as additional insureds. Every policy required above shall be primary insurance as to City and its officers and employees and any insurance carried by City, its officers, or its employees, or carried by or provided through any insurance pool of City, shall be excess and not contributory insurance to that provided by Tenant. No additional insured endorsement to any policy shall contain any exclusion for bodily injury or property damage arising from completed operations. The Tenant shall be solely responsible for any deductible losses under any policy required above.
- 3) A certificate of insurance shall be completed by the Tenant's insurance agent as evidence that policies providing the required coverages, conditions, and minimum limits are in full force and effect, and shall be reviewed and approved by City prior to commencement of any construction upon the premises. The certificate shall identify this Lease and shall provide that the coverages afforded under the policies shall not be canceled, terminated or materially changed until at least 30 days prior written notice has been given to City. The completed certificate of insurance shall be sent to City.
- 4) Failure on the part of the Tenant to procure or maintain policies providing the

required coverages, conditions, and minimum limits shall constitute a material breach of contract upon which City may immediately terminate this contract, or at its discretion City may procure or renew any such policy or any extended reporting period thereto and may pay any and all premiums in connection therewith, and all monies so paid by City shall be repaid by Tenant to City upon demand, or City may offset the cost of the premiums against any monies due to Tenant from City.

- 5) City reserves the right to request and receive a certified copy of any policy and any endorsement thereto.
- 6) The parties hereto understand and agree that City is relying on, and does not waive or intend to waive by any provision of this Lease, the monetary limitations (presently \$387,000 per person and \$1,093,000 per occurrence) or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, CRS §24-10-101 et seq., as from time to time amended, or otherwise available to City, its officers, or its employees.
- 7) Tenant shall have the insurable improvements on the premises covered by Tenant's property insurance policies and provide City with a certificate of such insurance. Tenant shall be responsible for all losses to Tenant's property including losses not covered due to said policy's deductible, or for losses outside the scope of such policy's coverage and hereby waives any claim against City for such losses.

11. **Waiver:**

No waiver of any breach of any one or more of the conditions and covenants of this Lease by the Tenant or City shall be deemed and constitute a waiver of any succeeding or other breach under this Lease.

12. **Notices:**

All notices required to be given to the City or the Tenant herein shall be mailed to them to the following addresses:

City of Montrose:

City of Montrose
Attn. City Manager
P.O. Box 790 Montrose, CO 81402

Montrose Botanical Society:

Montrose Botanical Society, Inc.
P.O. Box 0323 Montrose, CO 81401

Notice shall be effective when deposited in the U.S. Mail, certified return receipt requested, addressed to the above address or any address notice of which address change has been given in writing to the other party.

13. **Prior Agreements:**

This Agreement constitutes the entire agreement and understanding between the parties to the Agreement and supersedes all prior and contemporaneous negotiations and understandings between the parties whether oral or written, expressed, or implied.

14. **Non-assignability:**

Tenant may neither sublease nor assign its interest hereunder.

IN WITNESS WHEREOF, the Parties have entered into this Lease on this ____ day of _____, 2021, effective December 4, 1996.

CITY OF MONTROSE

MONTROSE BOTANICAL SOCIETY

Mayor

President

ATTEST:

ATTEST:

City Clerk

Secretary

Exhibit 1



Exhibit 2 (Master Plan)

Exhibit 3 (View Corridor)



CONTRACT AWARD CONSIDERATION



TO: Honorable Mayor and Members of the City Council
FROM: Scott Murphy, *City Engineer*
DATE: September 27, 2021
RE: Birch Street Bridge Replacement Construction Contract Award
CC: William Bell, Ann Morgenthaler, Shani Wittenberg

Action

Consider the award of a construction contract to Oldcastle SW Group in the amount of \$447,976.38 for completion of the Birch Street Bridge Replacement Project.

Background

Birch Street is a City right of way that crosses over the Loutsenhizer Canal at the location shown in Figure 1. Over the years, the bridge's abutments and supporting foundations have become undermined and supporting soils are eroding away. This undermining has advanced enough that replacement of the bridge is now warranted.

The City is looking to replace the existing bridge with an aluminum box culvert similar to those present on City rights of way over the Loutsenhizer Canal at Otter, Niagara, Sunnyside, and Miami Roads. To help give a feel for what the project and its construction will look like, photographs of the installation from Otter Road in 2017 are included as attachments to this memo.

The project will also replace an undersized and aged waterline and failed sewerline beneath the bridge. Similar to the design for Otter Road, the Birch Street replacement project was designed in house by the City's engineering department.

Project Bidding

Construction of the project was put out for bid on August 28th and bids were publically received on September 22, 2021 from five contractors as summarized in Table 1 below. Bid totals presented include a 10 percent contingency.

TABLE 1		
Summary of Bid Results		
Contractor	Location	Bid Total
United Companies	Montrose, CO	\$447,976.38
Skip Huston Construction	Montrose, CO	\$473,637.64
Rundle Construction	Hotchkiss, CO	\$483,483.70
Kuboske Construction	Montrose, CO	\$503,073.12
Mueller Construction	New Castle, CO	\$843,112.60

The City has not worked with the low bidder United Companies within the past 8 years; however, they are a well-respected construction company in the valley, they have consistently bid City projects, and their references are positive. As a result, it is recommended that the construction contract be awarded to the

low bidder, United Companies. It should be noted that the City's local preference policy would not change the outcome of bidding in this case.

No additional outside costs are expected for engineering or survey support since this project was designed in-house by the engineering department.

Project Schedule and Traffic Control

The bridge replacement and associated utility work are scheduled to take place while the Loutsenhizer Canal is shut off for the winter. Final paving of the roadway will take place as soon as the asphalt batch plants open up in the spring of 2022.

The existing bridge crossing on Birch Street is the only point of access for the eight residences living along the eastern end of the Birch Street cul-de-sac (see Figure 1). As a result, it will be necessary construct a temporary bypass road around the work area throughout construction in order to maintain residential, emergency, and trash-service access. The alignment of this bypass road is shown in the attached plan excerpt. The City has secured the temporary construction easements necessary to construct this bypass roadway across private property.

Contract Administration and Project Financials

Contract administration, project management, and inspection will be performed by the City of Montrose engineering department.

Given that this project will span two budget years, the City budgeted \$565k combined within the 2021 and 2022 budgets for its completion. The utility replacements will be funded through their respective utility enterprise capital funds; the remainder of the project will be funded through the general capital fund.

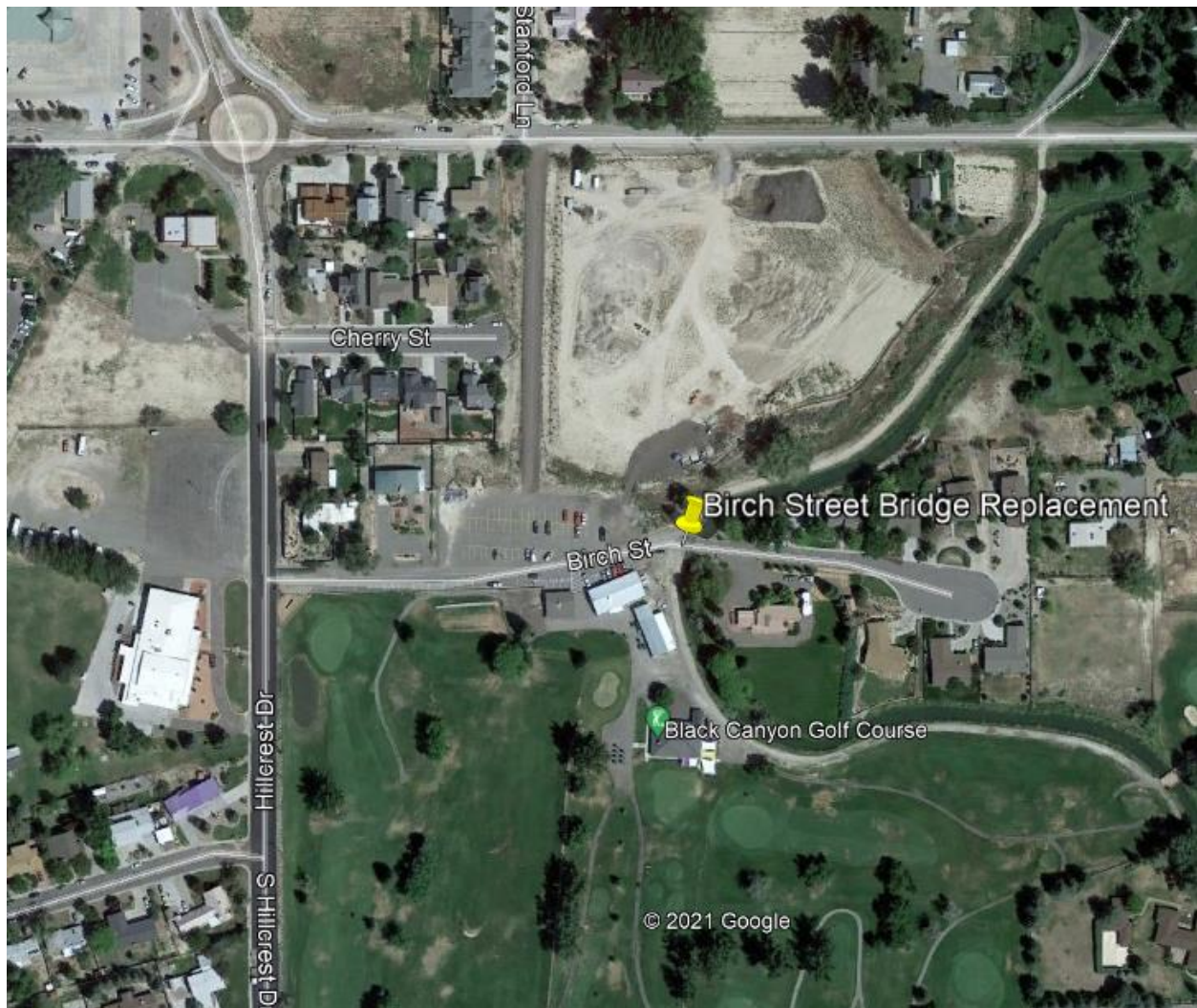


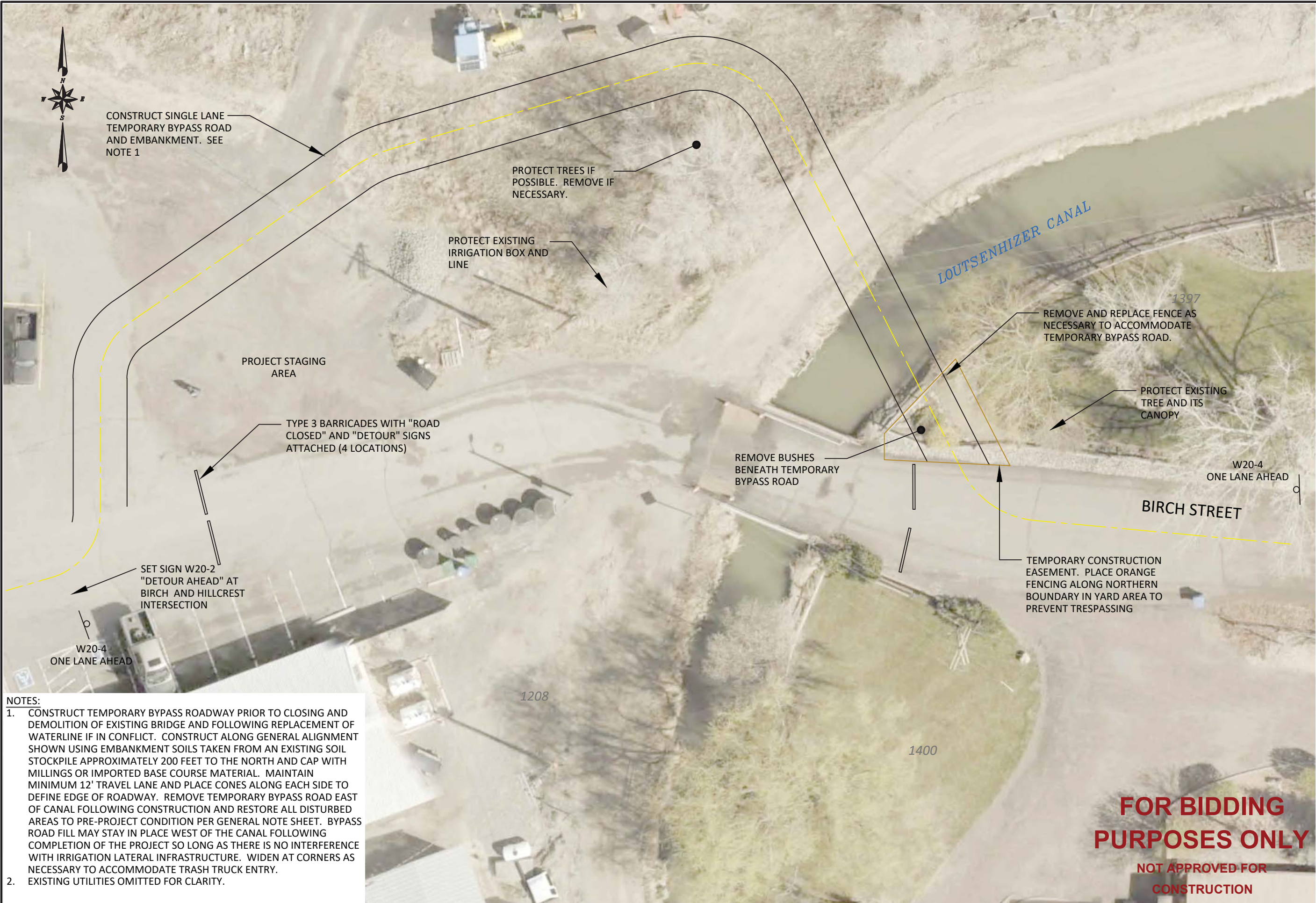
Figure 1: Birch Street Bridge Location



Photo 1: Otter Road Example Project under Construction



Photo 2: Otter Road Example Project Complete



- NOTES:
1. CONSTRUCT TEMPORARY BYPASS ROADWAY PRIOR TO CLOSING AND DEMOLITION OF EXISTING BRIDGE AND FOLLOWING REPLACEMENT OF WATERLINE IF IN CONFLICT. CONSTRUCT ALONG GENERAL ALIGNMENT SHOWN USING EMBANKMENT SOILS TAKEN FROM AN EXISTING SOIL STOCKPILE APPROXIMATELY 200 FEET TO THE NORTH AND CAP WITH MILLINGS OR IMPORTED BASE COURSE MATERIAL. MAINTAIN MINIMUM 12' TRAVEL LANE AND PLACE CONES ALONG EACH SIDE TO DEFINE EDGE OF ROADWAY. REMOVE TEMPORARY BYPASS ROAD EAST OF CANAL FOLLOWING CONSTRUCTION AND RESTORE ALL DISTURBED AREAS TO PRE-PROJECT CONDITION PER GENERAL NOTE SHEET. BYPASS ROAD FILL MAY STAY IN PLACE WEST OF THE CANAL FOLLOWING COMPLETION OF THE PROJECT SO LONG AS THERE IS NO INTERFERENCE WITH IRRIGATION LATERAL INFRASTRUCTURE. WIDEN AT CORNERS AS NECESSARY TO ACCOMMODATE TRASH TRUCK ENTRY.
 2. EXISTING UTILITIES OMITTED FOR CLARITY.

CITY OF MONTROSE
ENGINEERING DEPARTMENT



1221 64.50 RD.
MONTROSE, CO 81401
PH: 240-1480 FAX: 252-4780
WWW.CITYOFMONTROSE.ORG

BIRCH STREET BRIDGE
REPLACEMENT PROJECT

MONTROSE, COLORADO

TRAFFIC CONTROL, STAGING & BYPASS ROAD

REVISIONS		DESCRIPTION	
NO	DATE	BY	CHK'D
0	08-27-2021	JLS	SAM
1	09-03-2021	JLS	SAM

Date: 7/27/2021
Job No: 14.20.1
Drawn: JLS
Design: JLS
Checked: SAM
Scale: NTS

FOR BIDDING
PURPOSES ONLY

NOT APPROVED FOR
CONSTRUCTION

Sheet: 6
of: 14



**Contract Renewal
Recommendation**

Date: October 4, 2021

Original bid Number: 20-011

To: Honorable Mayor and Members of the City Council

From: David Bries, Utilities Manager

CC: William Bell, City Manager
Ann Morgenthaler, Assistant City Manager
Shani Wittenberg, Finance Director

Date: July 15, 2021

Subject: 2021 Sanitary Sewer Cured in Place Pipe Bid Award Recommendation

Recommendation

Approve the contract renewal to Insituform Technologies, LLC in the amount not to exceed \$250,000.00, for cured in place lining of sanitary sewers.

Background

As a part of the City of Montrose routine sewer line inspections, the City utility crews identify critical sewers that are candidates for CIPP to restore their structural integrity. The lines for this year's project are mostly Vitriified Clay Pipes (VCP) that have deteriorated and have higher maintenance costs due to the condition of the line segments. This year's list is focused in Townsend Avenue from Poplar St to Main street. CDOT is planning on resurfacing Townsend Av. over the next couple years. CIPP is a process of installing a new pipe within a pipe using the existing pipe as the form, thus restoring the structural integrity of the pipe.

This project was advertised as a renewable contract and formal bids were received on September 9, 2020. One bid was received from Insituform Technologies, LLC and is summarized in Table 1 below.

The project is scheduled to be completed no later than December 31, 2021. The first part of the project will consist of pre-cleaning and closed circuit TV inspection of the line segments in preparation for the lining process. During construction there will be traffic re-routing on some side streets at the various locations for short periods of time (less than a day). For Townsend Avenue we are requiring the installation of the CIPP (Cured in Place Piping) to be done at night in order to reduce the impact to traffic on Townsend. Customers will be notified prior to the beginning of the project and again prior to actual lining of the sewer main serving their property. Customers are requested to minimize usage of water during the installation and curing process until the services are re-opened (2 to 4 hours).

TABLE 1 Original 2020 CIPP Project Bids		
Contractor	Location	Bid Total
Insituform Technologies, LLC	Chesterfield, MO	\$191,933.00

The low bidder, Insituform Technologies, LLC, is considered qualified to perform the work and has completed similar work for the other municipalities. Since this is a unit price contract based on actual quantities, City staff recommends award of a contract to Insituform Technologies, LLC, not to exceed \$250,000.00.

Net Financial Result of Contract

\$250,000 is included in the 2021 Wastewater Collection Budget for sanitary sewer pipe lining. Based on review of the 2021 budget, adequate funding is available.

CONTRACT AWARD RECOMMENDATION



TO: Honorable Mayor and Members of the City Council
FROM: Jim Scheid, Public Works Manager
DATE: **October 4th, 2021**
RE: Landscaping Services Contract Award Recommendation
CC: William Bell, Shani Wittenberg, Mark Armstrong

Recommendation

Consider for approval the award of a contract to S&E Wards Landscaping Management, Inc for landscaping services at City Facilities in the amount of Not to Exceed \$65,007.00.

Background

The City's Facility Division contracts the landscaping services for the following City Facilities; Pavilion, Animal Services, Wastewater Treatment Plant, and the Civic Campus.

The City's Landscaping Services contract expired earlier this year and was issued as an RFP to renew our contract and to allow for competition in the award process. The City of Montrose received three bids to provide landscaping services at a total of nine city facilities through the formal invitation to bid process. Proposals were evaluated based on reference checks, thoroughness of information provided and price. As per city municipal code, local preferences were applied at 5% for Greenway Pro Chem Lawn and Jamaican Me Crazy Yard Service and 3% for S&E Ward's Landscaping Mgmt. Inc.

Bids were received as follows:

CONTRACTOR NAME	TOTAL COST PER YEAR	TOTAL AFTER LOCAL PREFERENCE	OUT OF SCOPE HOURLY RATE
S&E Wards Landscaping	\$65,007.00	\$63,056.79	\$55.00 / \$65.00
Green Way Pro Chem Lawn	\$70,414.00	\$66,893.30	\$65.00
Jamaican Me Crazy Yard Service	\$296,930.00	\$282,083.50	\$40.00

The proposal package submitted by S&E Ward's Landscaping Management Incorporated rated highest among the three proposals received and was the lowest cost proposal.

Financial Impact

Staff recommends that the professional services contract for landscaping services be awarded to S&E Ward's Landscaping Management Inc. at an annual cost of \$65,007.00. This professional services agreement will be funded through the Facilities Professional Services budget (615-8030-353-000). This contract is a yearly contract with option to renew for up to 3 years.

CITY OF MONTROSE

MONTHLY SALES, USE & EXCISE TAX REPORT

Date: October 12, 2021

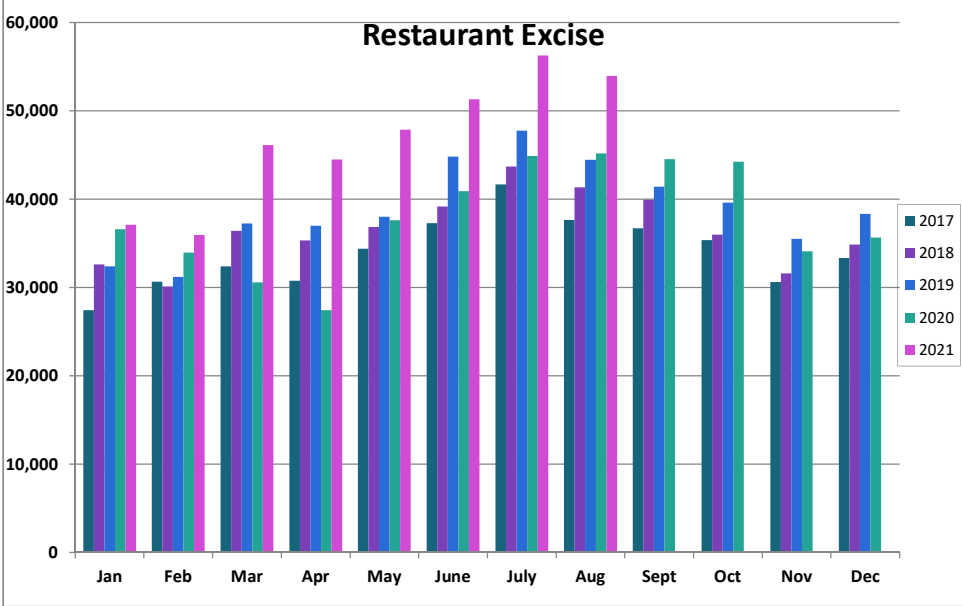
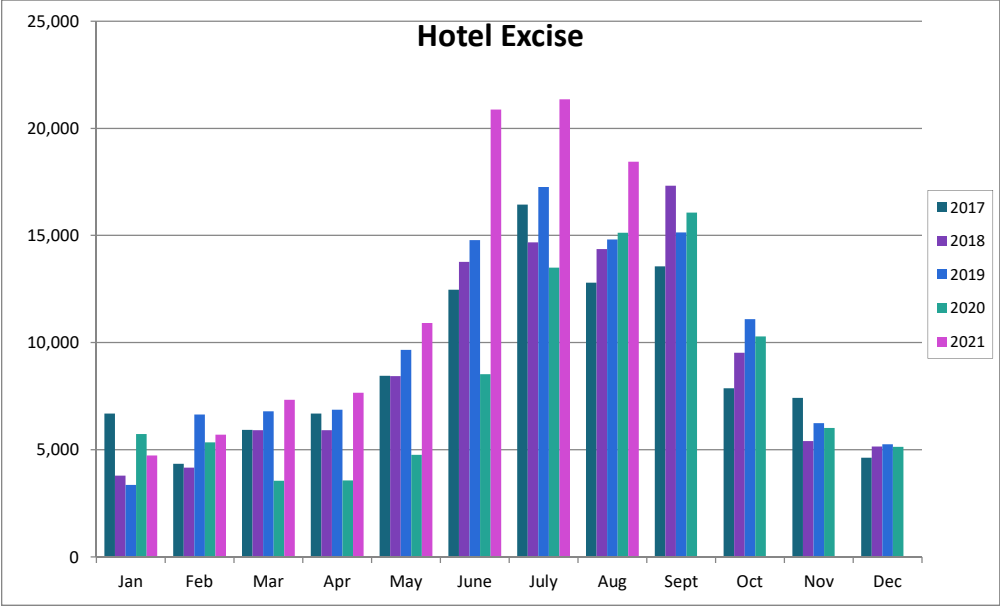
	Retail Sales Tax 3.0%			Construction Use Tax 3.0%			Use & Auto Tax 3.0%			Total Collected Sales and Use Tax			Sales and Use Budget	
Month	Current Year 2021	Prior Year 2020	% of Increase/ Decrease	Current Year 2021	Prior Year 2020	% of Increase/ Decrease	Current Year 2021	Prior Year 2020	% of Increase/ Decrease	Current Year 2021	Prior Year 2020	% of Increase/ Decrease	Budget 2021	Budget Variance 2021
Jan	1,411,880	1,203,514	17.3%	56,829	84,705	-32.9%	106,625	88,502	20.5%	1,575,334	1,376,721	14.4%	1,265,546	24.5%
Feb	1,356,512	1,185,150	14.5%	62,892	22,647	177.7%	111,783	56,034	99.5%	1,531,187	1,263,831	21.2%	1,237,528	23.7%
Mar	1,774,652	1,372,426	29.3%	67,001	77,388	-13.4%	124,961	91,851	36.0%	1,966,614	1,541,665	27.6%	1,429,933	37.5%
Apr	1,648,303	1,207,052	36.6%	76,234	39,830	91.4%	127,030	69,802	82.0%	1,851,567	1,316,683	40.6%	1,265,483	46.3%
May	1,698,414	1,438,087	18.1%	79,135	23,618	235.1%	141,859	78,026	81.8%	1,919,408	1,539,731	24.7%	1,448,498	32.5%
June	1,964,482	1,641,075	19.7%	95,375	11,583	723.4%	142,970	135,352	5.6%	2,202,827	1,788,010	23.2%	1,634,919	34.7%
July	1,907,098	1,572,553	21.3%	61,746	112,599	-45.2%	138,049	118,501	16.5%	2,106,893	1,803,653	16.8%	1,705,494	23.5%
Aug	1,831,308	1,593,074	15.0%	49,002	52,115	-6.0%	128,395	202,786	-36.7%	2,008,705	1,847,975	8.7%	1,631,811	23.1%
Sept														
Oct														
Nov														
Dec														
YTD Total	13,592,649	11,212,931	21.2%	548,214	424,485	29.1%	1,021,672	840,854	21.5%	15,162,535	12,478,270	21.5%	11,619,212	30.5%

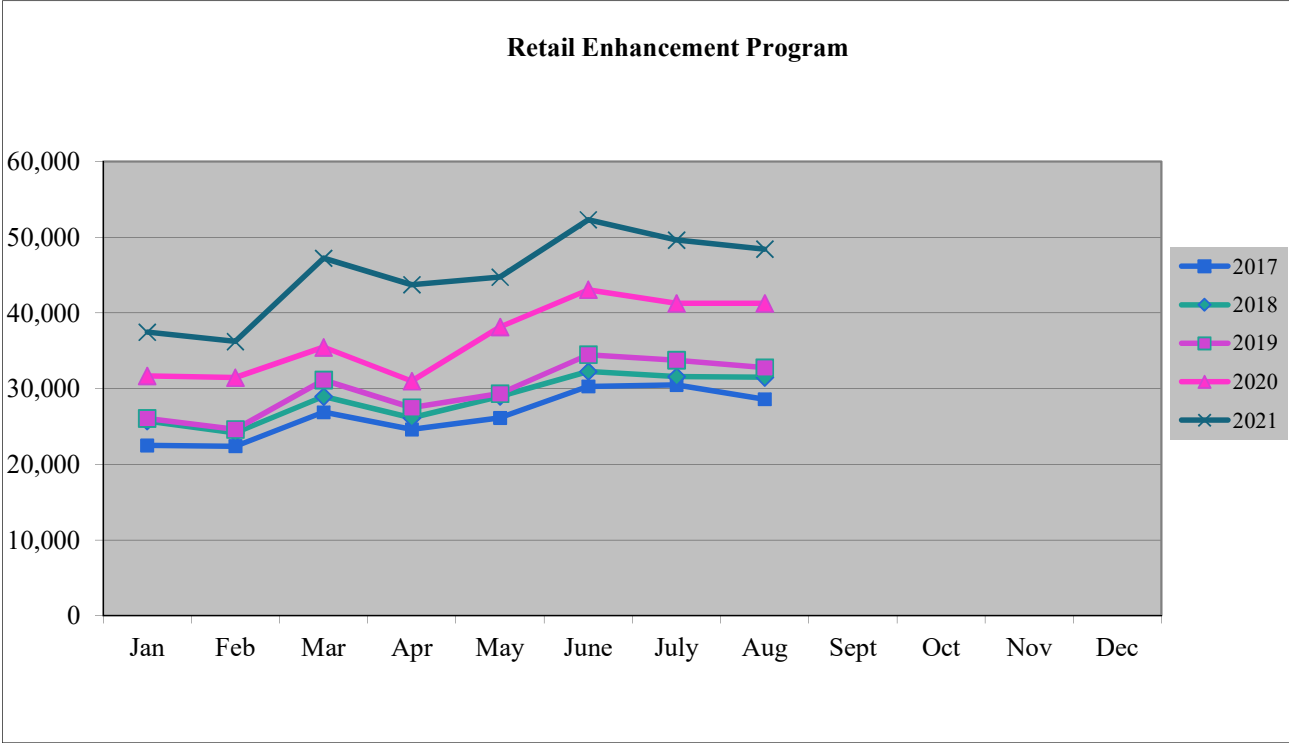
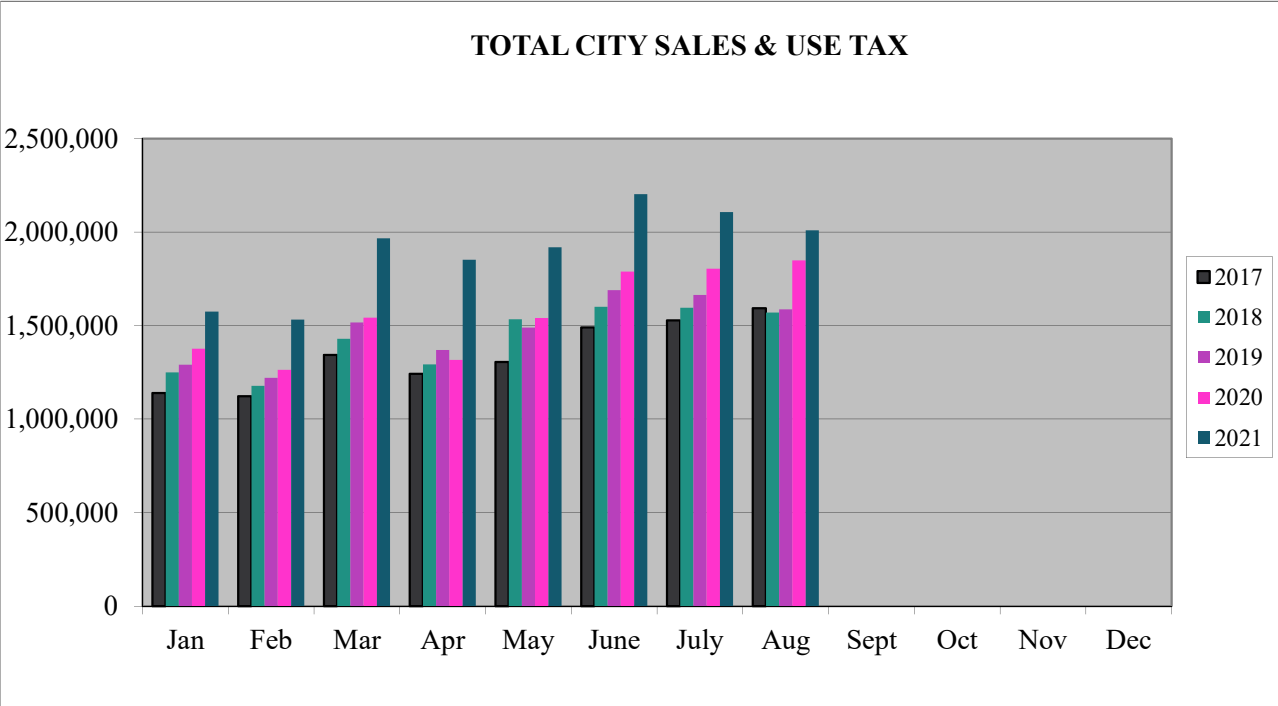
	Montrose Recreation District 0.3%		
Month	Current Year 2021	Prior Year 2020	% of Increase/ Decrease
Jan	158,429	139,852	13.3%
Feb	153,850	127,345	20.8%
Mar	200,342	151,401	32.3%
Apr	185,847	136,016	36.6%
May	202,002	164,739	22.6%
June	221,266	183,266	20.7%
July	218,237	176,598	23.6%
Aug	201,620	177,152	13.8%
Sept			
Oct			
Nov			
Dec*			
YTD Total	1,541,593	1,256,369	22.7%

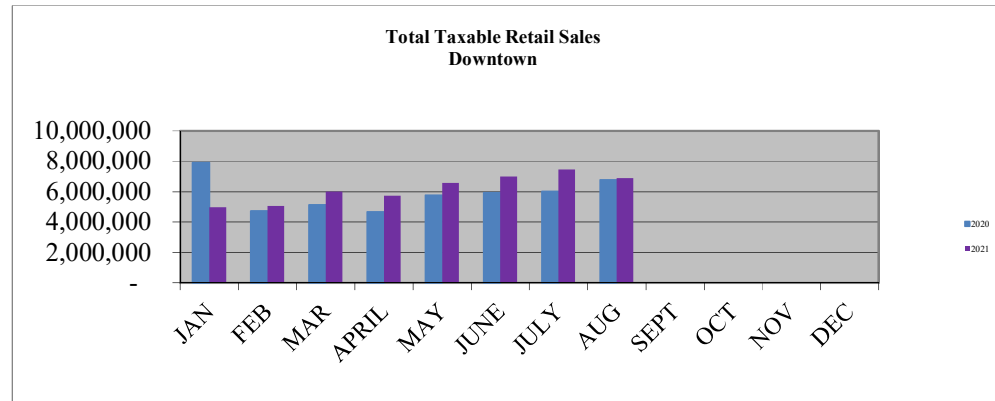
	PSST 0.58%			PSST Budget	
Month	Current Year 2021	Prior Year 2020	% of Increase/ Decrease	Budget 2021	Variance 2021
Jan	306,297	266,270	15.0%	240,667	27.3%
Feb	297,444	245,854	21.0%	223,573	33.0%
Mar	387,339	290,743	33.2%	262,830	47.4%
Apr	420,768	261,461	60.9%	242,255	73.7%
May	390,545	296,593	31.7%	274,045	42.5%
June	427,792	347,302	23.2%	323,805	32.1%
July	421,939	350,564	20.4%	304,182	38.7%
Aug	389,810	356,093	9.5%	323,703	20.4%
Sept					
Oct					
Nov					
Dec*					
YTD Total	3,041,934	2,414,880	26.0%	2,195,060	38.6%

	Retail Enhancement Program		
Month	Current Year 2021	Prior Year 2020	% of Increase/ Decrease
Jan	37,459	31,685	18.2%
Feb	36,231	31,451	15.2%
Mar	47,245	35,475	33.2%
Apr	43,737	30,999	41.1%
May	44,735	38,168	17.2%
June	52,329	43,065	21.5%
July	49,628	41,260	20.3%
Aug	48,433	41,275	17.3%
Sept			
Oct			
Nov			
Dec*			
YTD Total	359,797	293,378	22.6%

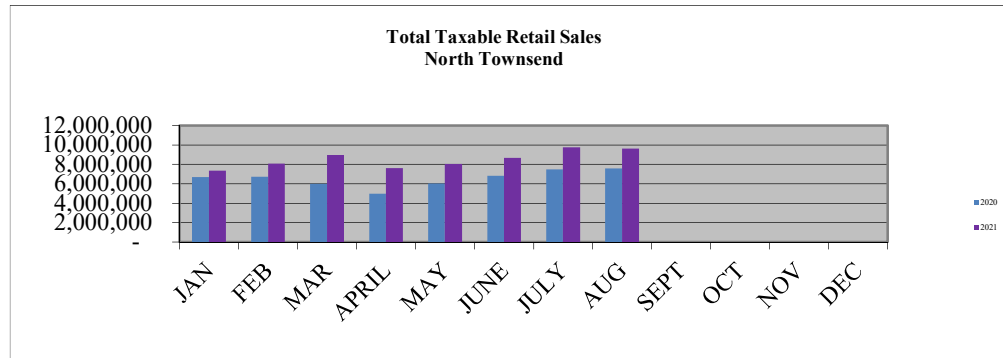
	Hotel Excise Tax 0.90%			Restaurant Excise Tax 0.80%			Total Collected Hotel & Restaurant Tax			Hotel & Restaurant Budget	
	<i>Current</i>	<i>Prior</i>	<i>% of</i>	<i>Current</i>	<i>Prior</i>	<i>% of</i>	<i>Current</i>	<i>Prior</i>	<i>% of</i>	<i>Budget</i>	<i>Budget</i>
Month	<i>Year</i>	<i>Year</i>	<i>Increase/ Decrease</i>	<i>Year</i>	<i>Year</i>	<i>Increase/ Decrease</i>	<i>Year</i>	<i>Year</i>	<i>Increase/ Decrease</i>	<i>Budget</i>	<i>Variance</i>
	2021	2020	Decrease	2021	2020	Decrease	2021	2020	Decrease	2021	2021
Jan	4,738	5,730	-17.3%	37,097	36,572	1.4%	41,835	42,302	-1.1%	42,075	-0.6%
Feb	5,708	5,344	6.8%	35,916	33,931	5.9%	41,624	39,275	6.0%	39,066	6.5%
Mar	7,327	3,556	106.0%	46,125	30,573	50.9%	53,452	34,129	56.6%	32,665	63.6%
Apr	7,655	3,575	114.1%	44,491	27,414	62.3%	52,146	30,989	68.3%	29,708	75.5%
May	10,921	4,766	129.1%	47,843	37,607	27.2%	58,764	42,373	38.7%	38,308	53.4%
June	20,872	8,523	144.9%	51,288	40,903	25.4%	72,160	49,426	46.0%	47,435	52.1%
July	21,355	13,492	58.3%	56,247	44,896	25.3%	77,602	58,388	32.9%	58,750	32.1%
Aug	18,436	15,125	21.9%	53,934	45,180	19.4%	72,370	60,305	20.0%	60,810	19.0%
Sept											
Oct											
Nov											
Dec											
YTD	97,012	60,111	61.4%	372,941	297,077	25.5%	469,953	357,188	31.6%	348,817	34.7%



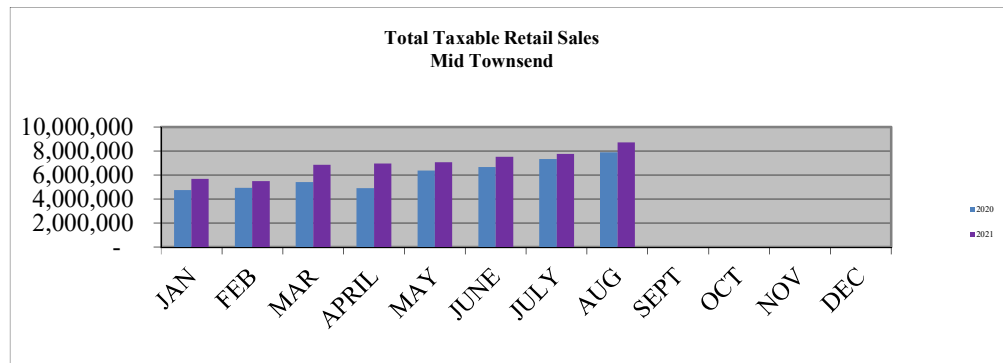




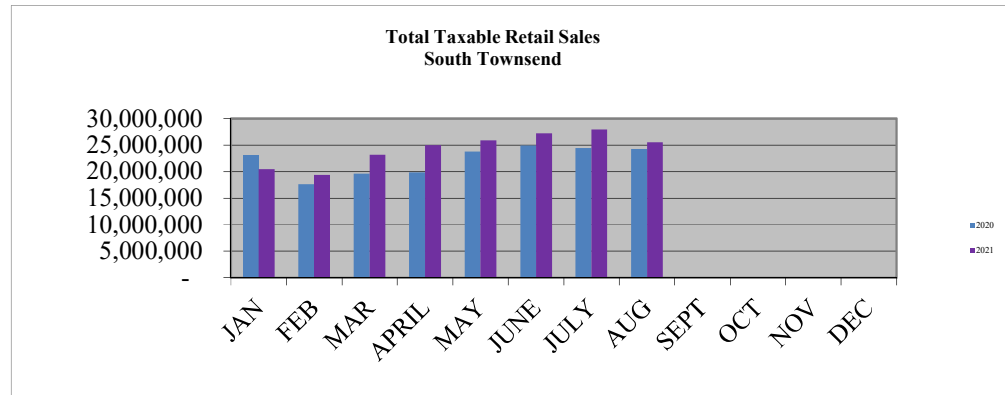
AREA 1: DOWNTOWN BOUNDARY



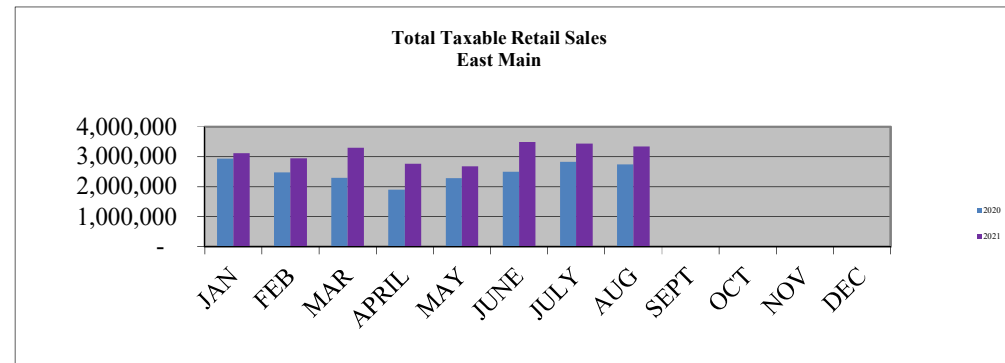
AREA 2: *NORTH CITY LIMIT TO NORTH 2ND STREET



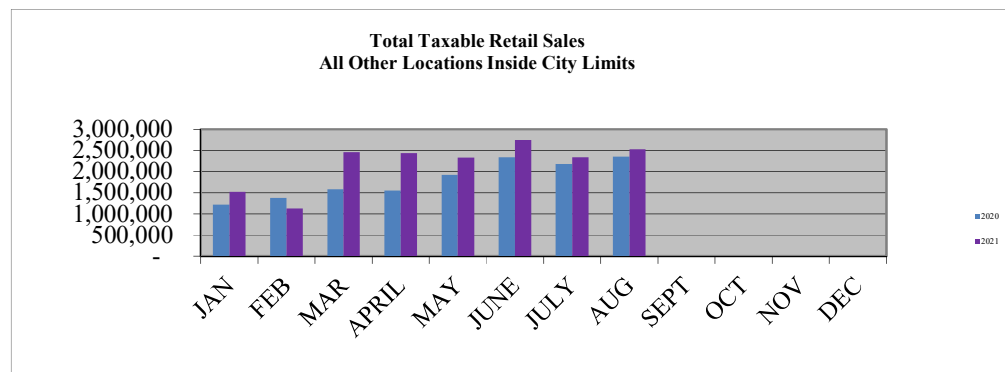
AREA 3: MID TOWNSEND SOUTH 2ND STREET TO E OAK GROVE RD



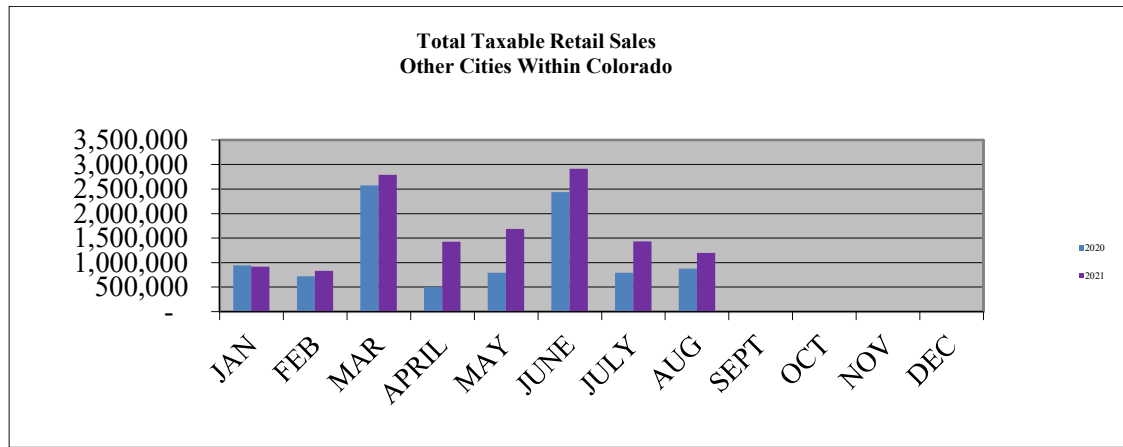
AREA 4: SOUTH TOWNSEND E OAK GROVE RD TO SOUTH CITY LIMIT



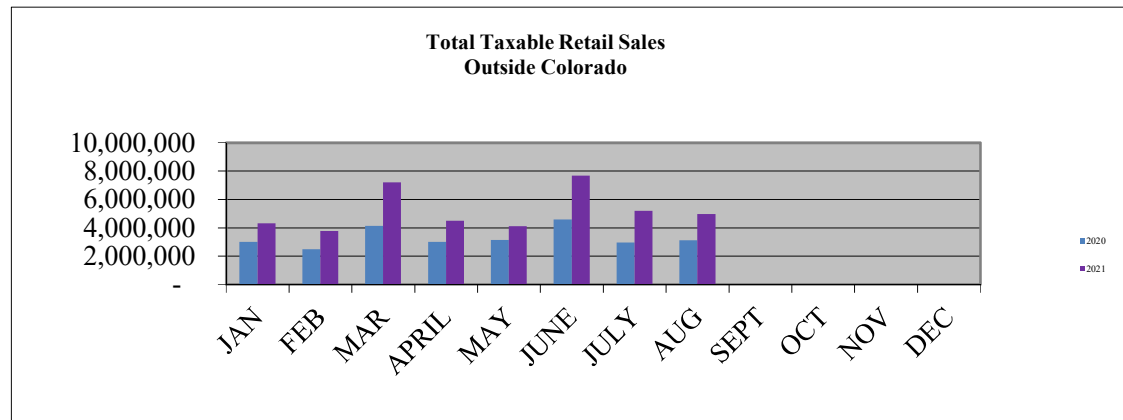
AREA 5: EAST MAIN SAN JUAN AVENUE TO EAST CITY LIMIT



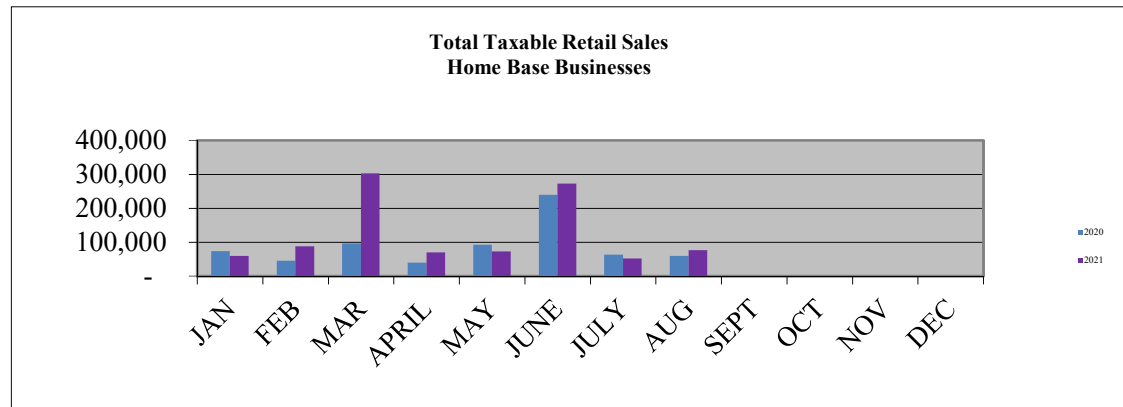
AREA 6: ALL OTHER LOCATIONS INSIDE CITY LIMITS OF MONTROSE



AREA 7: OTHER CITIES WITHIN COLORADO



AREA 8: OUTSIDE COLORADO



AREA 9: HOME BASE BUSINESSES