



CITY COUNCIL WORK SESSION
Monday, August 19, 2024 - 10:00 AM
City Council Chambers, Elks Civic Building - 107 S. Cascade Ave.

Public participation for this meeting will be in person in the City Council Chambers. The meeting can be [viewed online via livestream](#) and video recordings of the meetings can be viewed on our [YouTube page](#).

Hearing assistance devices are available for public use. Please let us know if you need accommodation. The City also offers interpretation for Spanish speakers. Schedule time to book this resource, by [emailing the City](#) at least 3 days before the meeting.

1) INTRODUCTION OF NEW CITY EMPLOYEES

Jamie Kent - Police Officer
Thomas Tonar - Police Officer
Thomas Morgan - Police Officer
Jacob Anaya - Record Tech/Incident Report Processing
Jaidyn Platt - Code Compliance Officer
Amelia Balzarini - Animal Shelter Technician

2) DISCUSSION ITEMS

- A) Proposed Municipal Code Update to Title 11, Section 7, Specific to Eliminating the Planned Development Requirement for Multi-Building Residential Developments (15 minutes)
Staff: Community Development Director, Jace Hochwalt

3) GENERAL CITY COUNCIL DISCUSSION

- A) Discussion on Existing Animal Control Regulations Pertaining to the Number of Cats and Dogs Per Household

4) STAFF COMMENTS



CITY OF MONTROSE
Planning Services

MEMO

TO: City Council
FROM: Jace Hochwalt, Community Development Director
DATE: August 19, 2024
RE: Code Amendment for Multi-Family uses in Planned Developments (Section 11-7-8)

ATTACHMENTS

- Exhibit A: Redlined Section 11-7-8
- Exhibit B: Draft Ordinance

City Council Consideration:

The consideration of a legislative code amendment to Section 11-7-8 of the Land Development Regulations of the City of Montrose related to the Planned Development requirement for multi-family uses. The purpose of the proposed code amendment is to eliminate the Planned Development requirement for multi-family proposals that contain multiple buildings, which will help in expediting the review for multi-family development proposals.

Project Background:

To better understand the housing needs of the entire Montrose community, the City of Montrose, in partnership with Points Consulting, completed the City of Montrose Housing Needs Assessment in the summer of 2023. The purpose of the assessment was to evaluate current housing conditions and needs, make projections of future housing needs, and provide recommendations for policies, practices, and regulatory changes that can be implemented to address gaps between housing needs and supply.

With the housing needs assessment completed, City staff is now looking to implement some changes to the Title 11 of the Montrose Municipal Code that focus on housing initiatives based on recommendations from the assessment, as well as those recommendations and goals outlined in the Montrose Comprehensive Plan (also known as Envision 2040 Montrose). Staff is in the process of working with a consultant to bring several housing and non-housing related code updates before the City Council later in 2024. That said, City staff is proposing a stand-alone amendment for Planned Development modifications with this request so as to not delay this particular amendment any longer.

For multi-family proposals, any development that has more than one building requires a Planned Development process. This requirement can add over four months to a review process,

and its elimination would help expedite review, saving time for both City staff and developers. This would help in facilitating a more expeditious development review process, which could help with incentivizing more multi-family development.

As reflected in Exhibit A, the changes are fairly straightforward, with the struck-through language being the language proposed to be deleted. No new text is being proposed, but the text being deleted would eliminate the lengthy Planned Development process for multi-family proposals that have multiple buildings. Multi-family is currently a use-by right in the R-3A, R-4, B-1, B-2, B-2A, B-3, B-4, I-1, and I-2 zone districts. This code amendment would not change where multi-family residential is allowed, nor would it change the allowed density, setback standards or other dimensional standards for development. It would simply remove the Planned Development process (a process which requires multiple steps and hearings) to better reflect that multi-family is a true use-by-right in the previously mentioned zone districts. Any multi-family development proposed would still go through a formal and thorough administrative Site Development review per Chapter 11-8 of the Montrose Municipal Code.

This proposed code amendment is directly supported by the housing needs assessment, which proposes the elimination of barriers for new housing development, particularly middle-density and multi-family developments. In addition, the amendment aligns with several goals and objectives outlined in Chapter 7 of the Montrose Comprehensive Plan, as outlined below.

- Goal HN-1: Housing Variety - Encourage a variety of housing types, tenure, and density to meet the needs of the community.
 - Objective 1.1: Promote a mix of residential housing types including single-family homes on a variety of lot sizes, multi-family housing, townhomes, apartments, senior housing, and transitional housing.
 - Objective 1.2: Encourage a variety of housing densities (low, medium, and high) throughout the community, including mixed-density neighborhoods.
- Goal HN-2: Affordable Housing – Increase access to affordable housing
 - Objective 2.2: Offer incentives and information to encourage affordable housing in new developments.

Recommendation:

Staff finds that the proposed code amendment eliminating the Planned Development requirement for multi-family proposals that contain more than one building is in compliance with the Comprehensive Plan and would further support housing diversity in the Montrose area. Staff therefore recommends approval of the amendment to Section 11-7-8 of the Montrose Municipal Code as proposed.

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

(A) *Intent.* The intent of this Section is to encourage the development of tracts of land in accordance with an overall development plan by providing flexibility with respect to dimensional requirements of residential units ~~and to provide for procedures and requirements for multi-building residential development.~~

(B) *General Provisions.*

(1) A planned development must be in substantial conformity with the City's Comprehensive Plan. ~~No development with more than one building, with one or more dwelling units therein, may be erected on a single lot, tract, parcel or site unless a PD Plan, providing therefore, is approved pursuant to this Section.~~

(2) A minimum of 20 percent of the gross area of the planned development must be preserved as parks or open space, provided, however, this requirement shall not apply to a proposed PD containing six or fewer units and processed under Subsection C(5).

(3) Planned developments in the "RL" zoning district must consider and reasonably minimize adverse impacts on existing agricultural uses or other property in the area.

(4) Residences may be clustered, including the use of duplexes and multifamily residences.

(5) Approval of a planned development by the City is purely discretionary. If the City and the applicant do not agree on all required conditions and the plan, the City may deny approval, or the City may unilaterally impose conditions. If the developer does not accept all conditions, that development must adhere to standard subdivision and zoning requirements.

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO,
AMENDING TITLE 11 CHAPTER 7 SECTION 8, REGARDING THE
REQUIREMENTS OF PLANNED DEVELOPMENTS.**

WHEREAS, the City's Municipal Code is updated from time to time; and

WHEREAS, the City performed a housing needs assessment in May 2023, which provided data to show a need for more affordable housing within the City of Montrose; and

WHEREAS, the City is making an effort to expedite processes and procedures for affordable housing based off this data; and

WHEREAS, the City's Planned Development process is more costly and time consuming than if a development is done through a use by right process; and

WHEREAS, the City allowing more multi-family developments as a use by right will lower the cost of these developments and have such developments occur faster.

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

The following Section(s) of Title 11 Chapter 7 of the Official Code of the City of Montrose, Colorado are hereby amended to read in full as follows:

SECTION 1:

Section 11-7-8 (A) (Intent.) of the Official Code of the City of Montrose, Colorado is hereby amended to read in full as follows:

(A) *Intent.* The intent of this Section is to encourage the development of tracts of land in accordance with an overall development plan by providing flexibility with respect to dimensional requirements of residential units.

SECTION 2:

Section 11-7-8 (B)(1) (General Provisions). of the Official Code of the City of Montrose, Colorado is hereby amended to read in full as follows:

(B)

(1) A planned development must be in substantial conformity with the City's Comprehensive Plan.

SECTION 3:

Except as specifically amended hereby, the Official Municipal Code of the City of Montrose, and the various secondary codes adopted by reference therein, shall continue in full force and effect.

SECTION 4:

The City Council hereby finds, determines and declares that this Ordinance is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the order, comfort and convenience of the City of Montrose and the inhabitants thereof.

SECTION 5:

The City Council hereby finds, determines and declares that it has the power to adopt this Ordinance pursuant to the authority granted to home rule municipalities by Article XX of the Colorado Constitution and the powers contained in the City of Montrose Charter.

SECTION 6:

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 7:

All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 8:

This Ordinance shall become effective as set forth in the City of Montrose Charter.

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 ____ day of _____, 2024, at the hour of 6:00 p.m. at the Elks' Civic Building in Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading this ____ day of _____, 2024.

ATTEST:

Lisa DelPiccolo, City Clerk

J. David Reed, Mayor

INTRODUCED, READ and ADOPTED on second reading this ____day of
_____, 2024.

ATTEST:

Lisa DelPiccolo, City Clerk

J. David Reed, Mayor