



REGULAR CITY COUNCIL MEETING AGENDA
Tuesday, September 17, 2024 - 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. The 11:00 p.m. rule will be enforced in accordance with City of Montrose Regulations (Sec. 7-15-2).

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) City Council meeting called to order by Mayor J. David Reed
- 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

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.

Please refrain from any personal attacks and disagreements, personnel and employment matters, the use of profanity or ethnic, racial, or gender-oriented slurs as they may be considered “disorderly conduct” which violates state or local law.

6) APPROVAL OF MINUTES (5 minutes)

City Council consideration of the minutes of the September 3, 2024, special City Council meeting and the September 3, 2024, regular City Council meeting. *Staff: City Clerk Lisa DelPiccolo*

Action: Consider making a motion to approve the minutes of the September 3, 2024, special City Council meeting and the September 3, 2024, regular City Council meeting as presented.

7) YOUTH CITY COUNCIL APPOINTMENTS (15 minutes)

City Council consideration of applicants Peter Phillips, Sydney Bell, Graysen Vidmar, Robin Kittell, Darinka Skybova, Kathryn Jakino, and Lauren Clark for positions on the 2024-2025 Montrose Youth City Council. *Staff: Youth City Council Coordinator Briceida Ortega*

Action: Interview applicants. Consider making a motion to appoint Peter Phillips, Sydney Bell, Graysen Vidmar, Robin Kittell, Darinka Skybova, Kathryn Jakino, and Lauren Clark to the Montrose Youth City Council for the 2024-2025 term.

8) NEW HOTEL AND RESTAURANT LIQUOR LICENSE APPLICATION (15 minutes)

City Council consideration of an application for a new Hotel and Restaurant liquor license at 1544 Oxbow Drive, Suite 198, for Fitz Union LLC, doing business as Endless Pastabilities, for consumption on the licensed premises. *Staff: City Attorney Chris Dowsey*

Action: Hold a hearing. Consider making a motion to approve a Hotel and Restaurant liquor license at 1544 Oxbow Drive, Suite 198, for Fitz Union LLC, doing business as Endless Pastabilities, for consumption on the licensed premises.

9) ORDINANCE 2671 - SECOND READING (10 minutes)

City Council consideration of Ordinance 2671 on second reading, an Ordinance of the City of Montrose, Colorado, amending Title 5 Chapter 2 Sections 1 and 5 of the Official Code of the City of Montrose, Colorado, increasing the hotel room tax from .9% to 6% and limiting the use of the funds generated to assist in the impact of tourism on the City of Montrose.

Staff: City Attorney Chris Dowsey

Action: Accept public comment. Consider making a motion to adopt Ordinance 2671 on second reading as presented.

10) ORDINANCE 2672 - SECOND READING (10 minutes)

City Council consideration of Ordinance 2672 on second reading, an Ordinance of the City of Montrose, Colorado, amending Title 11 Chapter 7 Section 8, regarding the requirements of planned developments. *Staff: Community Development Director Jace Hochwalt*

Action: Accept public comment. Consider making a motion to adopt Ordinance 2672 on second reading as presented.

11) ORDINANCE 2673 - SECOND READING (10 minutes)

City Council consideration of Ordinance 2673 on second reading, an Ordinance of the City of Montrose, Colorado, repealing Title 6 Chapter 2 Section 3 (6-2-3) only, regarding the limit on dogs and cats. *Staff: Assistant City Attorney Matt Magliaro*

Action: Accept public comment. Consider making a motion to adopt Ordinance 2673 on second reading as presented.

12) RESOLUTION 2024-15 (10 minutes)

City Council consideration of Resolution 2024-15, City Council consideration of Resolution 2024-04 setting November 5, 2024, as the hearing date for the Leonard Farm Addition Annexation. *Staff: Planner II William Reis*

Action: Accept public comment. Consider making a motion to adopt Resolution 2024-15 as presented.



13) OGDEN ROAD LOUTSENHIZER CANAL CULVERT REPLACEMENT CONSTRUCTION CONTRACT
(10 minutes)

City Council consideration of \$988,964.84 in expenditures for construction of the Ogden Road Loutsenhizer Canal Culvert Replacement Project. This includes the award of a construction contract to K&D Construction in the amount of \$944,464.84 and a survey and engineering support contract to Del-Mont Consultants in the amount of \$44,500.00. *Staff: City Engineer Scott Murphy.*

Action: Accept public comment. Consider making a motion to approve \$988,964.84 in expenditures for construction of the Ogden Road Loutsenhizer Canal Culvert Replacement Project as presented.

14) STAFF REPORTS

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

15) CITY COUNCIL COMMENTS

16) MOTION TO ADJOURN

**INSPECTION REQUIREMENTS FOR
RESIDENTIAL CONSTRUCTION**

Under no circumstances will a unit be occupied prior to the issuance of the certificate of occupancy or approval in writing from the building official or designated representative.

NOTE: Construction lot must have address clearly posted. + PERMIT

1. All necessary permits must be procured prior to construction work.
2. It is your responsibility to ensure inspections are called for and approved prior to work continuation. Inspection Hours are 9:00-11:00 a.m. and 1:30-3:30 p.m.
3. Notification 24 hours prior to inspection:
 - a. Foundation – on all work not requiring an engineered foundation.
 - b. Set back inspection on all engineered foundations.

NOTE: Engineer must inspect and provide letter of approval for foundation to the permit file before a frame inspection will be conducted.

- c. Plumbing inspection (except for lateral to building) to be made prior to covering and shall be made with water or air pressure test.
Rough-in inspection of plumbing to be made prior to covering trench.
- d. Gas Inspections – after installation of all piping, vents, ducts and appurtenances are made and air tested to 20 psi for not less than two (2) hours. Piping must be complete and tested through the gas meter yolk.
- e. Framing inspection - after house is dried in, before installation of house wrap and all interior walls, ceilings, and partitions are exposed. Electrical, plumbing, gas and mechanical ductwork must be installed prior to this inspection. Letter certifying foundation must be on file.
- f. Electrical Inspections – will be done by the State Electrical Inspector prior to insulation inspection. Electrical Inspector phone number is (855) 454-0065.
- g. Insulation Inspection – prior to wallboard installation. Insulation must be exposed. Power pack, blown in insulation is rated at R3.5 per inch unless otherwise certified.
- h. Wallboard inspection whenever material is hung and prior to wallboard joints and fasteners being taped and finished.
- i. Final inspections to be made after building is finished, but prior to occupancy. The certificate of occupancy will be issued at this time if all discrepancies have been corrected to the satisfaction of the building inspector. Address must be posted on building and a final electrical inspection form must be on site before the Certificate of Occupancy is issued.

The City Utility Billing Department may require owners to make a deposit on the new service and have utilities placed in their names.

Continuation of City Report (Based on Issued Date)
Permits Issued from 1/1/2024 to 4/30/2024

Print Date: 5/15/2024

Page 2 of 3

March 2024

Building Permit

Tracking #	Site Address		Fees Charged	Fees Paid	Valuations
BLD2024-00006	03/26/2024	161 SNOWBERRY LANE	\$2,415.05	(\$2,415.05)	\$152,200.00
MARK LARSEN		Zone: South Mesa Zoning District Use: Residential Project: Accessory Structure - Shop, Garage, Warehouse			
BLD2024-00009	03/26/2024	100 Jacks Pl	\$3,154.30	(\$3,154.30)	\$225,000.00
Lane Vicki Senter Stewart A		Zone: South Slope Zoning District Use: Residential Project: Other (See Notes)			
BLD2024-00010	03/05/2024	5506 County Rd 24	\$861.25	(\$861.25)	\$38,000.00
ANDREW VANDENBERG		Zone: Valley Zoning District Use: Residential Project: Addition to Primary Dwelling			
BLD2024-00011	03/05/2024	51 Mountain View Dr	\$100.00	(\$100.00)	\$0.00
Samantha Caselli		Zone: Valley Zoning District Use: Residential Project: Other (See Notes)			
BLD2024-00012	03/26/2024	4529 County Road 5	\$51,747.95	(\$51,747.95)	\$17,000,000.00
ETPC, LLC		Zone: Alpine Zoning District Use: Residential Project: Single Family Dwelling - Primary			
BLD2024-00014	03/21/2024	2361 County Road 31	\$39.60	(\$39.60)	\$250.00
Lake Cabin LLC Nate Disser		Zone: Alpine Zoning District - High Country 9,480'+ Use: Residential Project: Change of Use			

Re-Roof Permit

Tracking #	Site Address		Fees Charged	Fees Paid	Valuations
RRF2024-00002	03/05/2024	1469 Ponderosa Dr	\$200.00	(\$200.00)	\$0.00
Dean Martinac		Zone: North Mesa Zoning District Use: Residential Type of Work: Repair to Existing Structure			

March 2024 Totals: Count: 7 \$58,518.15 (\$58,518.15) \$17,415,450.00

April 2024

Building Permit

Tracking #	Site Address		Fees Charged	Fees Paid	Valuations
BLD2024-00013	04/01/2024	6179 County Road 8	\$2,161.00	(\$2,161.00)	\$138,678.75
Foundation Repair of Western Colorado		Zone: Alpine Zoning District Use: Residential Project: Repair to Existing Structure			
BLD2024-00016	04/24/2024	62 Tiyoueh Trail	\$7,156.25	(\$7,156.25)	\$600,000.00
Don Fraser		Zone: High Mesa Zoning District Use: Residential Project: Single Family Dwelling - Primary			
BLD2024-00019	04/11/2024	1421 Catamount Dr	\$2,976.55	(\$2,976.55)	\$200,000.00
Cheryl Darcy		Zone: South Slope Zoning District Use: Residential Project: Addition to Primary Dwelling			
BLD2024-00020	04/24/2024	34 Snow Bush Drive	\$9,894.75	(\$9,894.75)	\$929,162.53
COKER COMPANIES Ryan COKER		Zone: High Mesa Zoning District Use: Residential Project: Single Family Dwelling - Primary			

April 2024 Totals: Count: 4 \$22,188.55 (\$22,188.55) \$1,867,841.28

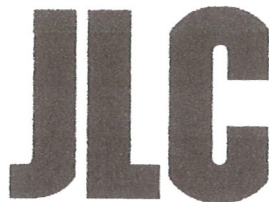
Tuesday Representative 6/10/24

DEFICIENCIES

Footings are faulty. Footings recommended 4"
Footings were immediately placed (3" too large)
2nd course brick ledge 2" out of level
Top of wall looks like a wall on wheels,
after 3 men crawled on it for a day
Bricks being corner incorrectly installed. No corner
corners at BLE not tapered (corners not cut for 45°) also
no beam pockets. Brackets they want open in the plan
no proper inspection by anybody
Wrong way to start wall to 2nd match. Indian wall
2nd match on brick ledge side was used
#3 rebar under beam pockets not installed
missing corner bolts.
cold joint between walls 3 1/2 yards short
Block wall not centered on footing
hollow sounding bricks used
at both ends of chimney must be 8" O.C.
acceptable tolerances for rebar placement
acceptable waterproofing
every other vertical rebar in footing was set out
hooks not alternating

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Posted on: February 05, 2016



JLC Classic

Top Ten Code Violations

Pay close attention to these to avoid failing inspections

By Charles Wardell

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About 45% of residential field inspections result in a code violation. That's according to the Common Code Violations survey released in 2013 by the International Code Council (ICC) and the National Association of Homebuilders (NAHB). Researchers polled code officials across the U.S. about the items most likely to be flagged during construction. The survey found overall compliance improving. Although inspectors are flagging a few specific items—most notably guardrails, stairs and anchor bolts for foundations—more often than in the past, in general they reported far fewer failed inspections than in a similar survey published in 2006.

Competitive pressures have certainly contributed to that improvement; failed inspections and re-do's cost time and money. But state-mandated contractor training has also played a role. "The educational requirements for licensing have helped a lot," Vaughn Wicker, ICC's vice president of government relations, said. "A lot of states now require training to get or keep a license, so builders in general have better code knowledge than in the past."

But even though things are getting better, 45% is still a big number, leaving plenty of room for improvement. With that in mind, JLC looked at published lists of the top code violations from various municipalities across the country and contacted

[Close X](#)

GENERAL REQUIREMENTS FOR BUILDING IN MONTROSE COUNTY

- A. Obtain ALL required permits on the Montrose County Citizen Permit Portal:
<https://www.montrosecounty.net/143/Planning-Development>

Building Permit
Engineered Septic Permit
Access/Driveway Permit
New Address Application
Floodplain Permit

Submittals required to receive a building permit: building plans, plot plan showing setbacks to property lines and engineered foundation and septic design for work when applicable.

- B. All applicable permit fees **must be paid in full** when the permit is **Ready to Issue** and before a permit will be officially **Issued**.
- C. After original plan check review has been completed, any corrections and/or additions required must be submitted on the Citizen Permit Portal for recheck. Personal consultation with plan check review personnel will be scheduled if needed. Additional plan check fees may be applicable.
- D. Engineered septic plans or proposed modifications to an existing system must be approved before the Building Permit can be Issued and construction can begin.
- E. Property Owner/Structure Owner/Contractor must obtain ALL required permits and inspections.
- F. Property Owner/Structure Owner/Contractor must have preliminary Driveway/Access approval and an approved Address PRIOR to issuance of a building permit.

SUCCESSIVE INSPECTIONS

- G. Engineer's approval letter for foundation must be submitted prior to scheduling a Framing inspection.

FOOTING PRE POUR + STEMWALL PRE POUR

- H. Certificate of Occupancy/Use will be issued only when ALL required permits have been approved by the appropriate agencies and required approval letters have been submitted.

Please note that a Certificate of Occupancy/Use cannot be issued without all the required inspections and you cannot occupy, use or cause a building to be used legally without the Certificate.

Property in Montrose County may be subject to covenants or deed restrictions. **MONTROSE COUNTY WILL NOT ENFORCE COVENANTS.** The enforcement and administration of covenants is the responsibility of a homeowner association or other applicable organizations. In order to avoid civil litigation, it may be beneficial for builders/owners to determine if potential building sites are subject to any covenants or similar restrictions.

SEE 2018 INTERNATIONAL RESIDENTIAL CODE
R109.4 APPROVAL REQUIRED

Chapter 1 Scope and Administration

BASIC READ ONLY

Fullscreen

Legend

 You are viewing a Historical version of this title. Do you want to view the most recent version?

Yes

No, Dismiss



R109.4 Approval required.

Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the *building official*. The *building official*, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or shall notify the *permit* holder or an agent of the *permit* holder wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the *building official*.

SECTION R110

CERTIFICATE OF OCCUPANCY

R110.1 Use and occupancy.

A building or structure shall not be used or occupied, and a *change of occupancy* or change of use of a building or

7:05 PM
9/3/2024

1st Attempt

From: Tom Mathis

Sent: Tuesday, December 10, 2019 2:34 PM

To: Bob Hurford

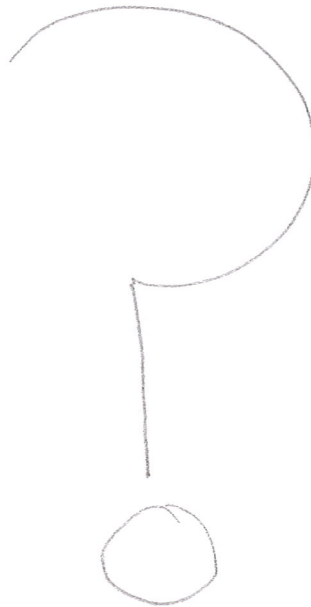
Subject: Mathis foundation

Hello Bob

As we discussed in past emails our foundation is dimensionally incorrect ,starting with the footings being layed out incorrectly. As you stated in note 2 of foundation plan it is the contractor who verifys layout. Since discovering these layout errors which aren't consistent with the plan, how does the process work? Will you put this in your report, do you have the power to red tag this job at this point? What can be expected here?

Respectfully

Tom Mathis





MONTROSE CITY COUNCIL

September 3, 2024

A special meeting of the Montrose City Council was held on Tuesday, September 3, 2024, at 12:00 p.m., or immediately following the work session, in the City Council Chambers of the Elks Civic Building at 107 S. Cascade Avenue. Said meeting was posted in accordance with the Sunshine Law.

PRESENT

J. David Reed, Dave Frank, Judy Ann Files, Doug Glaspell, Ed Ulibarri, Chris Dowsey, Bill Bell, Ann Morgenthaler, Matt Magliaro

CALL TO ORDER

Mayor J. David Reed called the special meeting to order at 12:18 p.m.

EXECUTIVE SESSION

At 12:19 p.m., a motion was made by Judy Ann Files, seconded by Dave Frank, to enter into an executive session for a conference with the City Attorney for the purpose of receiving legal advice pursuant to C.R.S. Section 24-6-402(4)(b), and the following additional details are provided for identification purposes: pending legislation. All voted yes. Motion passed.

RECONVENEMENT AND ADJOURNMENT

The special meeting reconvened at 1:03 p.m.

At 1:04 p.m. a motion was made by Dave Frank, seconded by Ed Ulibarri to adjourn the meeting with no further action taken. All voted yes. Motion passed.

ATTEST:

J. David Reed, Mayor

Lisa DelPiccolo, City Clerk



MONTROSE CITY COUNCIL

September 3, 2024

A regular meeting of the Montrose City Council was held on Tuesday, September 3, 2024, 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.

PRESENT

J. David Reed, Dave Frank, Judy Ann Files, Doug Glaspell, Ed Ulibarri, Bill Bell, Ann Morgenthaler, Chris Dowsey, Greg Story, Lisa DelPiccolo, Briceida Ortega, Blaine Hall, Tim Cox, Christian Castravet, Matt Magliaro, Greg Stunder, Jace Hochwalt, William Reis

GUESTS

Tom Mathis, Bianca Diaz, Kendra Stucki, Jamie Hurst, Patricia Marquez, Martin Jimenez, Valerie Perrin, Jeff Perrin, Tonya Maddox, Daniel Richards, Sara Doerman, Erin Easton, Ron Smith

CALL TO ORDER

Mayor J. David Reed 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.

SUICIDE PREVENTION AWARENESS MONTH PROCLAMATION

Mayor J. David Reed and the Montrose City Council proclaimed September 2024 as Suicide Prevention Awareness Month in the City of Montrose. Mayor Reed presented the proclamation to Jamie Hurst, education and awareness programs administrator for Tri-County Health Network.

YOU MAKE A DIFFERENCE AWARD PRESENTATION

Mayor J. David Reed presented a “You Make a Difference” award to Tonya Maddox.

CALL FOR PUBLIC COMMENT

Tom Mathis spoke regarding issues he encountered while attempting to construct a home on the Western Slope.

Erin Easton spoke in favor of creating an off-leash dog zone on the single track dirt trails within city parks.

Ron Smith spoke regarding a request he made at a previous meeting to create a plan to prepare for a potential increase in gang activity.

APPROVAL OF MINUTES

City Council considered the minutes of the August 20, 2024, regular City Council meeting.

A motion was made by Doug Glaspell, seconded by Ed Ulibarri to approve the minutes of the August 20, 2024, regular City Council meeting as presented. All voted yes. Motion passed.

NEW HOTEL AND RESTAURANT LIQUOR LICENSE APPLICATION

City Council considered an application for a new Hotel and Restaurant liquor license at 1135 E. Main Street for Tacos and Beer LLC, doing business as Tacos and Beer on Main, for consumption on the licensed premises. A hearing was held.

City Attorney Chris Dowsey reported that the file is in order and the fees have been paid. Mr. Dowsey stated that a staff review of the application found no issues that would prevent the license from being issued.

Patricia Marquez spoke on behalf of applicant Adauto Jimenez. Ms. Marquez stated that the original Tacos and Beer restaurant has been in business for four years and is consistently busy. Ms. Marquez agreed with the City of Montrose as the neighborhood and stated that this license would help meet the needs and desires of the neighborhood. Ms. Marquez also said that granting this second license would not restrain competition within the neighborhood.

Mr. Dowsey reviewed a summary of a petition process. A total of 100 signatures were submitted with 72 determined to be valid and in support of the license.

Ms. Marquez said she is familiar with Colorado liquor laws and all customers are asked to provide identification. Ms. Marquez stated that all licensees, managers, and servers would complete alcohol server training.

Mayor J. David Reed opened the hearing.

Public comment was accepted. No comments were received.

Mayor Reed closed the hearing.

A motion was made by Judy Ann Files, seconded by Dave Frank, to approve a new Hotel and Restaurant liquor license at 1135 E. Main Street for Tacos and Beer LLC, doing business as Tacos and Beer on Main, for consumption on the licensed premises. All voted yes. Motion passed.

NEW HOTEL AND RESTAURANT LIQUOR LICENSE APPLICATION

City Council considered an application for a new Hotel and Restaurant liquor license at 512 E. Main Street for San Juan Tap and Coffee LLC, doing business as San Juan Brews, for consumption on the licensed premises. A hearing was held.

City Attorney Chris Dowsey reported that the file is in order and the fees have been paid. Mr. Dowsey stated that a staff review of the application found no issues that would prevent the license from being issued.

Applicant Daniel Richards reported that San Juan Brews operates as a coffee shop in a location that formerly held a Brew Pub liquor license. A new application is required to convert to a Hotel and Restaurant liquor license.

Mr. Richards agreed to the definition of the neighborhood as the city limits and said that granting the license will help meet the needs and desires of the neighborhood.

Mr. Dowsey reviewed a summary of a petition process. A total of 100 signatures were submitted, with 51 determined to be valid. Of the valid signatures, 50 were in support of the license and 1 was opposed.

Mr. Richards stated that he currently holds four liquor licenses and is familiar with Colorado liquor laws. Mr. Richards said that the business will operate with a policy to ID everyone who orders alcohol. Mr. Richards stated that all licensees, managers, and servers would attend alcohol server training.

Mayor J. David Reed opened the hearing.

Public comment was accepted. No comments were received.

Mayor Reed closed the hearing.

A motion was made by Dave Frank, seconded by Doug Glaspell, to approve a new Hotel and Restaurant liquor license at 512 E. Main Street for San Juan Tap and Coffee LLC, doing business as San Juan Brews, for consumption on the licensed premises. All voted yes. Motion passed.

NEW TAVERN LIQUOR LICENSE APPLICATION

City Council considered a new Tavern liquor license at 35 N. Cascade Avenue for Corner Taps LLC, doing business as Corner Taps, for consumption on the licensed premises. A hearing was held.

City Attorney Chris Dowsey reported that the file is in order and the fees have been paid. Mr. Dowsey stated that a staff review of the application found no issues that would prevent the license from being issued.

Applicants Valerie Perrin and Jeff Perrin said they are working to clean up the building and establish the venue as a location for watching games. Snack foods will be served and the establishment will allow children until 8:00 pm.

Mr. Perrin agreed to the neighborhood as the City of Montrose and said the license will help meet the needs and desires of the neighborhood.

Mr. Dowsey reviewed a summary of a petition process. A total of 117 signatures were submitted with 99 determined to be valid and in support of the license being issued.

The applicants stated that they are familiar with Colorado liquor laws and were previously licensees for Sidelines Sports Bar. Mr. Perrin stated that they will have two bouncers on the premises on weekend nights. Everyone who enters will be carded and receive a stamp.

Mr. Perrin stated that issues with overservice experienced under previous licensees at this location will be avoided by requiring all licensees, managers, and servers to complete alcohol server training as soon as possible.

Mayor J. David Reed opened the hearing.

Public comment was accepted. No comments were received.

Mayor Reed closed the hearing.

A motion was made by Doug Glaspell, seconded by Ed Ulibarri, to approve a new Tavern liquor license at 35 N. Cascade Avenue for Corner Taps LLC, doing business as Corner Taps, for consumption on the licensed premises. All voted yes. Motion passed.

RESOLUTION 2024-14

City Council considered Resolution 2024-14, a Resolution of the City of Montrose, Colorado, submitting to a vote of qualified electors of the City at the coordinated election held on November 5, 2024 a ballot issue concerning the increase of the hotel room tax from .9% to 6%.

City Attorney Chris Dowsey reviewed the timeline to place the ballot issue on the November 5 ballot. Mr. Dowsey said that Resolution 2024-14 sets the ballot language, and Ordinance 2671 becomes effective if voters approve the measure on Election Day.

Mr. Dowsey stated that following discussion at the August 20 City Council meeting, the allocations within the Resolution were amended to designate 25 percent to right of way maintenance, 17 percent to childcare services, 33 percent to incentives for affordable housing, 20 percent to the Tourism Promotion Fund including funding for community events, and 5 percent to public transit services.

The first-year cap of \$1.5 million was discussed. Mr. Dowsey stated that this is a TABOR requirement, and any revenue exceeding this cap would be returned to Montrose citizens. Collections for subsequent years are not capped.

Public comment was accepted.

Ron Smith asked for clarification on excess funds collected during the first year. City Manager Bill Bell stated that excess funds collected above the first year estimated cap of \$1.5 million would be refunded to citizens. Mr. Bell stated that this applies to the first year only.

Kendra Stucki thanked City Council on behalf of Uncompahgre Valley Association and All Points Transit for recognizing public transit as a need in the community.

A motion was made by Doug Glaspell, seconded by Judy Ann Files, to adopt Resolution 2024-14 as presented. All voted yes. Motion passed.

ORDINANCE 2671 – FIRST READING

City Council considered Ordinance 2671 on first reading, an Ordinance of the City of Montrose, Colorado, amending Title 5 Chapter 2 Sections 1 and 5 of the Official Code of the City of Montrose, Colorado, increasing the hotel room tax from .9% to 6% and limiting the use of the funds generated to assist in the impact of tourism on the City of Montrose. A hearing was held.

City Attorney Chris Dowsey reported that Ordinance 2671 becomes effective if the ballot issue is passed by voters on November 5.

Mayor J. David Reed opened the hearing.

Public comment was accepted. No comments were received.

Mayor Reed closed the hearing.

A motion was made by Dave Frank, seconded by Doug Glaspell, to pass Ordinance 2671 on first reading as presented. All voted yes. Motion passed.

ORDINANCE 2673 – FIRST READING

City Council considered Ordinance 2673 on first reading, an Ordinance of the City of Montrose, Colorado, repealing Title 6 Chapter 2 Section 3 (6-2-3) only, regarding the limit on dogs and cats. A hearing was held.

Assistant City Attorney Matt Magliaro reported that the current limit on the number of dogs and cats allowed per household was discussed in detail at the August 19 work session where City

Council requested the drafting of an ordinance repealing the limit. Mr. Magliaro stated that a redline version of the revision is included in the meeting packet.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by Doug Glaspell, to pass Ordinance 2673 on first reading as presented. All voted yes. Motion passed.

ORDINANCE 2672 – FIRST READING

City Council considered Ordinance 2672 on first reading, an Ordinance of the City of Montrose, Colorado, amending Title 11 Chapter 7 Section 8, regarding the requirements of planned developments.

Community Development Director Jace Hochwalt reported that this item is a stand-alone code amendment proposal that would eliminate the planned development requirement for multi-building, multi-family projects.

Mr. Hochwalt stated that current procedures add four to six months to the development process with multiple hearings and public meetings. If adopted, Ordinance 2672 would expedite the review and eliminate the time risk for developers, which would encourage more multi-family developments and support housing diversity. Mr. Hochwalt said the revisions are deletions only with no new text proposed. A redline version of the changes is included in the meeting packet.

Mr. Hochwalt stated that the proposed code amendment would not change where multi-family residential development is allowed, and would not change allowed density, setbacks standards or other dimensional standards for development. The process will continue to include a formal site development review.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by Judy Ann Files, to pass Ordinance 2672 on first reading as presented. All voted yes. Motion passed.

NORTH RIDGE TOWNHOMES SUBDIVISION PRELIMINARY PLAT

City Council considered the North Ridge Townhomes Subdivision Preliminary Plat.

Planner II William Reis reported that the preliminary plat proposes 8 town home unit lots on a parcel that is 0.63 acres in size and zoned R-3A.

Mr. Reis stated that townhomes are considered multi-family and are considered a use by right in the R-3A zoning district. Each unit will be conveyed individually, which requires City Council approval.

Mr. Reis said the Planning Commission considered a sketch plan in April of 2024 and unanimously recommended approval of the preliminary plat August 14.

Mr. Reis recommended conditional approval stating that the Preliminary Plat is in compliance with subdivision regulations and the Comprehensive Plan, and the proposal meets the intent of the R-3A zoning district.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by Doug Glaspell, to approve the North Ridge Townhomes Subdivision Preliminary Plat expressly conditioned upon City staff ensuring that all policies, regulations, ordinance and Municipal Code provisions are met and that the Applicant adequately addresses all of staff's concerns prior to 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. All voted yes. Motion passed.

STAFF REPORTS

No staff reports were provided.

CITY COUNCIL COMMENTS

Mayor Pro Tem Dave Frank reported that he and City Councilor Doug Glaspell attended a recent Colorado Municipal League (CML) training session in Durango.

ADJOURNMENT

The meeting adjourned at 7:08 p.m.

ATTEST:

J. David Reed, Mayor

Lisa DelPiccolo, City Clerk

Colorado Liquor Retail License Application

* Note that the Division will not accept cash ☐ Paid by Check Date Uploaded to MoveIt

☐ Paid Online

☒ New License ☐ New-Concurrent ☐ Transfer of Ownership ☐ State Property Only ☐ Master file

- All answers must be printed in black ink or typewritten
- Applicant must check the appropriate box(es)
- Applicant should obtain a copy of the Colorado Liquor and Beer Code: SBG.Colorado.gov/Liquor

Applicant is applying as a/an ☐ Individual ☒ Limited Liability Company ☐ Association or Other
☐ Corporation ☐ Partnership (includes Limited Liability and Husband and Wife Partnerships)

Applicant Name If an LLC, name of LLC; if partnership, at least 2 partner's names; if corporation, name of corporation

FitzUnion LLC

FEIN Number

99-250613

State Sales Tax Number

96373317

Trade Name of Establishment (DBA)

Endless Pastabilities

Business Telephone

435-275-5384

Address of Premises (specify exact location of premises, include suite/unit numbers)

1544 Oxbow Dr., Ste. 198

City

Montrose

County

Montrose

State

CO

ZIP Code

81401

Mailing Address (Number and Street)

1236 Sherwood Dr.

City or Town

Montrose

State

CO

ZIP Code

81401

Email Address

aprilfitzgerald222@gmail.com

If the premises currently has a liquor or beer license, you **must** answer the following questions.

Present Trade Name of Establishment (DBA)

Present State License Number

Present Class of License

Present Expiration Date

Section A Nonrefundable application fees*

- ☐ Application Fee for New License\$1,100.00
- ☒ Application Fee for New License with Concurrent Review\$1,200.00
- ☐ Application Fee for Transfer.....\$1,100.00

Section B Liquor License Fees*

- ☐ Add Optional Premises to H & R\$100.00 X Total
- ☐ Add Sidewalk Service Area.....\$75.00
- ☐ Arts License (City).....\$308.75
- ☐ Arts License (County)\$308.75
- ☐ Beer and Wine License (City).....\$351.25
- ☐ Beer and Wine License (County).....\$436.25
- ☐ Brew Pub License (City).....\$750.00
- ☐ Brew Pub License (County).....\$750.00
- ☐ Campus Liquor Complex (City)\$500.00
- ☐ Campus Liquor Complex (County)\$500.00
- ☐ Campus Liquor Complex (State)\$500.00
- ☐ Club License (City)\$308.75
- ☐ Club License (County).....\$308.75
- ☐ Distillery Pub License (City).....\$750.00
- ☐ Distillery Pub License (County)\$750.00
- ☒ Hotel and Restaurant License (City).....\$500.00
- ☐ Hotel and Restaurant License (County)\$500.00
- ☐ Hotel and Restaurant License with one optional premises (City).....\$600.00
- ☐ Hotel and Restaurant License with one optional premises (County).....\$600.00

Section B Liquor License Fees* (Continued)

☐ Liquor-Licensed Drugstore (City).....	\$227.50
☐ Liquor-Licensed Drugstore (County).....	\$312.50
☐ Lodging & Entertainment - L&E (City)	\$500.00
☐ Lodging & Entertainment - L&E (County)	\$500.00
☐ Manager Registration - H & R	\$30.00
☐ Manager Registration - Tavern	\$30.00
☐ Manager Registration - Lodging & Entertainment	\$30.00
☐ Manager Registration - Campus Liquor Complex	\$30.00
☐ Optional Premises License (City)	\$500.00
☐ Optional Premises License (County)	\$500.00
☐ Racetrack License (City)	\$500.00
☐ Racetrack License (County)	\$500.00
☐ Resort Complex License (City).....	\$500.00
☐ Resort Complex License (County).....	\$500.00
☐ Related Facility - Campus Liquor Complex (City).....	\$160.00
☐ Related Facility - Campus Liquor Complex (County)	\$160.00
☐ Related Facility - Campus Liquor Complex (State)	\$160.00
☐ Retail Gaming Tavern License (City).....	\$500.00
☐ Retail Gaming Tavern License (County).....	\$500.00
☐ Retail Liquor Store License - Additional (City).....	\$227.50
☐ Retail Liquor Store License - Additional (County).....	\$312.50
☐ Retail Liquor Store (City)	\$227.50

Section B Liquor License Fees* (Continued)

☐ Retail Liquor Store (County).....	\$312.50
☐ Tavern License (City).....	\$500.00
☐ Tavern License (County).....	\$500.00
☐ Vintners Restaurant License (City).....	\$750.00
☐ Vintners Restaurant License (County).....	\$750.00

Questions? Visit: SBG.Colorado.gov/Liquor for more information

Do not write in this space - For Department of Revenue use only

Liability Information

License Account Number	Liability Date
License Issued Through (Expiration Date)	Total
	\$

1. Is the applicant (including any of the partners if a partnership; members or managers if a limited liability company; or officers, stockholders or directors if a corporation) or managers under the age of twenty-one years?..... ☐ Yes ☒ No
2. Has the applicant (including any of the partners if a partnership; members or managers if a limited liability company; or officers, stockholders or directors if a corporation) or managers ever (in Colorado or any other state):
 - a. Been denied an alcohol beverage license?..... ☐ Yes ☒ No
 - b. Had an alcohol beverage license suspended or revoked?..... ☐ Yes ☒ No
 - c. Had interest in another entity that had an alcohol beverage license suspended or revoked?..... ☐ Yes ☒ No

If you answered yes to a, b or c above, explain in detail on a separate sheet.

3. Has a liquor license application (same license class), that was located within 500 feet of the proposed premises, been denied within the preceding two years?..... ☒ Yes ☐ No

If "yes", explain in detail.

There was a previous tenant in this space that had their liquor license revoked.

4. Are the premises to be licensed within 500 feet, of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?..... ☐ Yes ☒ No

or

Waiver by local ordinance? ☐ Yes ☐ No

Other

5. Is your Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 1500 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of greater than (>) 10,000? **NOTE:** The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS..... ☐ Yes ☒ No

6. Is your Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 3000 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of less than (<) 10,000? **NOTE:** The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS..... ☐ Yes ☒ No

For additional Retail Liquor Store only.

- a. Was your Retail Liquor Store License issued on or before January 1, 2016?.... ☐ Yes ☐ No
- b. Are you a Colorado resident?..... ☐ Yes ☐ No

7. Has a liquor or beer license ever been issued to the applicant (including any of the partners, if a partnership; members or manager if a Limited Liability Company; or officers, stockholders or directors if a corporation)? If yes, identify the name of the business and list any **current** financial interest in said business including any loans to or from a licensee..... ☐ Yes ☒ No

8. Does the applicant, as listed on line 2 of this application, **have legal possession of the premises by ownership**, lease or other arrangement?..... ☒ Yes ☐ No

☐ Ownership ☒ Lease ☐ Other (Explain in detail)

- a. If leased, list name of landlord and tenant, and date of expiration, **exactly** as they appear on the lease:

Landlord	Tenant	Expires
The Tower Building of Montrose, LLC	FitzUnion LLC dba Endless Pastabilities	09/01/2029

- b. Is a percentage of alcohol sales included as compensation to the landlord? If yes, complete question on page 9..... ☐ Yes ☒ No
- c. Attach a diagram that designates the area to be licensed in black bold outline (including dimensions) which shows the bars, brewery, walls, partitions, entrances, exits and what each room shall be utilized for in this business. This diagram should be no larger than 8½" X 11".

9. Who, besides the owners listed in this application (including persons, firms, partnerships, corporations, limited liability companies) will loan or give money, inventory, furniture or equipment to or for use in this business; or who will receive money from this business? Attach a separate sheet if necessary.

Last Name Fitzgerald		First Name James	
Date of Birth (MM/DD/YY) [REDACTED]	FEIN or SSN Number [REDACTED]	Interest/Percentage 0%	
[REDACTED]		[REDACTED]	
Date of Birth (MM/DD/YY) [REDACTED]	FEIN or SSN Number [REDACTED]	Interest/Percentage [REDACTED]	
Last Name [REDACTED]		First Name [REDACTED]	
Date of Birth (MM/DD/YY) [REDACTED]	FEIN or SSN Number [REDACTED]	Interest/Percentage [REDACTED]	

Attach copies of all notes and security instruments and any written agreement or details of any oral agreement, by which any person (including partnerships, corporations, limited liability companies, etc.) will share in the profit or gross proceeds of this establishment, and any agreement relating to the business which is contingent or conditional in any way by volume, profit, sales, giving of advice or consultation.

10. Optional Premises or Hotel and Restaurant Licenses with Optional Premises:

Has a local ordinance or resolution authorizing optional premises been adopted?.... ☐ Yes ☐ No

Number of additional Optional Premise areas requested. (See license fee chart)

For the addition of a Sidewalk Service Area per Regulation 47-302(A)(4), include a diagram of the service area and documentation received from the local governing body authorizing use of the sidewalk. Documentation may include but is not limited to a statement of use, permit, easement, or other legal permissions.

11. Liquor Licensed Drugstore (LLDS) applicants, answer the following:

- a. Is there a pharmacy, licensed by the Colorado Board of Pharmacy, located within the applicant's LLDS premise?..... ☐ Yes ☒ No

If "yes" a copy of license must be attached.

12. Club Liquor License applicants answer the following: Attach a copy of applicable documentation

a. Is the applicant organization operated solely for a national, social, fraternal, patriotic, political or athletic purpose and not for pecuniary gain?..... ☐ Yes ☐ No

b. Is the applicant organization a regularly chartered branch, lodge or chapter of a national organization which is operated solely for the object of a patriotic or fraternal organization or society, but not for pecuniary gain?..... ☐ Yes ☐ No

c. How long has the club been incorporated?.....

d. Has applicant occupied an establishment for three years (three years required) that was operated solely for the reasons stated above?..... ☐ Yes ☐ No

13. Brew-Pub, Distillery Pub or Vintner's Restaurant applicants answer the following:

a. Has the applicant received or applied for a Federal Permit? (Copy of permit or application must be attached)..... ☐ Yes ☐ No

14. Campus Liquor Complex applicants answer the following:

a. Is the applicant an institution of higher education?..... ☐ Yes ☐ No

b. Is the applicant a person who contracts with the institution of higher education to provide food services?..... ☐ Yes ☐ No

If "yes" please provide a copy of the contract with the institution of higher education to provide food services.

15. For all on-premises applicants.

a. For all Liquor Licensed Drugstores (LLDS) the Permitted Manager must also submit an Manager Permit Application - DR 8000 and fingerprints.

Last Name of Manager

First Name of Manager

Fitzgerald

Richard

16. Does this manager act as the manager of, or have a financial interest in, any other liquor licensed establishment in the State of Colorado? If yes, provide name, type of license and account number...... ☐ Yes ☒ No

Name

Type of License

Account Number

17. Related Facility - Campus Liquor Complex applicants answer the following:

- a.** Is the related facility located within the boundaries of the Campus Liquor Complex?..... ☐ Yes ☐ No

If yes, please provide a map of the geographical location within the Campus Liquor Complex.

If no, this license type is not available for issues outside the geographical location of the Campus Liquor Complex.

- b.** Designated Manager for Related Facility - Campus Liquor Complex

Last Name of Manager

First Name of Manager

18. Tax Information.

- a.** Has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant, been found in final order of a tax agency to be delinquent in the payment of any state or local taxes, penalties, or interest related to a business?..... ☐ Yes ☒ No
- b.** Has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant failed to pay any fees or surcharges imposed pursuant to section 44-3-503, C.R.S.?..... ☐ Yes ☒ No

If applicant is a corporation, partnership, association or limited liability company, applicant must list all **Officers, Directors, General Partners, and Managing Members**. In addition, applicant must list any stockholders, partners, or members with **ownership of 10% or more in the applicant**. All persons **listed below** must also attach form DR 8404-I (Individual History Record), and make an appointment with an approved State Vendor through their website. See application checklist, Section IV, for details.

Name Date of Birth (MM/DD/YY)
Richard Fitzgerald

Street Address

City	State	ZIP Code	Position	%Owned
Montrose	CO	81401	Owner	50%

Name Date of Birth (MM/DD/YY)
April Fitzgerald

Street Address

City	State	ZIP Code	Position	%Owned
Montrose	CO	81401	Owner	50%

Name Date of Birth (MM/DD/YY)

Street Address

City	State	ZIP Code	Position	%Owned

Name Date of Birth (MM/DD/YY)

Street Address

City	State	ZIP Code	Position	%Owned

Name Date of Birth (MM/DD/YY)

Street Address

City	State	ZIP Code	Position	%Owned

** If applicant is owned 100% by a parent company, please list the designated principal officer on above.

** Corporations - the President, Vice-President, Secretary and Treasurer must be accounted for above (Include ownership percentage if applicable)

** If total ownership percentage disclosed here does not total 100%, applicant must check this box:

☒ Applicant affirms that no individual other than these disclosed herein owns 10% or more of the applicant and does not have financial interest in a prohibited liquor license pursuant to Article 3 or 5, C.R.S.

Oath Of Applicant

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Liquor or Beer and Wine Code which affect my license.

Printed Name

Title

April Fitzgerald

Owner

Authorized Signature

Date (MM/DD/YY)

April Fitzgerald

07/22/24

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

Date application filed with local authority

Date of local authority hearing (for new license applicants; cannot be less than 30 days from date of application)

July 25, 2024

September 17, 2024

For Transfer Applications Only - Is the license being transferred valid? ☐ Yes ☐ No

The Local Licensing Authority Hereby Affirms that each person required to file DR 8404-I (Individual History Record) or a DR 8000 (Manager Permit) has been:

☒ Fingerprinted

☒ Subject to background investigation, including NCIC/CCIC check for outstanding warrants

That the local authority has conducted, or intends to conduct, an inspection of the proposed premises to ensure that the applicant is in compliance with and aware of, liquor code provisions affecting their class of license

(Check One)

☐ Date of inspection or anticipated date

☒ Will conduct inspection upon approval of state licensing authority

☐ Is the Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 1,500 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of > 10,000? ☐ Yes ☐ No

☐ Is the Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 3,000 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of < 10,000? ☐ Yes ☐ No

NOTE: The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS.

☐ Does the Liquor-Licensed Drugstore (LLDS) have at least twenty percent (20%) of the applicant's gross annual income derived from the sale of food, during the prior twelve (12) month period? ☐ Yes ☐ No

The foregoing application has been examined; and the premises, business to be conducted, and character of the applicant are satisfactory. We do report that such license, if granted, will meet the reasonable requirements of the neighborhood and the desires of the adult inhabitants, and will comply with the provisions of Title 44, Article 4 or 3, C.R.S., and Liquor Rules. **Therefore, this application is approved.**

Local Licensing Authority for Telephone Number ☐ Town, City
☐ County

Printed Name Title

Signature Date (MM/DD/YY)

Printed Name Title

Signature Date (MM/DD/YY)



CITY OF MONTROSE
OFFICE OF THE CITY CLERK



Briceida Ortega, Deputy City Clerk
Direct Dial: 970.240.1421
E-mail: bortega@ci.montrose.co.us

September 11, 2024

Petitions were circulated in support of a Hotel & Restaurant Liquor license at 1544 Oxbow Drive, Ste 198 for Fitz Union LLC DBA Endless Pastabilities.

A summary of the petitions is as follows:

- 100 Signatures were submitted
- 23 Signatures were determined to be insufficient
 - 23 outside of city limits
- 77 Signatures were determined to be valid and in support of the license.

Comments received in support of the license being issued include the following:

- Yes (3)
- Do it!
- Love Italian!

Respectfully,

Briceida Ortega
Deputy City Clerk

ORDINANCE NO. 2671

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, AMENDING TITLE 5 CHAPTER 2 SECTIONS 1 AND 5 OF THE OFFICIAL CODE OF THE CITY OF MONTROSE, COLORADO, INCREASING THE HOTEL ROOM TAX FROM .9% TO 6% AND LIMITING THE USE OF THE FUNDS GENERATED TO ASSIST IN THE IMPACT OF TOURISM ON THE CITY OF MONTROSE

WHEREAS, the Official Code of the City of Montrose, Colorado (“City”) is a municipal corporation duly organized and operating as a home rule city under the Charter of the City of Montrose and the Constitution and laws of the State of Colorado; and

WHEREAS, the City Council has determined that visitors to the City should assist to defray the costs of the impact of tourism on the City during their stay by increasing the hotel room tax from .9% to 6%; and

WHEREAS, the City Council has determined the funds derived from such increase in the hotel room tax shall be allocated in an appropriate manner to continue to make the City a desirable destination to visit and live; and

WHEREAS, Article X, Section 20 of the Colorado Constitution, also referred to as the Taxpayer’s Bill of Rights (“TABOR”) requires that the City have voter approval prior to any tax rate increase; and

WHEREAS, TABOR requires that the City submit ballot issues, as defined in TABOR, to the City’s registered electors on specified election days before action can be taken on such ballot issues; and

WHEREAS, the City Council has informed the County of its intention to place a ballot question on the November 5, 2024 coordinated election and has voted to enter into an intergovernmental agreement with the County regarding the same; and

WHEREAS, the November 5, 2024 is one of the dates at which TABOR ballot issues may be submitted to the registered electors of the City pursuant to TABOR; and

WHEREAS, should the registered electors of the City approve such an increase in the hotel room tax, this ordinance shall take effect on January 1, 2025.

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

Section 1:

Section 5-2-1 (A) of the Official Code of the City of Montrose, Colorado are hereby amended to read in full as follows:

Sec. 5-2-1 (A). *Imposition of tax.*

There is hereby levied and charged a hotel room tax in the amount of 6 percent of the entire amount charged for furnishing rooms or accommodations for consideration in a hotel, motel, short term rental, apartment hotel, lodginghouse, motor hotel, guest house, guest ranch or other similar lodging business. The entire amount subject to tax shall not include City or state sales taxes or charges for food service, beverages, telephone, laundry, or other services incidental to the furnishing of lodging or accommodations for which a separate charge or bill is made.

- (1) Such hotel room tax collected shall be expended in the following manner:
- (a) twenty-five percent (25%) for right-of-way maintenance;
 - (b) seventeen percent (17%) for childcare services in Montrose;
 - (c) thirty-three percent (33%) for incentives for affordable housing;
 - (d) twenty percent (20%) for the Tourism Promotional Fund; and
 - (e) five (5%) for public transit services.

Section 2:

Section 5-2-5 (A) of the Official Code of the City of Montrose, Colorado is hereby amended to read in full as follows:

Sec. 5-2-5 (A). *Tourism Promotional Fund.*

There is hereby created a fund to be known as the "Tourism Promotional Fund." Twenty percent (20%) of the revenues derived from the hotel room tax imposed by Section (1)(A) and all of the revenues derived from the excise tax imposed by Section (1)(B) of this Chapter, less all out-of-pocket costs incurred by the City in the collection or enforcement of this Chapter, shall be placed in such fund.

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.

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 circumstance 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:

Subject to the approval by a majority of the qualified electors of the City voting at the coordinate election to be held on November 5, 2024, the provisions of this Ordinance shall become effective on January 1, 2025.

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 3rd day of September, 2024, at the hour of 6:00 p.m. at the Elks' Civic Building in Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading the 3rd day of September, 2024.

ATTEST:



Lisa DelPiccolo, City Clerk




J. David Reed, Mayor

INTRODUCED, READ and ADOPTED on second reading this 17th day of September, 2024.

J. David Reed, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk



CITY OF MONTROSE
Planning Services

MEMO

TO: City Council
FROM: Jace Hochwalt, Community Development Director
DATE: September 17, 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: Proposed 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. 2672

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 3rd day of September, 2024, at the hour of 6:00 p.m. at the Elks' Civic Building in Montrose, Colorado.

Section 6:

If any provision of this Ordinance or the application thereof to any person or circumstance 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:

Subject to the approval by a majority of the qualified electors of the City voting at the coordinate election to be held on November 5, 2024, the provisions of this Ordinance shall become effective on January 1, 2025.

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 3rd day of September, 2024, at the hour of 6:00 p.m. at the Elks' Civic Building in Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading the 3rd day of September, 2024.

ATTEST:



Lisa DelPiccolo, City Clerk




J. David Reed, Mayor

INTRODUCED, READ and ADOPTED on second reading this 17th day of September, 2024.

J. David Reed, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

MEMORANDUM



TO: Honorable Mayor and Members of the City Council
FROM: Matthew Magliaro, Assistant City Attorney Public Safety
DATE: September 3, 2024
RE: Proposed Ordinance Repealing Limits on Dogs and Cats
CC: William Bell, Chris Dowsey, Blaine Hall

Action

The consideration of an ordinance repealing Title 6, Chapter 2 Section 3 of the Official Code of the City of Montrose, Colorado, which would eliminate the current code's quota limit on dogs and cats within the municipal limits

Background

The Montrose City Council held a general discussion on the existing animal control regulations pertaining to the number of cats and dogs per household, at a recorded work session on August 19, 2024. This discussion was prompted by public comment from a concerned citizen at open public comment during the regular city council session held August 6, 2024. At the August 19, 2024, work session, the Montrose City Council heard from staff about research into similar ordinances from other municipalities in the State of Colorado, as well as how this ordinance is interpreted and enforced by animal control. Council held a general discussion with staff on its underlying policy. The Montrose City Council directed staff to draft a repeal of the ordinance at the conclusion of its discussion.

Additional Considerations

None.

ORDINANCE NO. 2673

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO: REPEALING TITLE 6 CHAPTER 2 SECTION 3 (6-2-3) ONLY, REGARDING THE LIMIT ON DOGS AND CATS.

WHEREAS, the City of Montrose is a home rule municipal corporation operating under adopted charter pursuant to § 6 of Article XX of the Colorado Constitution; and

WHEREAS, the State of Colorado has recognized the authority of municipal governments, in relation to their general police powers enumerated in C.R.S. § 31-15-401(1)(a)-(q), to declare what is a nuisance, to set punishments and abate declared nuisances, “to regulate and to prohibit the running at large and keeping of animals, including fowl, within the municipality and to otherwise provide for the regulation and control of such animals, including but not limited to, licensing, impoundment, and disposition of impounded animals[,]” and

WHEREAS, the City of Montrose updates the Municipal Code from time to time; 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:

SECTION 1:

Title 6, Chapter 2 Section 3. (6-2-3) (Limit on dogs and cats.) of the Official Code of the City of Montrose, Colorado, is hereby repealed and replaced to read in its entirety as follows:

6-2-3. - Reserved.

SECTION 2:

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

SECTION 3:

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 by repealing the current code's quota limit on dogs and cats in the municipal limits.

SECTION 4:

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 5:

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 6:

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

SECTION 7:

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 3rd day of September, 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 3rd day of September, 2024.

ATTEST:



Lisa DelPiccolo, City Clerk





J. David Reed, Mayor

INTRODUCED, READ and ADOPTED on second reading this 17th day of September, 2024.

ATTEST:

Lisa DelPiccolo, City Clerk

J. David Reed, Mayor



CITY OF MONTROSE

Planning Services

MEMO

TO: City Council
FROM: William Reis, Planner II
DATE: September 3, 2024
RE: Leonard Farm Addition Annexation
ATTACHMENTS:

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

City Council Consideration:

City Council is considering setting a hearing date for the proposed Leonard Farm Addition annexation application. A Resolution establishing the date, time, and place must be approved by City Council in accordance with the Annexation provisions of the Colorado Constitution and Colorado Revised Statutes. The hearing must not be held less than 30 days nor more than 60 days after the effective date of this resolution setting the hearing. City Council will consider all of the information in this memo in making a decision.

Proposed schedule:

September 3:	Council Work Session Overview
September 17:	Council Resolution to set a hearing date
September 25:	Planning Commission zoning hearing
November 5:	City Council Annexation hearing, 1st reading of annexation ordinance, and 1st reading of zoning ordinance
November 19:	2nd reading of annexation and zoning ordinances

Application Background:

The Leonard Farm Addition is a proposed annexation approximately 71.22 acres in size. The parcel is located south of Ogden Road, near its intersection with Sleeping Bear Road. It is within the City's Urban Growth Boundary, City of Montrose Sewer Service Area, and City of Montrose



Water Service Area. Annexation of this property will allow for connection to City utilities. An Annexation Agreement is required.

Proposed Zoning: “R-3A” Medium High Density Residential District

Applicant: Ogden Views, LLC

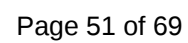
Staff Analysis:

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

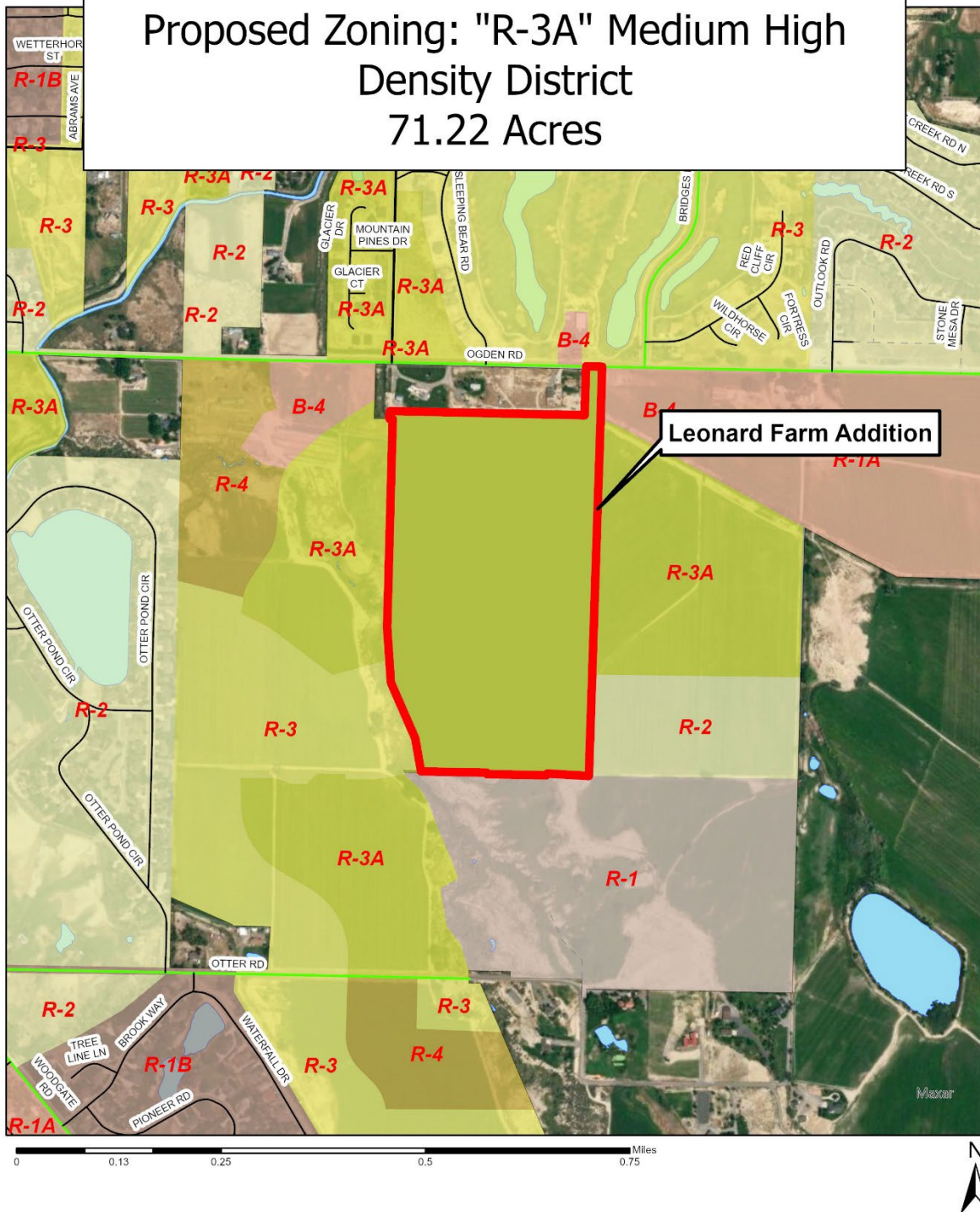


4. The Comprehensive Plan Future Land Use Map designates the area of the Leonard Farm Addition as Residential Mixed Density Low and Residential Mixed Density Medium. The Residential Mixed Density Medium district provides for a variety of residential types, mixed within a neighborhood, including single-family homes, townhomes, duplexes and triplexes. The majority of the mixed-density medium residential land uses are designated in areas that are not yet developed. The Residential Mixed Density Low district provides primarily for single-family homes, as well as small amounts of attached residential dwelling units (such as duplexes and even small groups of townhomes). This low-density residential land use is intended to preserve the traditional building pattern of the existing residential development in Montrose. It will continue to be the predominant density in the City.
5. The property is located within Growth Area 2. According to the Comprehensive Plan, Growth Area 2 has some level of, or moderate proximity to, existing infrastructure.
6. The “R-3A” zoning does not appear to be adverse to the public health, safety and welfare.



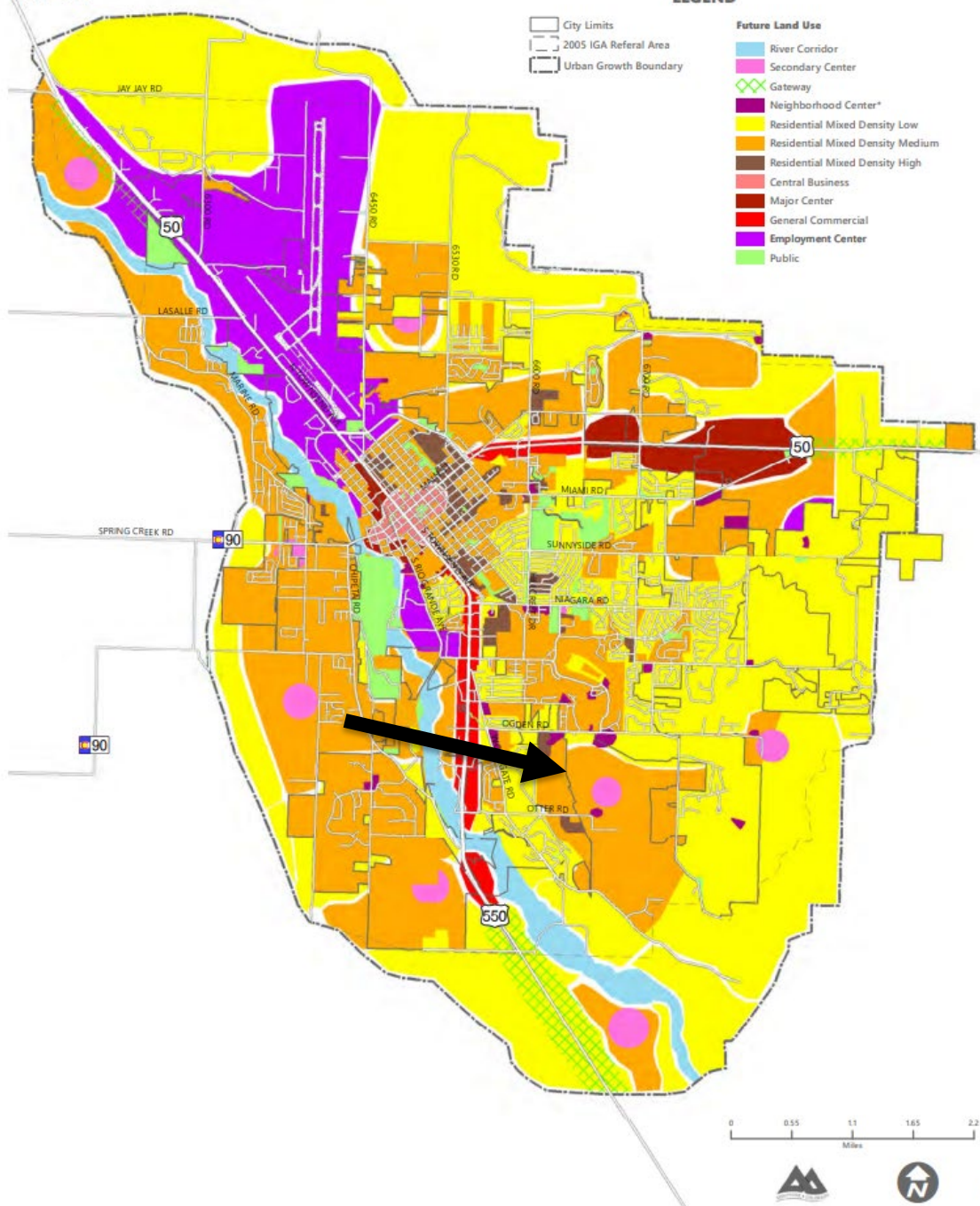
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Leonard Farm Addition
Proposed Zoning: "R-3A" Medium High
Density District
71.22 Acres



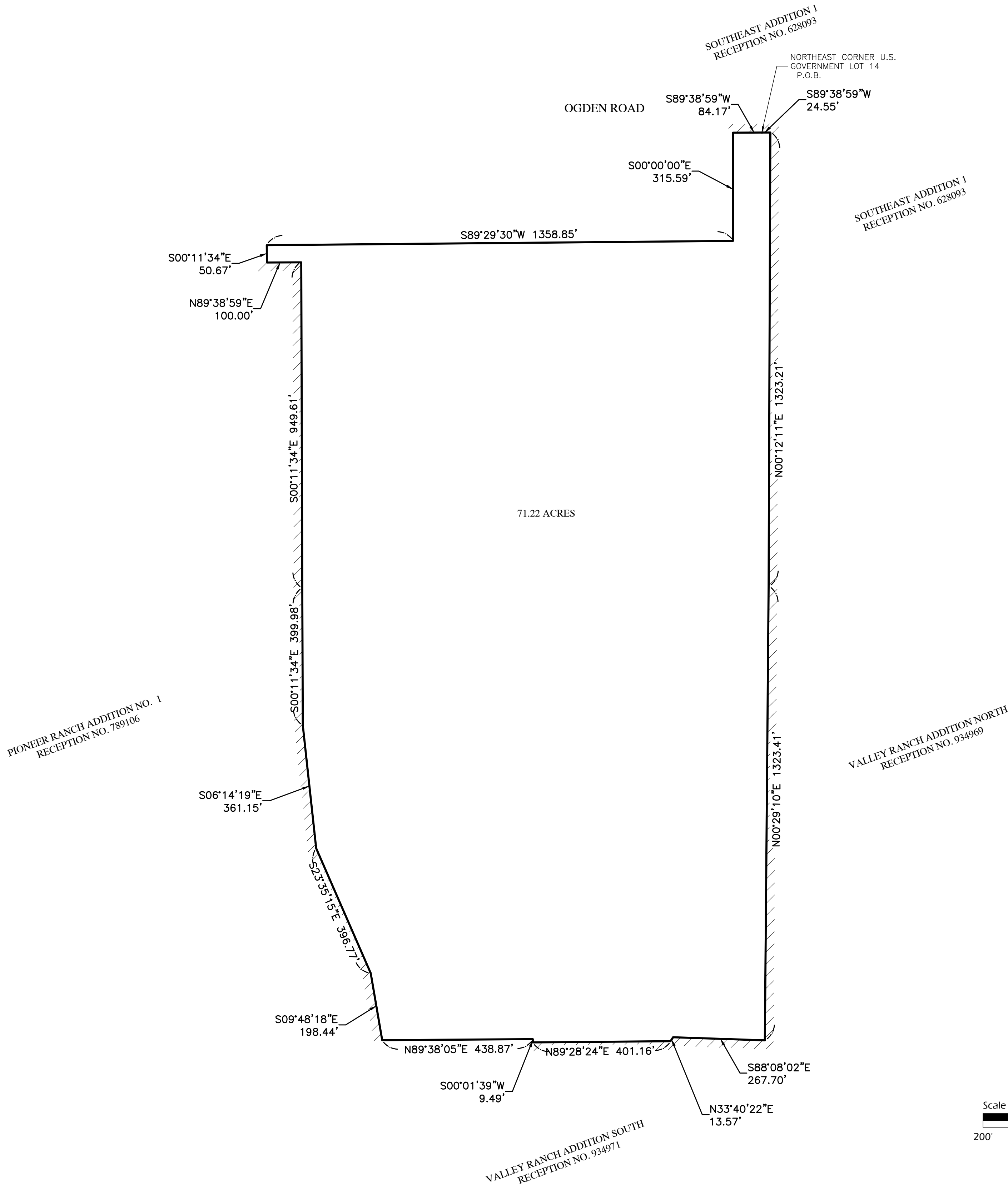
FUTURE LAND USE

MAP 5.1



LEONARD FARM ADDITION

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



LEGEND

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

CITY LIMITS

TOTAL PERIMETER = 8017.19'
PERIMETER CONTIGUOUS TO CITY LIMITS = 5843.72'

NOTE:

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

PROPERTY DESCRIPTION

A TRACT OF LAND SITUATED IN U.S. GOVERNMENT LOTS 13, 14, 15, 18 AND 19 AND IN THE E1/2 NE1/4 SW1/4 AND IN THE NW1/4 SE1/4 SECTION 3, TOWNSHIP 48 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID U.S. GOVERNMENT LOT 14;
THENCE SOUTH 89°38'59" WEST ALONG THE NORTH LINE OF SAID U.S. GOVERNMENT LOT 14, 84.17 FEET TO THE NORTHEAST CORNER OF R.E. LEONARD MINOR SUBDIVISION RECORDED IN PLAT BOOK 12 AT PAGE 1022, MONTROSE COUNTY RECORDS; THENCE SOUTH 315.59 FEET TO THE SOUTHEAST CORNER OF SAID R.E. LEONARD MINOR SUBDIVISION; THENCE SOUTH 89°29'30" WEST, 1358.85 FEET TO THE SOUTHWEST CORNER OF SAID R.E. LEONARD MINOR SUBDIVISION; THENCE SOUTH 00°11'34" EAST, PARALLEL TO THE WEST LINE OF SAID U.S. GOVERNMENT LOT 14, 50.67 FEET TO A POINT WHICH IS SOUTH 00°11'34" EAST, 370.00 FEET FROM THE NORTH LINE OF SAID U.S. GOVERNMENT LOT 13; THENCE NORTH 89°38'59" EAST, PARALLEL TO SAID NORTH LINE OF U.S. GOVERNMENT LOT 13, 100.00 FEET TO A POINT ON THE WEST LINE OF SAID U.S. GOVERNMENT LOT 14;
THENCE SOUTH 00°11'34" EAST, ALONG SAID WEST LINE, 949.61 FEET TO THE NORTHWEST CORNER OF SAID U.S. GOVERNMENT LOT 19;
THENCE SOUTH 00°11'34" EAST, ALONG THE WEST LINE OF SAID U.S. GOVERNMENT LOT 19, 399.98 FEET TO A POINT OF THE CENTERLINE OF CEDAR CREEK;
THENCE THE FOLLOWING COURSES ALONG SAID CENTERLINE;
SOUTH 06°14'19" EAST, 361.15 FEET;
SOUTH 23°35'15" EAST, 396.77 FEET;
SOUTH 09°48'18" EAST, 198.44 FEET TO A POINT ON THE SOUTH LINE OF SAID U.S. GOVERNMENT LOT 19; THENCE NORTH 89°38'05" EAST, 438.87 FEET TO THE NORTHWEST CORNER OF SAID E1/2 NE1/4 SW1/4 AND THE NORTHWEST TERMINUS OF THE BOUNDARY AGREEMENT LINE AS SHOWN ON BOUNDARY AGREEMENT PLAT RECORDED AUGUST 6, 2202 AT RECEPTION NO. 691076, MONTROSE COUNTY RECORDS;
THENCE THE FOLLOWING COURSES ALONG SAID BOUNDARY AGREEMENT LINE;
SOUTH 00°01'39" WEST, 9.49 FEET;
NORTH 89°28'24" EAST, 401.16 FEET;
NORTH 33°40'22" EAST, 13.57 FEET;
SOUTH 88°08'02" EAST, 267.70 FEET;
NORTH 00°29'10" EAST, 1323.41 FEET;
NORTH 00°12'11" EAST, 1323.21 FEET TO A POINT ON THE NORTH LINE OF SAID U.S. GOVERNMENT LOT 15; SOUTH 89°38'59" WEST, 24.55 FEET TO THE POINT OF BEGINNING, ALSO SHOWN ON PLAT OF SURVEY RECORDED OCTOBER 18, 2000 AT RECEPTION NO. 667610, COUNTY OF MONTROSE, STATE OF COLORADO

SURVEYOR'S CERTIFICATE

I, Frederick A. Ballard, a Registered Land Surveyor in the State of Colorado, do hereby certify Leonard Farm Addition Annexation Map was prepared under my direct supervision.

Frederick A. Ballard, P.L.S.
Registration No. 37690

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 _____, 2023, annexed the property hereon to the City of Montrose.

Mayor

Attest: _____
City Clerk

CLERK AND RECORDER'S CERTIFICATE

This map was filed for record in the office of the Clerk and Recorder of Montrose County, Colorado, at the time of _____ on the _____ day of _____, 2023 under Reception No. _____

Clerk and Recorder
Montrose County, Colorado

Deputy

PRELIMINARY

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.

FILE LOCATED AT: \\DMS14\PROJECTS\ACTIVE PROJECTS\2023\23083-LEONARD FARM BOUNDARY\C3D

													
VICINITY MAP N.T.S.													
<table><tr><td colspan="2">TITLE: LEONARD FARM ADDITION</td></tr><tr><td>CLIENT: LEADERSHIP CIRCLE, LLC</td><td></td></tr><tr><td colspan="2">ADDRESS & PHONE: P.O. BOX 239 MONTROSE, CO 81402 970-249-3398</td></tr><tr><td>FIELD BOOK: _____</td><td>DATE: 2023-07-13</td></tr><tr><td>SHEET: 1 of 1</td><td>JOB NO.: 23083</td></tr><tr><td>FILE: 23083V_ANNX</td><td>TYPE: ANNEX</td></tr></table>		TITLE: LEONARD FARM ADDITION		CLIENT: LEADERSHIP CIRCLE, LLC		ADDRESS & PHONE: P.O. BOX 239 MONTROSE, CO 81402 970-249-3398		FIELD BOOK: _____	DATE: 2023-07-13	SHEET: 1 of 1	JOB NO.: 23083	FILE: 23083V_ANNX	TYPE: ANNEX
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SHEET: 1 of 1	JOB NO.: 23083												
FILE: 23083V_ANNX	TYPE: ANNEX												

EXHIBIT B: Zoning Code Excerpt

Sec. 11-7-6. District uses.

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



will not unreasonably interfere with the use of other property, or result in any permanent adverse effects to other property, or create a safety or health hazard.

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

(F) *Uses Not Listed.*

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

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

Land Use	R L	R- 1	R- 1A/B	R- 2	R- 3	R- 3A	R- 4	R- 5	R- 6	MH R
<i>COMMERCIAL USES</i>										
Bed and breakfast (See Sec. 11-11-1)					C		C		C	
Farms and ranches, excluding commercial greenhouses, and commercial feedlots, fur farms, fish farms, poultry houses, hog farms, dairies and similar operations with a high density of animals.	P									
Rental storage units with a maximum rental unit size of 200 square feet.										C
Short-term rentals	P	P	P	P	P	P	P	P	P	P
<i>INSTITUTIONAL USES</i>										
Assisted living facilities					C	C	C		C	C
Childcare facilities	C	C	C	C	C	C	C	C	C	C



Family childcare home	P	P	P	P	P	P	P	P	P	P
Government buildings and facilities	P	P	P	P	P	P	P	P	P	P
Religious assembly	C	C	C	C	P	P	P	C	C	P
Schools	C	C	C	C	C	C	C	C	C	C
<i>RECREATIONAL USES</i>										
Golf courses	P									
Parks, open space and recreation facilities	P	P	P	P		P	P	P	P	P
<i>RESIDENTIAL USES</i>										
Duplex					P	P	P		P	
Group homes—handicapped/disabled 8 persons or less (see Sec. 11-11-2)	P	P	P	P	P	P	P	P	P	P
Group homes—handicapped/disabled > 9 persons (see Sec. 11-11-2)	C	C	C	C	C	C	C	C	C	C
Group homes, other (see Sec. 11-11-2)	C	C	C	C	C	C	C	C	C	C
Home occupation (See Sec. 11-11-3)	A	A	A	A	A	A	A	A	A	A
Manufactured housing				¹				P	P	P
Mobile homes (See Sec. 11-13)										P
Mobile home parks (See Sec. 11-13)										P
Modular housing								P	P	P
Multi-family dwelling					C	P	P		C	
Single-family dwelling	P	P	P	P	P	P	P	P	P	P
<i>UTILITIES AND TELECOMMUNICATION FACILITIES</i>										
Antennas (See Sec. 11-14-6)	C	C	C	C	C	C	C	C	C	C
Public utility service facilities	P	P	P	P	P	P	P	P	P	P
Towers (See Sec. 11-14-5)	C	C	C	C	C	C	C	C	C	C
<i>OTHER USES</i>										
Accessory uses (See Sec. 11-7-6(D))	A	A	A	A	A	A	A	A	A	A
Temporary use (See Sec. 11-7-6(E)(1-3))	T	T	T	T	T	T	T	T	T	T
Temporary Construction or Sales Office (See Sec. 11-7-6(E)(4))	T	T	T	T	T	T	T	T	T	T
Travel home (See Sec. 11-13-6(2))		T	T	T	T	T	T	T	T	T

Legend: Use Type

P: Permitted Use

C: Conditional Use

A: Accessory Use

T: Temporary Use

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

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



RESOLUTION NO. 2024-15

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MONTROSE, COLORADO, as follows:

1. The City Council hereby finds that the Annexation Petition submitted for the annexation of the property denominated as the **LEONARD FARM ADDITION**, as described on **Exhibit A** hereto, is in substantial compliance with the requirements of C.R.S. § 31-12-107(1), as amended.
2. The City Council shall hold a hearing to determine if the proposed annexation complies with C.R.S. §§ 31-12-104, 105, or such parts thereof as may be required to establish eligibility for annexation under the terms of C.R.S. Part 1, Article 12, Title 31. The hearing shall be held on the 5th day of November, 2024, in the Montrose City Council Chambers at the Elks Civic Building at 6:00 P.M.

ADOPTED by the City Council of the City of Montrose, Colorado, this 17th day of September, 2024.

CITY OF MONTROSE, COLORADO

J. David Reed, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

Exhibit A

HISTORIC LEGAL:

A TRACT OF LAND SITUATED IN U.S. GOVERNMENT LOTS 13, 14, 15, 18 AND 19 AND IN THE E1/2 NE1/4 SW1/4 AND IN THE NW1/4 SE1/4 SECTION 3, TOWNSHIP 48 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID U.S. GOVERNMENT LOT 14;
THENCE SOUTH 89°38'59" WEST ALONG THE NORTH LINE OF SAID U.S. GOVERNMENT LOT 14, 84.17 FEET TO THE NORTHEAST CORNER OF R.E. LEONARD MINOR SUBDIVISION RECORDED IN PLAT BOOK 12 AT PAGE 1022, MONTROSE COUNTY RECORDS;
THENCE SOUTH 315.59 FEET TO THE SOUTHEAST CORNER OF SAID R.E. LEONARD MINOR SUBDIVISION; THENCE SOUTH 89°29'30" WEST, 1358.85 FEET TO THE SOUTHWEST CORNER OF SAID R.E. LEONARD MINOR SUBDIVISION; THENCE SOUTH 00°11'34" EAST, PARALLEL TO THE WEST LINE OF SAID U.S. GOVERNMENT LOT 14, 50.67 FEET TO A POINT WHICH IS SOUTH 00°11'34" EAST, 370.00 FEET FROM THE NORTH LINE OF SAID U.S. GOVERNMENT LOT 13; THENCE NORTH 89°38'59" EAST, PARALLEL TO SAID NORTH LINE OF U.S. GOVERNMENT LOT 13, 100.00 FEET TO A POINT ON THE WEST LINE OF SAID U.S. GOVERNMENT LOT 14;
THENCE SOUTH 00°11'34" EAST, ALONG SAID WEST LINE, 949.61 FEET TO THE NORTHWEST CORNER OF SAID U.S. GOVERNMENT LOT 19;
THENCE SOUTH 00°11'34" EAST, ALONG THE WEST LINE OF SAID U.S. GOVERNMENT LOT 19, 399.98 FEET TO A POINT OF THE CENTERLINE OF CEDAR CREEK;
THENCE THE FOLLOWING COURSES ALONG SAID CENTERLINE;
SOUTH 06°14'19" EAST, 361.15 FEET;
SOUTH 23°35'15" EAST, 396.77 FEET;
SOUTH 09°48'18" EAST, 198.44 FEET TO A POINT ON THE SOUTH LINE OF SAID U.S. GOVERNMENT LOT 19; THENCE NORTH 89°38'05" EAST, 438.87 FEET TO THE NORTHWEST CORNER OF SAID E1/2 NE1/4 SW1/4 AND THE NORTHWEST TERMINUS OF THE BOUNDARY AGREEMENT LINE AS SHOWN ON BOUNDARY AGREEMENT PLAT RECORDED AUGUST 6, 2002 AT RECEPTION NO. 691076, MONTROSE COUNTY RECORDS;
THENCE THE FOLLOWING COURSES ALONG SAID BOUNDARY AGREEMENT LINE;
SOUTH 00°01'39" WEST, 9.49 FEET;
NORTH 89°28'24" EAST, 401.16 FEET;
NORTH 33°40'22" EAST 13.57 FEET;
SOUTH 88°08'02" EAST, 267.70 FEET;
NORTH 00°29'10" EAST, 1323.41 FEET;
NORTH 00°12'11" EAST, 1323.21 FEET TO A POINT ON THE NORTH LINE OF SAID U.S. GOVERNMENT LOT 15; SOUTH 89°38'59" WEST, 24.55 FEET TO THE POINT OF BEGINNING,
COUNTY OF MONTROSE, STATE OF COLORADO

SURVEYED LEGAL:

A TRACT OF LAND SITUATED IN SE1/4 NW1/4, SECTION 10, TOWNSHIP 48 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN, BEING PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE CENTER 1/4 CORNER OF SAID SECTION 10: THENCE NORTH 26°27'50" WEST 286.48 FEET TO THE SOUTH RIGHT OF WAY OF KINKIN ROAD: THENCE ALONG SAID SOUTH RIGHT OF WAY NORTH 84°38'43" EAST 131.16 FEET TO THE EAST LINE OF SAID SE1/4 NW1/4; THENCE LEAVING SAID SOUTH RIGHT OF WAY ALONG SAID EAST LINE SOUTH 00°37'24" WEST 268.72 FEET TO THE POINT OF BEGINNING, COUNTY OF MONTROSE, STATE OF COLORADO

ALSO

A TRACT OF LAND SITUATED IN U.S. GOVERNMENT LOTS 14, 15, 18 AND 19 AND IN THE E1/2 NE1/4 SW1/4 AND IN THE NW1/4 SE1/4 SECTION 3, TOWNSHIP 48 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 14:
THENCE THE FOLLOWING SEVEN COURSES ALONG THE BOUNDARY AGREEMENT LINE RECORDED AT RECEPTION NO. 691076
1. SOUTH 88°45'13" EAST 24.51 FEET;
2. SOUTH 01°46'15" WEST 1323.26 FEET;
3. SOUTH 02°04'01" WEST 1323.51 FEET;
4. NORTH 86°36'13" WEST 267.43 FEET;
5. SOUTH 35°25'40" WEST 13.45 FEET;
6. NORTH 88°55'39" WEST 401.11 FEET;
7. NORTH 01°28'03" EAST 9.32 FEET;
THENCE LEAVING SAID BOUNDARY AGREEMENT LINE NORTH 88°47'24" WEST 438.93 FEET;
THENCE NORTH 08°14'05" WEST 198.61 FEET;
THENCE NORTH 22°01'02" WEST 396.77 FEET;
THENCE NORTH 04°40'06" WEST 361.15 FEET TO THE WEST LINE OF SAID GOVERNMENT LOT 19;
THENCE ALONG THE WEST LINE NORTH 01°22'39" EAST 399.98 FEET TO THE NW CORNER OF SAID GOVERNMENT LOT 19;
THENCE ALONG THE WEST LINE OF GOVERNMENT LOT 14 NORTH 01°22'39" EAST 1000.56 FEET TO THE SOUTH LINE OF THE R.E. LEONARD MINOR SUBDIVISION;
THENCE ALONG SAID SOUTH LINE SOUTH 88°56'17" EAST 1258.85 FEET;
THENCE ALONG THE EAST LINE OF SAID R.E. LEONARD MINOR SUBDIVISION NORTH 01°34'13" EAST 315.59 FEET;
THENCE ALONG THE NORTH LINE OF SAID GOVERNMENT LOT 14 SOUTH 88°46'48" EAST 84.17 FEET TO THE POINT OF BEGINNING,
COUNTY OF MONTROSE, STATE OF COLORADO

CONTRACT AWARD CONSIDERATION



TO: Honorable Mayor and Members of the City Council
FROM: Scott Murphy, *City Engineer*
DATE: August 27, 2024
RE: Ogden Road Loutsenhizer Culvert Replacement Construction Contract Award
CC: William Bell, Shani Wittenberg

Action

Consider the approval of \$988,964.84 in expenditures for construction of the Ogden Road Loutsenhizer Canal Culvert Replacement Project. This includes the award of a construction contract to K&D Construction in the amount of \$944,464.84 and a survey and engineering support contract to Del-Mont Consultants in the amount of \$44,500.00.

Background

The Loutsenhizer Canal crosses Ogden Road within the City of Montrose through twin five-foot diameter corrugated metal culverts at the location shown in Figure 1. The roadway is currently approximately 25 feet wide with no shoulder and no headwall or flared ends on the culverts (see Photo 1). An existing 12 inch diameter waterline pipeline also spans the canal immediately north of the roadway. The culverts are currently experiencing corrosion and structural deformations that have led to soil loss and erosional failures of the roadway embankment. It is felt that this erosion is expected to continue to the point that failure and closure of the roadway is possible in the near future.

Aware of the relatively poor condition of the existing culverts, the City of Montrose had been planning to replace the Ogden Road Loutsenhizer crossing during the canal's winter shutdown in 2025/2026. However, once the erosional failures were observed to be accelerating in recent months, this project was rescheduled to occur this upcoming winter as we do not expect the roadway embankment to last through another full irrigation season without experiencing failure.

The culvert replacement project is planned to include a single-span precast concrete box culvert, cast-in-place concrete wingwall structures, relocation of the waterline span below ground, extension of a sewerline across the canal to support continued multi-family development towards the east, a reconstructed irrigation diversion, protective railings, and widening of the bridge to include larger shoulders and pedestrian sidewalks on both sides. The addition of sidewalks on both sides supports the City's continued efforts to advance pedestrian facilities eastward on Ogden Road and the sidewalk will connect to the recently-completed sidewalk extension on the southern side of Ogden Road along the Residences at Dry Cedar Creek. An excerpt from the project plans is included in Attachment 1.

Project Bidding

Following the completion of an emergency project design by Del-Mont Consultants in two weeks' time (thank you Del-Mont), construction of the culvert replacement project was put out for bid on August 1st and bids were publicly received on August 27, 2024 from seven 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
K&D Construction	Grand Junction, CO	\$944,464.84
Kuboske Construction	Montrose, CO	\$953,220.55
Ridgway Valley Enterprises	Montrose, CO	\$998,198.30
Dietrich Dirtwork	Crested Butte, CO	\$1,138,473.60
Consy	Grand Junction, CO	\$1,154,363.10
Haynes Excavation	Montrose, CO	\$1,194,019.07
Williams Construction	Norwood, CO	\$1,202,492.50

Contractor Selection and Project Expenditures

As part of all engineering department capital projects, the bid documents include criteria for bidders regarding the contractor selection process. Award recommendations are made for the best-value contractor through a rating system taking into account the following weighted selection criteria.

- Price (40%)
- Reference Considerations/Past Performance with the City (30%)
- Qualifications/Experience of Team (20%)
- Quality of Contractor Work Plan and Approach (10%)

Typically this selection becomes relatively obvious when the bid spread is large; however, in the case of this bid and as shown in Table 1, the low bid and second low bid were within one percent of each other, warranting a thorough review and selection process by engineering staff and the project design team. Through this rating and selection process, the highest-rated, best-value contractor was determined to be the low bidder, K&D Construction. It should be noted that this process accounts for the City's local preference policy within the price scoring category. In this instance the second bidder received a higher score in that category but still had a lower overall score than the low bidder due to lower scores in other categories.

The City has recent positive experience working with K&D Construction on the Miami-Hillcrest Roundabout construction project.

In addition to the award of a construction contract, we are also recommending award of an engineering support and survey stakeout contract to the project designer, Del-Mont Consultants. This scope of work is budgeted at \$44,500 on an as-needed, time-and-materials basis.

Project Schedule and Traffic Control

The project is scheduled to take place between November 2024 and February 2025 while the Loutsenhizer Canal is shutoff for the winter season. Once under construction, it will be necessary to close Ogden Road to all through traffic and detour traffic as shown on the plan excerpt in Attachment 1. On the eastern leg of the project, traffic will be detoured to Bridges Drive. Although Odelle Road is closer to the project, it is not considered a viable detour route given limitations of its bridge over the Loutsenhizer Canal and

capacity limitations at its intersection with Woodgate Road. If shortcutting becomes a problem through this area, it will be necessary to close Odelle to all traffic at its intersection with Ogden Road.

Once the bridge crossing is completed, Ogden Road is scheduled to be reopened with a temporary gravel surface until asphalt batch plants open in the spring. Once asphalt is available, final paving will take place one lane at a time utilizing flaggers in order to avoid a second closure of the roadway.

Because it would not be prudent to close both Ogden and East Oak Grove Roads at the same time, the Woodgate/East Oak Grove Roundabout project (which was originally planned to start in the fall of 2024) has been rescheduled to start in March of 2025 immediately after Ogden Road is reopened to through traffic.

Contract Administration and Project Financials

Contract administration, project management, and inspection will be performed by the City of Montrose engineering department with support from the design engineer as needed.

Because this project was originally anticipated to start in the fall of 2025, it was not included in the City's 2024 budget. However, the 2024 budget did include \$1.15M to start on construction of the Woodgate/East Oak Grove Roundabout within various general, water, and sewer capital funds. Because the roundabout project has now been shifted to all occur in 2025, these 2024 funds can be reallocated to the culvert replacement project. Because the culvert project will span multiple budget years, the proposed 2025 budget also includes \$650,000 for expenditures that may occur after January 1.

Ongoing Permitting

The Loutsenhizer Canal is owned by the United States Bureau of Reclamation (BOR) and operated by the Uncompahgre Valley Water Users' Association. As a result, a replacement of this type requires formal permitting through the BOR with permitting elements related to jurisdictional wetlands, cultural, and historic resources. This permitting is well underway and expected to be complete by November in time to start the project; however, this does remain a risk for the project should the permitting timeline extend out. Fortunately, the BOR has given initial approval of the structure type and sizing which will allow the long-lead box culvert materials to be ordered immediately following award of the contract. If permitting timelines do not work out, City staff will re-evaluate interim options for stabilization of the roadway and revisit capital project sequencing in the area.

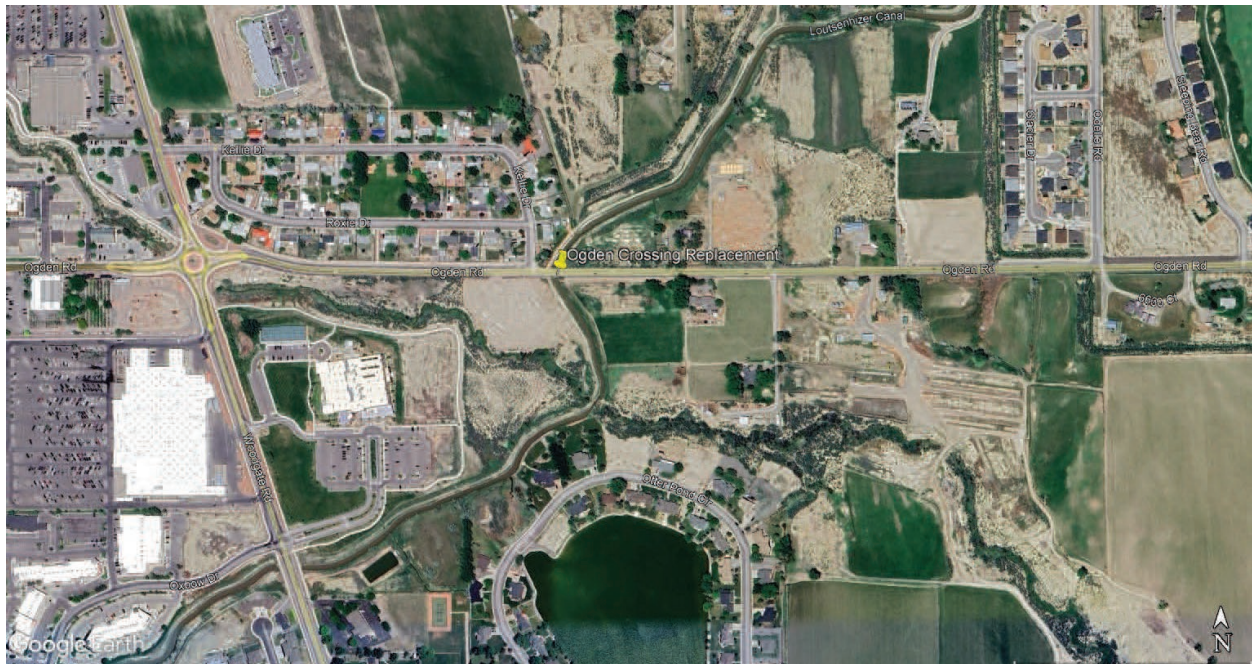
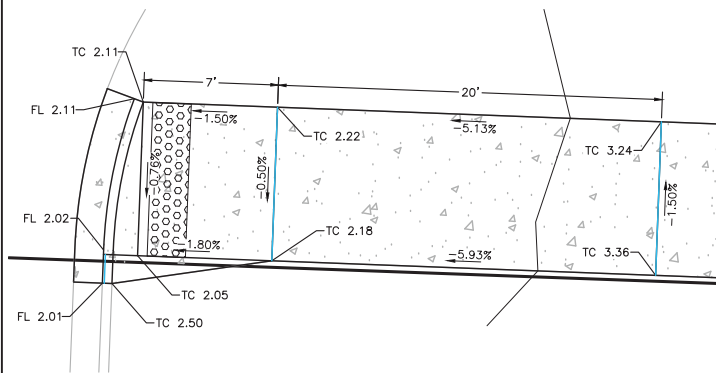
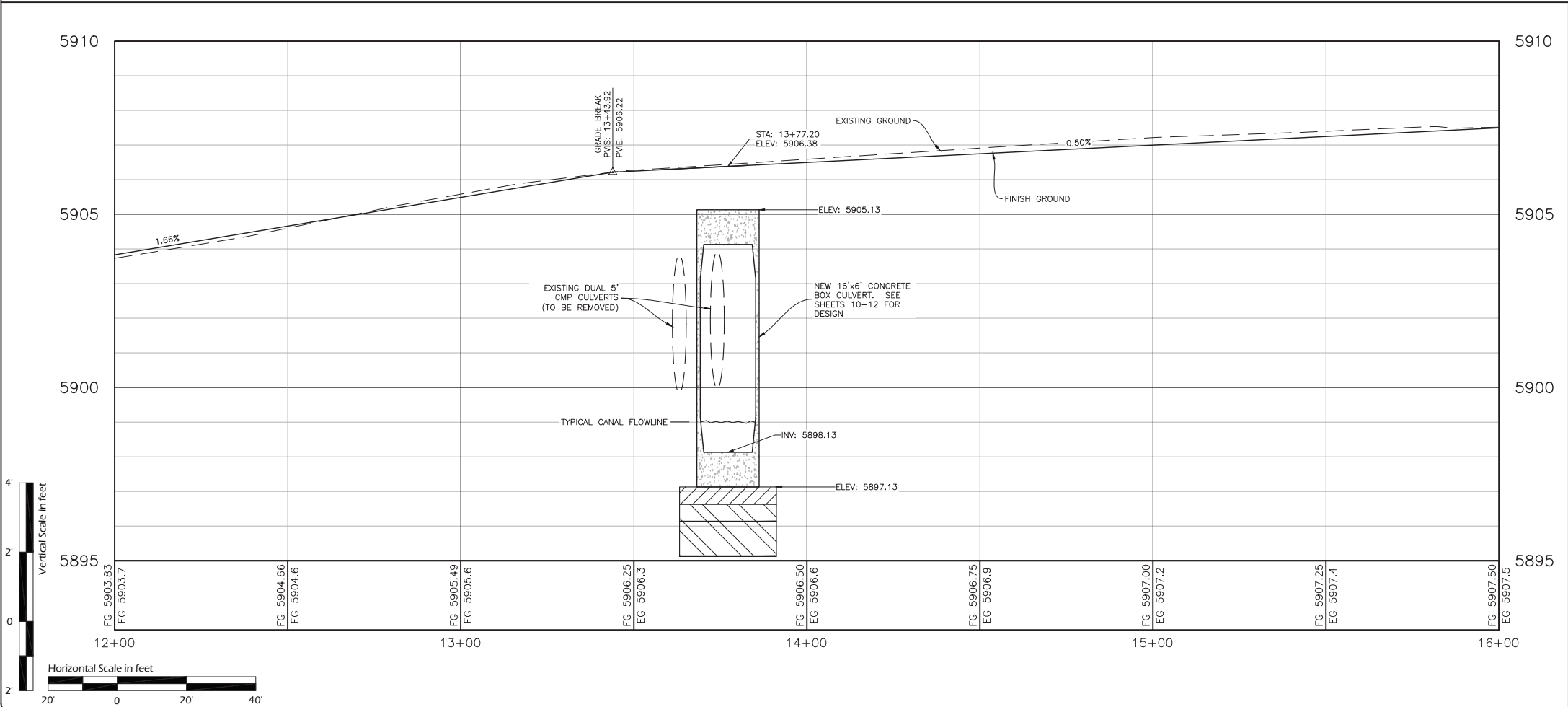
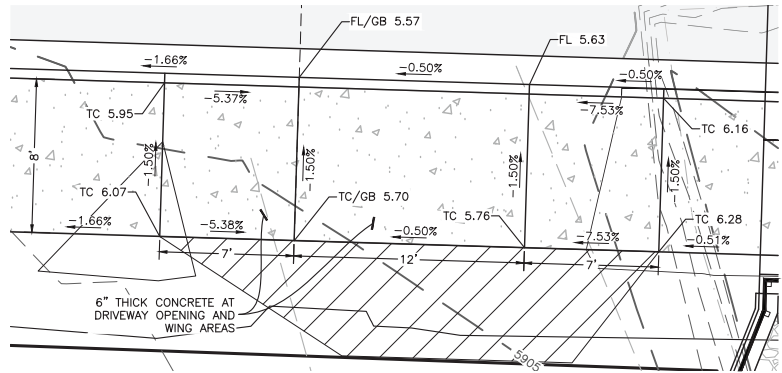
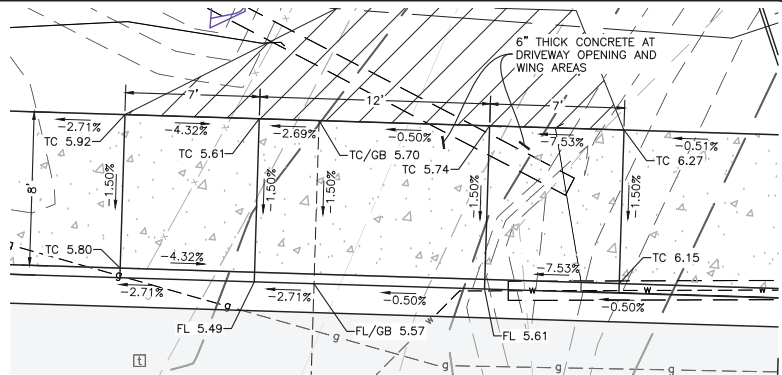
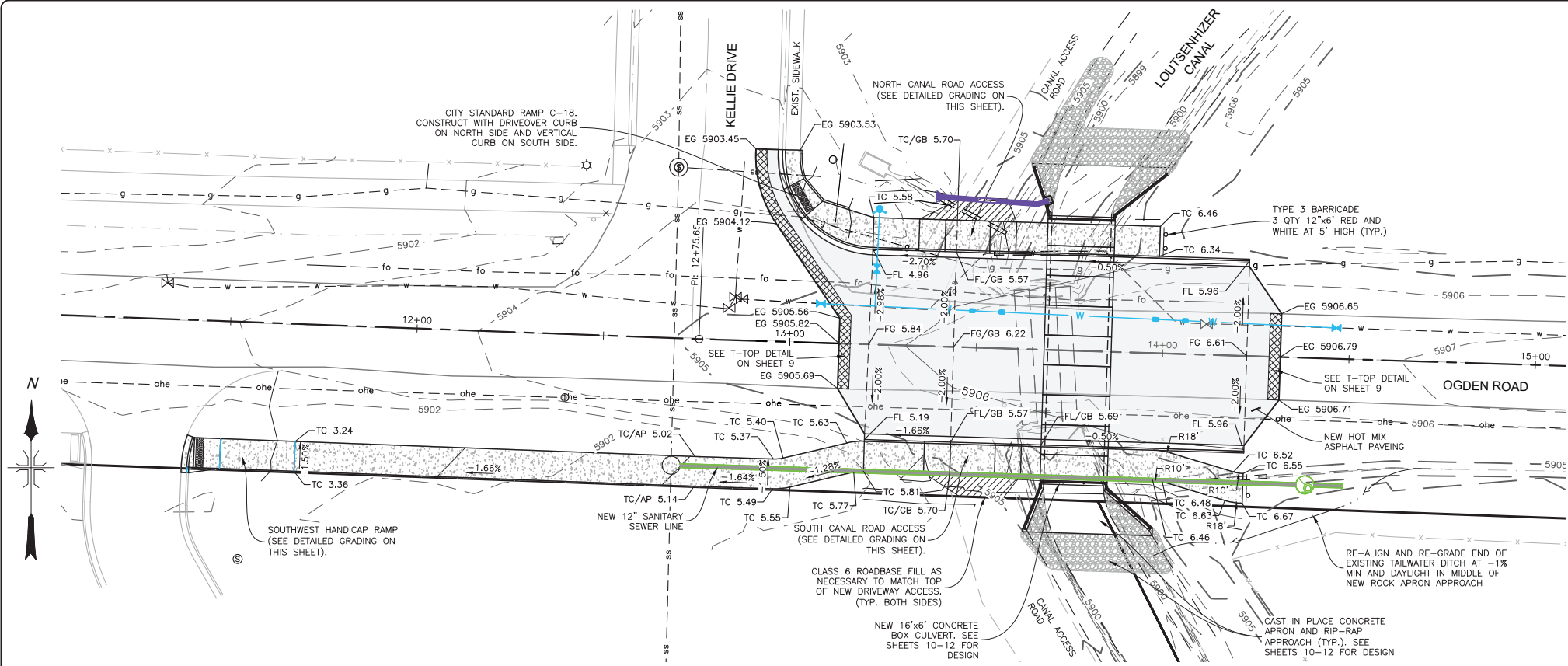


Figure 1: Culvert Replacement Location



Photo 1: Existing Ogden Road Culvert Crossing



NO	DATE	REVISIONS	BY

DEL-MONT CONSULTANTS, INC.
ENGINEERING & SURVEYING
125 Colorado Ave. Montrose, CO 81401 (970) 249-2231
www.del-mont.com | service@del-mont.com

DESIGNED BY: DW/SM

DATE DESIGNED: 2024-08-01

SCALE: 1"=5'

FILE NAME: 24-01-C-BASE.DWG

DESIGNED BY: RDD

DATE BY: RDD

CITY OF MONTROSE
OGDEN ROAD LOUTSENIZER CANAL CULVERT REPLACEMENT
MONTROSE, COLORADO

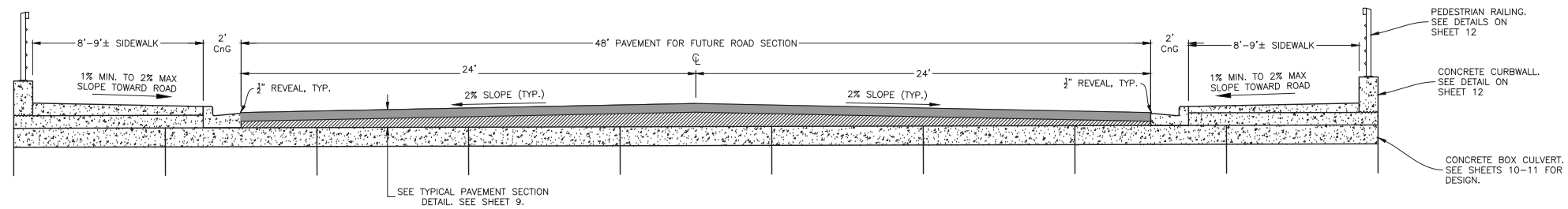
OGDEN ROAD PLAN AND PROFILE

PROJECT NO.: 24121

SHEET NO.: 5

OF 12 SHEETS

FOR BIDDING PURPOSES ONLY
NOT APPROVED FOR CONSTRUCTION



TYPICAL OGDEN RD BRIDGE SECTION
N.T.S.

FOR BIDDING PURPOSES ONLY
NOT APPROVED FOR CONSTRUCTION

		DEL-MONT CONSULTANTS, INC. ENGINEERING & SURVEYING 1225 Colorado Avenue, Montrose, CO 81401 • (970) 249-2261 www.delmont.com • ben@delmont.com					
		DESIGNED BY: RDD	SCALE:	CHECKED BY: DWS/SM			
CITY OF MONTROSE OGDEN ROAD LOUTSENHIZER CANAL CULVERT REPLACEMENT MONTROSE, COLORADO		DRAWN BY: RDD		FILE NAME:	34 DFC_OGD_DWG	DATE ISSUED: 2024-08-01	
CIVIL CONSTRUCTION DETAILS							
DMC JOB NO.: 24121							
SHEET NO.: 8							
OF 12 SHEETS							

CITY OF MONTROSE SALES, USE AND EXCISE TAX COLLECTIONS

	GF Retail Sales Tax			GF Const Use Tax			GF Use & Auto Tax			Total Collected GF Sales and Use Tax 3.0%			Sales and Use Budget		MURA TIF
Month	Current Year 2024	Prior Year 2023	% Increase/decrease	Current Year 2024	Prior Year 2023	% Increase/decrease	Current Year 2024	Prior Year 2023	% Increase/decrease	Current Year 2024	Prior Year 2023	% Increase/decrease	Budget 2024	Budget Variance	2024
January	1,905,682	1,781,736	7.0%	37,669	30,348	24.1%	107,432	107,770	-0.3%	2,050,784	1,919,854	6.8%	1,912,512	7.2%	5,585
February	1,843,447	1,706,581	8.0%	34,964	43,433	-19.5%	122,714	105,085	16.8%	2,001,124	1,855,099	7.9%	1,845,196	8.5%	4,042
March	2,197,173	2,173,758	1.1%	37,629	27,460	37.0%	143,622	134,190	7.0%	2,378,424	2,335,408	1.8%	2,299,904	3.4%	4,898
April	1,974,461	1,841,979	7.2%	54,355	17,695	207.2%	154,857	115,977	33.5%	2,183,673	1,975,651	10.5%	1,935,255	12.8%	8,813
May	2,050,092	1,999,375	2.5%	57,729	59,846	-3.5%	144,541	164,704	-12.2%	2,252,362	2,223,925	1.3%	2,183,642	3.1%	22,793
June	2,371,247	2,390,199	-0.8%	51,545	33,455	54.1%	141,582	126,101	12.3%	2,564,374	2,549,756	0.6%	2,376,042	7.9%	35,022
July	2,285,529	2,253,957	1.4%	27,081	87,052	-68.9%	127,591	137,664	-7.3%	2,440,201	2,478,673	-1.6%	2,468,305	-1.1%	36,132
August															
September															
October															
November															
December															
YTD Total	14,627,632	14147586	3.4%	300,972	299,289	0.6%	942,338	891,491	5.7%	15,870,942	15,338,366	3.5%	15,020,856	5.7%	117,285

	PSST Retail Sales Tax			PSST Const Use Tax			PSST Use & Auto Tax			Total Collected PSST Sales and Use Tax .58%			PSST SALES and USE BUDGET		Montrose Recreation District 0.3%		
Month	Current Year 2024	Prior Year 2023	% Increase/decrease	Current Year 2024	Prior Year 2023	% Increase/decrease	Current Year 2024	Prior Year 2023	% Increase/decrease	Current Year 2024	Prior Year 2023	% Increase/decrease	Budget 2024	Budget Variance	Current Year 2024	Prior Year 2023	% Increase/decrease
January	368,943	344,571	7.1%	7,273	5,867	24.0%	20,770	20,836	-0.3%	396,986	371,274	6.9%	359,254	10.5%	205,370	192,039	6.9%
February	356,549	330,129	8.0%	7,064	8,397	-15.9%	23,725	20,316	16.8%	387,338	358,842	7.9%	346,845	11.7%	200,512	185,611	8.0%
March	426,040	420,753	1.3%	9,064	15,169	-40.2%	27,767	25,943	7.0%	462,871	461,865	0.2%	445,767	3.8%	239,299	238,895	0.2%
April	382,301	356,184	7.3%	16,043	27,584	-41.8%	29,939	22,422	33.5%	428,283	406,190	5.4%	389,569	9.9%	221,783	210,097	5.6%
May	399,593	386,374	3.4%	16,623	33,199	-49.9%	27,945	31,843	-12.2%	444,161	451,416	-1.6%	431,707	2.9%	229,960	233,767	-1.6%
June	464,318	462,432	0.4%	12,552	42,300	-70.3%	27,372	24,380	12.3%	504,242	529,112	-4.7%	506,789	-0.5%	261,171	273,705	-4.6%
July	448,187	435,665	2.9%	5,236	16,830	-68.9%	24,668	26,615	-7.3%	478,091	479,110	-0.2%	462,260	3.4%	247,269	247,817	-0.2%
August																	
September																	
October																	
November																	
December																	
YTD Total	2,845,931	2,736,108	4.0%	73,855	149,346	-50.5%	182,185	172,355	5.7%	3,101,971	3,057,809	1.4%	2,942,191	5.4%	1,605,364	1,581,931	1.5%

	<i>Hotel Excise Tax .90%</i>			<i>Restaurant Excise Tax .80%</i>			<i>Total Collected Hotel & Restaurant Tax</i>			<i>Hotel & Restaurant Budget</i>		<i>Retail Enhancement Program</i>			<i>MURA TIF</i>
Month	<i>Current Year 2024</i>	<i>Prior Year 2023</i>	<i>% Increase/decrease</i>	<i>Current Year 2024</i>	<i>Prior Year 2023</i>	<i>% Increase/decrease</i>	<i>Current Year 2024</i>	<i>Prior Year 2023</i>	<i>% Increase/decrease</i>	<i>Budget 2024</i>	<i>Budget Variance</i>	<i>Current Year 2024</i>	<i>Prior Year 2023</i>	<i>% Increase/decrease</i>	<i>Hotel and Restaurant 2024</i>
January	8,742	6,544	33.6%	49,121	48,068	2.2%	57,863	54,612	6.0%	52,153	10.9%	50,401	45,984	9.6%	548.40
February	9,744	8,878	9.8%	47,369	46,294	2.3%	57,113	55,172	3.5%	52,522	8.7%	48,068	44,747	7.4%	561.30
March	12,244	11,162	9.7%	54,984	54,783	0.4%	67,227	65,945	1.9%	62,772	7.1%	58,145	57,475	1.2%	604.28
April	11,354	10,141	12.0%	53,487	49,063	9.0%	64,841	59,204	9.5%	56,542	14.7%	51,433	48,805	5.4%	1,096.53
May	15,843	15,888	-0.3%	58,080	55,199	5.2%	73,923	71,087	4.0%	67,288	9.9%	53,597	52,243	2.6%	4,379.11
June	22,270	32,256	-31.0%	61,144	61,562	-0.7%	83,414	93,818	-11.1%	87,972	-5.2%	63,256	61,538	2.8%	6,696.05
July	26,108	27,054	-3.5%	63,736	63,144	0.9%	89,843	90,198	-0.4%	85,027	5.7%	60,789	58,909	3.2%	7,484.06
August															
September															
October															
November															
December															
YTD	106,303	111,923	-5.0%	387,921	378,113	2.6%	494,225	490,036	0.9%	464,276	6.5%	385,689	369,701	4.3%	21,369.73

