



REGULAR CITY COUNCIL MEETING AGENDA
Tuesday, November 2, 2021 6:00 PM
City Council Chambers, Elks Civic Building - 107 S. Cascade Ave.

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

Public participation for this meeting will be in person in the City Council Chambers and via Zoom at the following link: https://us02web.zoom.us/webinar/register/WN_vpNRBEaITfSxKBqTiJ4wxQ.

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

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

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

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

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

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

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



6) APPROVAL OF MINUTES (5 minutes)

City Council consideration of the minutes of the October 18, 2021 special City Council meeting and the October 19, 2021 regular City Council meeting. *Staff: City Clerk Lisa DelPiccolo* **4-12**

Action: Consider making a motion to approve the minutes of the October 18, 2021 special City Council meeting and the October 19, 2021 regular City Council meeting as presented.

7) ORDINANCE 2567 - FIRST READING (15 minutes)

City Council consideration of Ordinance 2567 on first reading, an Ordinance of the City of Montrose, Colorado, providing and appropriating funds for defraying the expenses and liabilities of the City of Montrose, Colorado, during the fiscal year beginning January 1, 2022. *Staff: Finance Director Shani Wittenberg* **13-14**

Action: Hold a hearing. Consider making a motion to pass Ordinance 2567 on first reading as presented.

8) RESOLUTION 2021-23 (10 minutes)

City Council consideration of Resolution 2021-23, repealing and replacing Chapters 3-1, 3-2, and 3-3 of the City of Montrose Regulations Manual and updating the fee schedule. *Staff: City Clerk Lisa DelPiccolo* **15-42**

Action: Accept public comment. Consider making a motion to adopt Resolution 2021-23 as presented.

9) ORDINANCE 2568 - FIRST READING (15 minutes)

City Council consideration of Ordinance 2568 on first reading, an Ordinance of the City of Montrose, Colorado, repealing Title 6 Chapter 1 Section 26 (6-1-26) only, regarding loitering. *Staff: Assistant City Attorney Matthew Magliaro* **43-48**

Action: Hold a hearing. Consider making a motion to pass Ordinance 2568 on first reading as presented.

10) ORDINANCE 2565 - SECOND READING (5 minutes)

City Council consideration of Ordinance 2565 on second reading, an Ordinance of the City of Montrose, Colorado, for the annexation of the McCracken Addition. *Staff: Senior Planner Amy Sharp* **49-62**

Action: Accept public comment. Consider making a motion to adopt Ordinance 2565 on second reading as presented.

11) ORDINANCE 2566 - SECOND READING (10 minutes)

City Council consideration of Ordinance 2566 on second reading, an Ordinance of the City of Montrose, Colorado, providing for the zoning of the McCracken Addition as a "B-3" General Commercial District. *Staff: Senior Planner Amy Sharp* **63-64**

Action: Accept public comment. Consider making a motion to adopt Ordinance 2566 on second reading as presented.

12) ORDINANCE 2569 - FIRST READING (10 minutes)

City Council consideration of Ordinance 2569 on first reading, an Ordinance of the City of Montrose, Colorado, amending the zoning designation of a portion of Parcel #3767-202-00-907, from "P", Public District, to "B-3", General Commercial District. *Staff: Senior Planner Amy Sharp* **65-73**

Action: Hold a hearing. Consider making a motion to pass Ordinance 2569 on first reading as presented.

13) 2021 INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY AND COUNTY (10 minutes)

City Council consideration of the 2021 Intergovernmental Agreement between the City and County of Montrose, Colorado, Pertaining to the Development of Land Surrounding the City. *Staff: Senior Planner Amy Sharp* **74-91**

Action: Accept public comment. Consider making a motion to approve the 2021 Intergovernmental Agreement between the City and County of Montrose, Colorado, as presented.

14) STAFF REPORTS15) YOUTH CITY COUNCIL COMMENTS16) CITY COUNCIL COMMENTS17) MOTION TO ADJOURN**Zoom Meeting Details**

https://us02web.zoom.us/webinar/register/WN_vpNRBEaITfSxKBqTiJ4wxQ

Join by phone:

1 346 248 7799

1 669 900 9128

1 253 215 8782

1 312 626 6799

1 646 558 8656

1 301 715 8592

Webinar ID: 850 3632 4469

International numbers available: <https://us02web.zoom.us/j/kc5PXsJxkl>

A special meeting of the Montrose City Council was held on Monday, October 18, 2021, at 12:00 p.m., or immediately following the City Council work session, in the City Council Chambers of the Elks Civic Building, 107 S. Cascade Avenue. Said meeting was posted in accordance with the Sunshine Law.

PRESENT: Doug Glaspell, Dave Frank, Barbara Bynum, J. David Reed, Anthony Russo, Stephen Alcorn, Bill Bell, Shani Wittenberg, Lisa Kuczmarski, Lisa DelPiccolo

GUESTS: Jonathan Ballesteros

CALL TO ORDER

Mayor Doug Glaspell called the special meeting to order at 11:54 a.m.

EXECUTIVE SESSION

At 11:55 a.m., a motion was made by Barbara Bynum, seconded by Dave Frank, to enter into an executive session for the purpose of determining positions relative to matters that may be subject to negotiations, under C.R.S. Section 24-6-402(4)(e); to discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under C.R.S. Section 24-6-402(4)(a); and the following additional details are provided for identification purposes: proprietary business-related discussion with Geyser Systems representatives; property acquisition. All voted yes. Motion passed.

RECONVENEMENT AND ADJOURNMENT

The special meeting reconvened at 1:14 p.m.

At 1:14 p.m. a motion was made by Barbara Bynum, seconded by Anthony Russo, to adjourn with no further action taken. All voted yes. Motion passed.

ATTEST:

Doug Glaspell, Mayor

Lisa DelPiccolo, City Clerk

A regular meeting of the Montrose City Council was held on Tuesday, October 19, 2021 at 6:00 p.m. in the City Council Chambers of the Elks Civic Building. Said meeting was posted in accordance with the Sunshine Law. Public participation for this meeting was held in person and via Zoom. The meeting agenda included a Zoom link and phone numbers for public participation.

PRESENT: Doug Glaspell, Dave Frank, Barbara Bynum, J. David Reed, Anthony Russo, Grace Hotsenpiller, Bill Bell, Stephen Alcorn, Chris Dowsey, Greg Story, Lisa DelPiccolo, David Bries, Ross Valdez, Blaine Hall, Terri Wilcox, Matt Smith, Jim Scheid, Amy Sharp, Lisa Kuczumski, Scott Murphy, William Reis, Shani Wittenberg, Kendall Cramer

GUESTS: Howie Walser, Kassie Knust, Melissa Alcorn, David Coker, Matt Goldasich, Lorraine Shide, Sara Ungrodt

CALL TO ORDER

Mayor Doug Glaspell called the meeting to order at 6:02 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

CHANGES TO THE AGENDA

No changes were made to the agenda.

CALL FOR PUBLIC COMMENT

Matt Goldasich suggested revisions to the open space requirements for development. Mr. Goldasich recommended standard definitions and requiring open space as a part of all developments.

APPROVAL OF MINUTES

City Council considered the minutes of the October 5, 2021 regular City Council meeting.

A motion was made by J. David Reed, seconded by Anthony Russo, to approve the minutes of the October 5, 2021 regular City Council meeting as presented. All voted yes. Motion passed.

SPECIAL EVENTS ALCOHOL PERMIT

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

City Clerk Lisa DelPiccolo reported that the premises of the event was posted for 10 days as required by statute, and no comments were received.

Public comment was accepted. No comments were received.

A motion was made by Barbara Bynum, seconded by Dave Frank to approve a Special Events Permit for the Envision Block 93 - A Montrose Block Party event on October 21 as presented. All voted yes. Motion passed.

HISTORIC PRESERVATION COMMISSION APPOINTMENTS

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

Mayor Doug Glaspell recommended appointing one of the applicants as an alternate to the Historic Preservation Commission.

Paper ballots were distributed. Applicant Jeremy Omvig received the fewest votes.

A motion was made by Dave Frank, seconded by J. David Reed, to appoint Jon Horn, Amanda Lloyd, and Danielle Godt to the Historic Preservation Commission and to appoint Jeremy Omvig as an alternate for terms that expire on October 16, 2024. All voted yes. Motion passed.

ORDINANCE 2561 - SECOND READING

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

Senior Planner Amy Sharp reported that Ordinance 2561 adds a definition for family childcare homes, updates the definition for childcare facilities, and defines where these uses are allowed. Ms. Sharp stated that these amendments are in response to the adoption of House Bill 21-1222.

Public comment was accepted. No comments were received.

A motion was made by Anthony Russo, seconded by Dave Frank, to adopt Ordinance 2561 on second reading as presented. All voted yes. Motion passed.

ORDINANCE 2562 - SECOND READING

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

Senior Planner Amy Sharp reported that Ordinance 2562 is also in response to House Bill 21-1222 and updates the number of children allowed at various daycare, childcare, adult day care and residential group facilities from 5 to 12.

Public comment was accepted. No comments were received.

A motion was made by Barbara Bynum, seconded by J. David Reed, to adopt Ordinance 2562 on second reading as presented. All voted yes. Motion passed.

ORDINANCE 2564 - SECOND READING

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

Senior Planner Amy Sharp reviewed the location of the Subdivision south of Ogden Road. Ms. Sharp stated that the request is to change the zoning designation of 6.4 acres. Lot 1 and Outlot A total 5.6 acres and the remainder is right of way. Ms. Sharp stated that the request is to rezone for a future neighborhood center and a future housing area.

Ms. Sharp recommended approval stating that staff finds that the request meets rezone criteria, meets the intent of the B-4 zoning designation, is in compliance with the Comprehensive Plan, and is compatible with existing uses in the surrounding area. The Planning Commission recommended approval of the request.

Police Chief Blaine Hall reviewed traffic accident statistics for Ogden Road between 6700 Road and Woodgate Road since 2018. Chief Hall stated that the number of accidents is standard for a rural roadway within the City and would not warrant installation of sidewalks or large infrastructure. Chief Hall stated that in terms of traffic accident data, the rezone would not be adverse to public health, safety, and welfare.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by Anthony Russo, to adopt Ordinance 2564 on second reading as presented. All voted yes. Motion passed.

MCCRACKEN ADDITION ANNEXATION

A hearing was held on the annexation of the McCracken Addition.

Senior Planner Amy Sharp reviewed the annexation schedule and location of the 2.295 acres west of Highway 50, south of Industrial Drive, north of N. Grand Avenue, and east of the Uncompahgre River. Ms. Sharp stated that the parcel is located within the urban growth boundary and within City water and sewer service areas. Annexation of the property allows for future development and connection to City utilities. An annexation agreement is required. Ms. Sharp reviewed the zoning of the surrounding area and the proposed zoning of B-3, General Commercial District.

Ms. Sharp said that an annexation impact report is not required because the property is less than 10 acres. Ms. Sharp recommended approval of the annexation and zoning designation stating that the proposal is consistent with public health, safety, and welfare, City annexation policies, and the Comprehensive Plan.

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

Public comment was accepted. No comments were received.

A motion was made by J. David Reed, seconded by Barbara Bynum, to adopt Resolution 2021-22 as presented. All voted yes. Motion passed.

Ordinance 2565 - First Reading: City Council considered Ordinance 2565 on first reading, an Ordinance of the City of Montrose, Colorado for the annexation of the McCracken Addition. A hearing was held.

Mayor Doug Glaspell opened the hearing.

Public comment was accepted. No comments were received.

Mayor Glaspell closed the hearing.

A motion was made by Dave Frank, seconded by Anthony Russo, to pass Ordinance 2565 on first reading as presented. All voted yes. Motion passed.

ORDINANCE 2566 - FIRST READING

City Council considered Ordinance 2566 on first reading, an Ordinance of the City of Montrose, Colorado providing for the zoning of the McCracken Addition as a "B-3" General Commercial District. A hearing was held.

Mayor Doug Glaspell opened the hearing.

Public comment was accepted. No comments were received.

Mayor Glaspell closed the hearing.

A motion was made by Barbara Bynum, seconded by J. David Reed, to pass Ordinance 2566 on first reading as presented. All voted yes. Motion passed.

SUNRISE CREEK II FILING NO. 5 FINAL PLAT

City Council considered the Sunrise Creek II Filing No. 5 Final Plat to create six new residential lots.

Senior Planner Amy Sharp reviewed the location of the 1.47 acres south of Niagara Road in the Sunrise Creek Subdivision area and east of South Hillcrest Drive. Ms. Sharp stated that the developer is proposing six single family residential lots. The parcel is zoned B-4, Neighborhood Shopping District, and single family homes are a use by right. Ms. Sharp reported that the Preliminary Plat was approved in May of 2021.

Ms. Sharp reviewed final plat requirements and recommended approval with the standard condition.

Public comment was accepted. No comments were received.

A motion was made by J. David Reed, seconded by Dave Frank, to approve the Sunrise Creek II Filing No. 5 Final Plat expressly conditioned upon City staff ensuring that all policies, regulations, ordinances and Municipal Code provisions are met and that the applicant adequately addresses all of staff's concerns prior to the execution of the Final Plat. The City staff is not authorized by this approval to execute the Final Plat prior to all conditions being satisfied. All voted yes. Motion passed.

SUNRISE CREEK III FILING NO. 2 FINAL PLAT

City Council considered the Sunrise Creek III Filing No. 2 Final Plat to create 14 new residential lots.

Senior Planner Amy Sharp reviewed the location the 2.67 acres south of Niagara Road, east of S. Hillcrest Drive. Ms. Sharp reported that the property is zoned R-3A, Medium High Density District, and the request to create 14 single-family residential lots is an allowed use within the zoning district. Ms. Sharp stated that surrounding roads were constructed through previous plats, and this Final Plat includes construction of an alley in Outlot A with a new sewer line, an alley through Outlot B, sidewalks, and utilities.

Ms. Sharp recommended approval of the Final Plat with the standard condition.

Public comment was accepted. No comments were received.

A motion was made by Barbara Bynum, seconded by Dave Frank, to approve the Sunrise Creek III Filing No. 2 Final Plat expressly conditioned upon City staff ensuring that all policies, regulations, ordinances and Municipal Code provisions are met and that the applicant adequately addresses all of staff's concerns prior to the execution of the Final Plat. The City staff is not authorized by this approval to execute the Final Plat prior to all conditions being satisfied. All voted yes. Motion passed.

MONTROSE BOTANICAL SOCIETY LEASE AGREEMENT

City Council considered a lease agreement between the City of Montrose and Montrose Botanical Society for use of the Montrose Botanic Gardens at 1800 Pavilion Drive.

Community Engagement Specialist Ross Valdez reviewed an amendment to the 50-year lease agreement in place since 1996. The new 25-year lease will also expire in 2046 and includes changes that reflect the current state of the Botanic Gardens, its use, and City support.

Public comment was accepted.

Montrose Botanical Society President Lorraine Shide thanked Mr. Valdez and other City staff members for assisting the Botanical Society Board through the process of implementing an updated lease agreement.

A motion was made by J. David Reed, seconded by Dave Frank, to approve a lease agreement between the City of Montrose and Montrose Botanical Society for use of the Montrose Botanic Gardens at 1800 Pavilion Drive as presented. All voted yes. Motion passed.

Mr. Valdez thanked the Montrose Botanical Society and other staff members involved in the project.

BIRCH STREET BRIDGE REPLACEMENT CONSTRUCTION CONTRACT

City Council considered a contract award to Oldcastle SW Group in the amount of \$447,976.38 for construction of the Birch Street Bridge Replacement Project.

City Engineer Scott Murphy reported that Birch Street, north of Black Canyon Golf Course, and the bridge over the Loutsenhizer canal are City right of way, and the bridge is at the end of its useful life. Mr. Murphy stated that the bridge will be replaced with an aluminum box culvert which is readily available and easy to install. The project will also replace an undersized and aged waterline and a failed sewerline beneath the bridge.

Mr. Murphy reviewed the bid process for the project which was designed in house. Five bids were received with United Companies/Oldcastle SW Group, as the low bidder. Mr. Murphy recommended awarding the contract to Oldcastle SW Group. The project will begin in mid-December and will be completed before the spring irrigation season. A temporary bypass road will be constructed. Mr. Murphy said that the total budgeted amount is \$565,000.00 and spans two budget years.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by Anthony Russo, to award a contract to Oldcastle SW Group in the amount of \$447,976.38 for construction of the Birch Street Bridge Replacement Project as presented. All voted yes. Motion passed.

2021 SANITARY SEWER CURED IN PLACE PIPE BID AWARD

City Council considered the contract renewal to Insituform Technologies, LLC in the amount not to exceed \$250,000.00 for cured in place lining of sanitary sewers.

Utilities Manager David Bries reported that this is a routine annual project for renewal of sanitary sewers that are difficult and expensive to replace. Mr. Bries said a pipe is installed within the existing pipe with cured-in-place resin and a felt sock. Ms. Bries stated that this year's project will be conducted along Townsend Avenue in anticipation of the CDOT mill and overlay project.

Mr. Bries said the contract is for the not-to-exceed amount of \$250,000.00, which is also the amount budgeted, and it is a unit price contract.

Mr. Bries stated that a bid process was conducted last year for a similar project, and one bid was received from Insituform Technologies. The contract was extendable, and this is an extension of that contract.

Public comment was accepted. No comments were received.

A motion was made by J. David Reed, seconded by Barbara Bynum, to approve the contract renewal to Insituform Technologies, LLC in the amount not to exceed \$250,000.00 for cured in place lining of sanitary sewers as presented. All voted yes. Motion passed.

LANDSCAPING SERVICES CONTRACT AWARD RECOMMENDATION

City Council considered a contract to S&E Wards Landscaping Management, Inc. for landscaping services at City facilities in the amount not to exceed \$65,007.00.

Public Works Manager Jim Scheid gave an overview of the bid process for landscaping maintenance for the upcoming year. Mr. Scheid stated that the low bid and best proposal was received from S&E Wards, which is the current contractor.

Mr. Scheid said the contract covers maintenance of landscaped areas including leaf removal, removal of trash, and lawn mowing.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by Barbara Bynum, to award a contract to S&E Wards Landscaping Management, Inc. for landscaping services at City facilities in the amount not to exceed \$65,007.00 as presented. All voted yes. Motion passed.

STAFF REPORTS

Sales, Use, and Excise Tax Report: Finance Director Shani Wittenberg presented a sales, use, and excise report for the month of August 2021. Ms. Wittenberg reported that total sales and use tax collections were up 8.7 percent as compared to August 2020 with a positive budget variance of 23.1 percent. Year-to-date collections were up 21.5 percent with a positive budget variance of 30.5 percent.

Citizens Police Academy: Police Chief Blaine Hall announced that the Montrose Police Department will host a Spanish language version of the Citizens Police Academy on December 1, 8, and 15 at the MADA facility. The Annual Citizens' Police Academy will begin in January. Those interested in attending the Spanish language class should contact Citizen Engagement Specialist Ross Valdez.

Envision Block 93 Block Party: Program Manager Kendall Cramer invited the community to the Envision 93 Block Party event on Thursday, October from 4 p.m. until 7 p.m.

YOUTH CITY COUNCIL COMMENTS

Youth City Council Representative Grace Hotsenpiller reported that the Youth City Council is working on determining projects for the 2021-2022 term. A "Rock the Rec" event will be held in December, and a drug awareness project is also planned.

CITY COUNCIL COMMENTS

No City Council comments were provided.

MOTION TO ADJOURN

At 7:10 p.m., a motion was made by Dave Frank to adjourn the meeting with no further action taken.

ATTEST:

Douglas Glaspell, Mayor

Lisa DelPiccolo, City Clerk

ORDINANCE NO. 2567

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, PROVIDING AND APPROPRIATING FUNDS FOR DEFRAYING THE EXPENSES AND LIABILITIES OF THE CITY OF MONTROSE, COLORADO, DURING THE FISCAL YEAR BEGINNING JANUARY 1, 2022

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

SECTION 1:

That for the purpose of paying the expenses and liabilities of the City of Montrose for the fiscal year beginning January 1, 2022, there is hereby appropriated the following amounts from the various funds:

Fund	FUND TITLE	FUND APPROPRIATION
100	GENERAL FUND	28,205,371
150	PUBLIC SAFETY FUND	15,322,331
200	RETAIL SALES ENHANCEMENT	571,484
290	TOURISM PROMOTIONAL FUND	621,236
222	OPPORTUNITY BUSINESS LOANS	60,000
225	PUBLIC/EDUCATION/GOVERNMENT	39,305
250	CONSERVATION TRUST FUND (LOTTERY)	400,000
260	MONTROSE URBAN RENEWAL AUTH	440,000
270	SPECIAL BENEFIT FUND	88,068
370	GOVERNMENTAL DEBT PAYMENTS	1,527,651
420	CEMETERY PERPETUAL CARE	500
440	IMPROVEMENT DISTRICTS	500
465	CAPITAL/FACILITY IMPROVEMENT FUNDS	7,575,000
500	WATER FUND	9,365,880
510	SEWER FUND	5,933,243
550	TRASH & RECYCLING FUND	2,282,600
580	BLACK CANYON GOLF COURSE	1,465,114
600	INTERNAL SERVICE FUNDS	9,759,086
700	MRD TAX CUSTODIAL FUND	2,077,517
	TOTAL APPROPRIATIONS	85,734,886

SECTION 2:

- A. A new fund will be created to comply with Governmental Accounting Standards Board regulations titled MRD Tax Custodial Fund to account for the pass through sales and use tax.

- B. Historically the internal service funds, business opportunity loans and the capital improvement funds have all been separate. In 2022, the Fleet Fund, Information Services Fund, Facilities Fund and the Health/Dental Fund will be combined into one fund also the Downtown Opportunity Fund and Montrose Opportunity Fund will be combined and also the Capital Improvement Fund and the Facility Improvement Fund will be combined into one fund. They will all continue to be accounted for separately, but will be combined for reporting purposes.

You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and on the question of its adoption on First reading on Tuesday, the 2nd day of November, 2021, at the hour of 6:00 p.m. at the City Council Chambers, Elks' Civic Building, in Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading this 2nd day of November, 2021.

Doug Glaspell, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

INTRODUCED, READ AND ADOPTED on second reading this 16th day of November, 2021.

Doug Glaspell, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

RESOLUTION NO. 2021-23

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

WHEREAS, the City of Montrose has established a Fee Schedule to be part of the City of Montrose Regulations Manual for the efficient administration of applications, permits, licenses, and services; and

WHEREAS, the City Council has determined that some fees specific to business operations are insufficient to cover City expenses associated with the processing of applications, licenses, and permits and providing services; and

WHEREAS, updates to the fee schedule are necessary; and

WHEREAS, the City Council has determined that the following changes are in furtherance of the public health, safety and welfare.

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

- Chapters 3-1, 3-2 and 3-3 of the City's Regulations Manual are hereby repealed.
- The Fee Schedule attached as Exhibit A is hereby adopted

ADOPTED this 2nd day of November, 2021, by the Montrose City Council.

CITY OF MONTROSE, COLORADO

BY: _____
Douglas Glaspell, Mayor

ATTEST

Lisa DelPiccolo, City Clerk

Exhibit A

Sec. 3-1-1. Fee schedule.

(A) Administrative Fees.

Application Permit/License	Fee	Code Reference
Carnival License	\$250.00 per day	5-1-1(C) MC, Res. No. 2003-13, Ord. No. 1944
Commercial Rafting Permit	\$200.00 per year	9-10-2 MC, Ord. No. 2355, 4/21/2015, Res. No. 2018-32
Commercial Solicitation Permit	\$50.00 permit fee	Ord. No. 2331, 12/3/2013, Res. No. 2018-32
	\$10.00 fee per badge	
	\$50.00 deposit per badge	
False Alarms	First one free each year beginning May 1, then \$45.00 for each false alarm thereafter	5-3-5(D) MC, Res. No. 2007-9, Ord. No. 2153
Firearms/Agricultural Use	\$30.00	6-1-13(B)(5) MC, Res. No. 2018-32 , Ord. No. 1944
Fireworks Display	\$50.00	7-4-6(A) MC, Res. No. 2003-13, Ord. No. 1944
Fireworks Stands	\$50.00	7-4-6(H)(3) MC, Res. No. 2003-13, Ord. No. 1944
Gasfitter's License	\$60.00	4-1-4(A)(3)(a) MC, Res. No. 2018-32 , Ord. No. 1944
	\$60.00 for gasfitter test	
Home Occupation	\$25.00	4-4-23(A)(1) MC, Res. No. 2003-13, Ord. No. 1944
Nuisance Abatement	\$50.00 administrative fee plus actual cost of abatement.	6-4-3(E) MC, Res. No. 2018-32 , Ord. No. 1992
Pawnbroker License	\$200.00	5-11-1(B)(1) MC, Res. No. 2007-9, Ord. No. 2153
Pellet Gun Permit	\$25.00	6-1-13(B)(3) MC, Res. No. 2018-32 , Ord. No. 1944
Plumber's License	\$40.00	4-1-4(B)(3)(a) MC, Res. No. 2018-32 , Ord. No. 1944
Records Requests	\$30.00 per hour after first hour free of charge.	Res. No. 2014-10
	Paper Copies - \$ 0.25 per page	
	Other Media (DVD) - \$25.00	
	In instances where legal review exceeds 15 minutes, a legal review charge may be assessed to partially defray the cost of time in excess of the first quarter hour. The hourly rate will be billed at \$100.00 an hour, in quarter hour increments.	
Returned Check Fee (Dishonored Check Policy)	\$30.00 for each check returned	5-9-3(A)(1) Regs., Res. No. 2003-55, Ord. No. 1992
Sales Tax License	\$35.00	5-15-3(A) MC, Res. No. 2003-13, Res. No. 2018-32 , Ord. No. 1944
	\$15.00 renewal	
	\$10.00 paper filing fee	

Sign Installation (no trespass)	\$25.00 for each sign	6-1-11(A)(2) MC, Res. No. 2007-9, Ord. No. 1992
	\$35.00 for installation	
	\$35.00 for each post	
Special Waste Collection	Non-scheduled residential and commercial collections will be billed the actual costs for time, equipment and landfill fees where applicable.	6-1-4(A) Regs., Res. No. 2007-9, Res. No. 2007-17, Res. No. 2018-32 , Ord. No. 1992
	\$20.00 Freon disposal fee (in addition to any applicable collection fee)	
	\$45.00 for 350 gallon trash container – includes delivery and one empty. \$30.00 for each additional empty.	
	\$15.00 for 90 gallon trash container – includes delivery and one empty. \$15.00 for each additional empty.	
Transient Vendor's License	\$75.00	5-6-2(C) MC, Res. No. 2018-32 , Ord. No. 1944
Trash collection and water service "Lock and Leave" fee	\$30.00 to discontinue and reinstate service.	3-1-7(D) MC, Res. No. 2018-32 , Ord. No. 2140
Tree Trimming License	\$50.00	3-4-9(C) Regs. 9-3-2(B) MC, Res. No. 2009-1, Ord. No. 1974
Vendor's Permit on Public Right of Way	\$20.00 per month	3-6-3 & 3-5-5(C) Regs., Res. No. 2018-32 , Ord. No. 1974 & 1992
	\$50.00 electricity per year	
	Insurance certificate required	
Water & Sewer Service Deposit	\$50.00; interest thereon is earned and payable per §3-5-2(D) of the City of Montrose Municipal Code	3-5-2(B), (D) MC, 3-5-16(G) MC, Ord. No. 2113
Water & Sewer Delinquency Fee	\$50.00	3-5-16(G) MC, Ord. 2113

(B) *Animal Control Fees.*

Application Permit/License	Fee	Code Reference
Dog Variance Application	\$50.00 fee for Home Inspection and database administration.	Res. No. 2018-32
Impound Fee	When reclaiming a pet from the Animal Shelter on the same day that it was impounded for running at large, the fee will be \$20.00 if the pet was vaccinated by the Shelter. Otherwise, pets reclaimed the same day of impoundment will be free.	3-16-4 Regs., Res. No. 2009-1, Res. No. 2018-32
	Other impounds are a \$20.00 fee plus \$5.00 per day boarding fee for	

	all pets reclaimed after the first day.	
Interagency Fees	Covered under separate agency contracts.	Res. No. 2004-17
Relinquishment Fees for personal pets	\$20.00 Cats (over 1 year of age) \$10.00 Kitten (under 1 year of age) \$35.00 Dogs (over 1 year of age) \$25.00 Puppy (under 1 year of age)	3-16-3(A) Regs., Res. No. 2009-1, Res. No. 2018-32
Dogs 8 weeks to 1 year of age	\$100.00 per dog adopted	3-16-1 Regs., Res. No. 2018-32
Dogs over 1 year of age	\$75.00 per dog adopted	3-16-1 Regs., Res. No. 2018-32
Cats 8 weeks to 1 year of age	\$50.00 per cat adopted	3-16-1 Regs., Res. No. 2009-1
Cats over 1 year of age	\$30.00 per cat adopted	3-16-2 Regs., Res. No. 2006-8

(C) *Cemetery Fees*

Application Permit/License	Fee	Code Reference
Cemetery	\$500.00 lot sale *40 percent of lot cost is perpetual care	3-3-4 Regs. 3-3-5, 3-3-6, Res. No. 2003-35, Res. No. 2018-32 , Ord. No. 1974
	\$575.00 open/close	
	\$200.00 open/close for cremains	
	\$300.00 open/close for two sets of cremains, simultaneous, same lot	
	\$175.00 additional fee for full burial Saturdays or weekdays after 4:00 p.m.	
	\$100.00 additional fee for burial of cremains on Saturday or weekdays after 4:00 p.m.	
	\$2,000.00 disinterment	
	\$500.00 disinterment of cremains	
Columbarium	\$350.00 niche space	3-3-8(A)(H) Regs., Res. No. 2004-17, Res. No. 2018-32
	Niche Plate-actual cost (\$325-\$375)	
	Date Scroll-actual cost (\$105-\$125)	
	\$100.00 each open/close including disinterment	
	\$100.00 additional fee for Saturdays or weekdays after 4:00 p.m.	

(D) *Land Use Fees.*

Application Permit/License	Fee	Code Reference
Administrative Review Hearing	\$50.00	4-7-11(A) MC, Res. No. 2004-15, Ord. No. 1999
Amended Plat	\$200.00	4-7-10 MC, Res. No. 2020-26
Amended Preliminary Plat	\$200.00	4-7-10 MC, Res. #2020.26

Annexations	\$900.00	C.R.S., Res. No. 2005-60, Ord. No. 1940
Big Box Retail	\$1,000.00	4-1-16(E)(3) MC, Res. No. 2003-3, Ord. No. 1490
Boundary/Lot Line Adjustment	\$100.00	Res. No. 2005-60, Ord. No. 1940
Change in Non-Conforming Use	\$100.00	4-4-29(I) MC, Res. No. 2005-60, Ord. No. 1940
City Operations and Police Services (COPS Fee)	\$980.94 as of 2021. This fee increases annually according to the CPI.	Regulations Manual Res. #2005-69
Conditional Use	\$300.00	4-4-29(I) MC, Res. No. 2003-3, Ord. No. 1940
De Novo Hearing (Review Hearing Before City Council)	\$100.00	4-4-29(I) MC, Res. No. 2007-9, Ord. No. 1999
Development Permit for Flood Plain	No fee	4-2-2(B) MC, Res. No. 2004-15
Fence Permit	\$10.00	4-4-21(A)(1) MC, Ord. No. 2366
Final Plat	\$300.00	4-7-5(C)1(c) MC, Res. No. 2003-3, 2004-25, Ord. No. 2005
Historic Preservation	Historic Property Designation - No fee	4-15-4—4-15-7 MC, Ord. No. 2451
	Historic Property Alteration - No fee	
	Historic Property Relocation - No fee	
	Historic Structure Demolition - No fee	
Large Retail Site Development	\$1,000.00	4-1-16(E)(3) MC, Res. No. 2009-1, Ord. No. 2005
Minor Subdivision Plat Filing	\$200.00	4-7-9(B) MC, Res. No. 2003-3, 2004-25, Ord. No. 2005
Mobile Home Park	\$300.00	4-12-5(E) MC, Res. No. 2004-15, Ord. No. 1999
Mobile Home Set Up	\$30.00	4-12-11(A) MC, Res. No. 2004-15, Ord. No. 1999
Planned Development	\$100.00	4-4-29(B) MC, Res. No. 2005-60, Ord. No. 1940
Preliminary Plat	\$300.00 plus \$50.00 per acre for all acreage platted, rounded to the nearest half-acre, and subject to a maximum of \$5,000.00, shall be submitted upon filing of the Preliminary Plat. The \$50.00 per acre fee shall not apply to acreage reserved for future development in another filing.	4-7-5(B)(1) MC, Res. No. 2003-3, 2004-25, Ord. No. 2005

REDO Overlay Zone Administrative Review	\$50.00	Res. No. 2008-31, Ord. No. 2200
Review Hearing Before City Council	\$50.00	4-7-11(A) MC, Res. No. 2004-15, Ord. No. 1999
Revised Preliminary Plat	\$200.00	Res. No. 2003-3, Res. No. 2004-25; Res. No. 2005-60, Ord. No. 1940, Ord. No. 2005
Revocable Right-of-Way Encroachment	\$50.00	3-5-4(D) Regs., Res. No. 2009-1, Ord. No. 1974
Rezone	\$300.00	4-4-29(I) MC, Res. No. 2003-3, Ord. No. 1940
Sketch Plan	\$300.00	4-7-5(A)(4) MC, Res. No. 2003-3, 2004-25, Ord. No. 2005
Sign Permit, Real Estate and Construction: for real estate and construction signs over six square feet (6 ft ²) in size	\$15.00 per sign	4-4-25(C) MC, Res. No. 2008-2, Ord. No. 2472
Sign Permit - Primary	\$30.00 per sign	4-4-22(C)(1) MC, Res. No. 2008-2, Ord. No. 2179
Sign Permit - Secondary	\$15.00 per sign	4-4-22(C)(1) MC, Res. No. 2008-2, Ord. No. 2179
Site Development	\$100.00	4-1-12 (B) MC, Res. No. 2004-15, Ord. No. 1999
Street Cut Permits (Street Excavation) *A deposit of \$200.00 is required prior to issuance of a street cut permit; said deposit may be used in the sole discretion of the City to pay the application fee after the street cut is made and measured or for any damages; any excess shall be refundable to the applicant.	\$70.00 Application Fee + Asphalt: \$2.00/square foot.	9-7-7 MC, Res. No. 2004-15, Res. No. 2007-17, Res. No. 2018-32 , Ord. No. 1999
	Earth: \$0.25/square foot	
	Concrete: \$2.00/square foot	
	Bore: \$1.00/linear foot*	
	Minimum trench width = 2 foot (all types of surfaces)	
	*Under public and privately improved infrastructure, such as: roads, sidewalks, driveways, etc.	
Street Name Change	\$100.00	3-21-1(A)(1) Regs., Res. No. 2004-20
Temporary Location or Occupancy of Travel Home	\$50.00	4-12-4(A) MC, Res. No. 2004-15, Ord. No. 1999
Temporary Permit for Structure	\$50.00	4-1-3(N)(3)(g) MC, Res. No. 2004-15, Ord. No. 1999
Temporary Use Permit for Premises	Permit process is pending	4-4-23(G) MC, Res. No. 2004-15
Third Primary Sign	\$25.00	4-4-22 (C)(1) MC, Res. No. 2003-3, Ord. No. 1940
Tower Siting	\$150.00	4-4-23(J)(5)(vii), Res. No. 2004-15, Ord. No. 1999
Travel Home Park (RV Park)	\$300.00	4-12-7(E) MC, Res. No. 2004-15, Ord. No. 1999
Variance	\$100.00	4-4-29(I) MC, Res. No. 2003-3, Ord. No. 1940 & 1999

(E) *Liquor Fees.*

Application Permit/License	Fee	Code Reference
Liquor Licensing	City fees shall equal the maximum fee allowed by Colorado State Statute or regulation, as amended from time to time.	5-12-1(C) MC, Res. No. 2007-15, Ord. No. 1944

(F) *Parks/Private Use of Public Property.*

Application Permit/License	Fee	Code Reference
Alcohol Consumption Permit	\$50.00 \$100.00 deposit	3-6-2(D) Regs., Res. No. 2003-35, Ord. No. 1974
Special Events Alcohol Permit in conjunction with an Events Use Permit	Officers may be required at the discretion of the Montrose Police Department at a rate per hour based upon the actual burdened rate of officers and sergeants.	3-6-1(G)(2) Regs., Res. No. 2018-32 , Ord. No. 1974
Entertainment Permit	No Fee	3-5-7 Regs, Res. #2005-32
Events Use Permit	\$100.00 Events Use Permit Fee For all facilities/venues, including street closures and parades.	3-6-1(C) Regs., Res. No. 2012-11, Res. No. 2018-32 , Ord. No. 1974
	\$100.00 deposit required for all events	
	Certificate of insurance required.	
	Additional fees are required if alcohol permits are issued.	
Insurance Certificate	Actual cost of insurance certificate through the City's insurance provider, added to permit fee.	3-6-1(E) Regs., Res. No. 2003-55, Ord. No. 1992
Lion's Community Building	\$25.00 w/o kitchen for five hours, \$5.00 per hour thereafter \$40.00 w/ kitchen for five hours, \$5.00 per hour thereafter \$100.00 deposit required	3-6-5(P)(4) Regs., Res. No. 2003-35, Ord. No. 1974
Main Street Closure Permit	\$250.00 permit fee, maximum of ten hours. City Council may approve additional hours for additional fees. \$100.00 deposit required. Surety bond and/or insurance certificate required.	Res. No. 2010-41, Res. No. 2018-32
Montrose Rotary Amphitheater		
Stage Only	\$ 100.00/24 hr. booking window	
Stage, Wings and Backstage Area	\$ 500.00/24 hr. booking window	
Full Facility Including Vendor Area	\$1,000.00/24 hr. booking window	
Deposit	50 % of total rental fees	
Memorial Bench	\$2,000.00 for all locations, includes bench, plaque and installation	Res. No. 2019-28

Overhead Main Street Banner Installation	\$200.00 for one banner \$380.00 for two banners	Res. No. 2019-28
Park Shelter Reservation	\$25.00 per day (includes electricity)	3-6-2(C) Regs., Res. No. 2018-32 , Ord. No. 1974
Parks Use Permit (for private use for areas excluding the shelters.)	No fee	3-6-2 Regs., Res. No. 2003-35, Ord. No. 1974
Right-of-Way Use Permit	No Fee	3-5-3 Regs.
Stage Rental	\$50.00 for stage without canopy.	Res. No. 2018-32
	\$100.00 for stage with canopy.	
	\$100.00 deposit required.	
Street Closure	\$100.00 \$100.00 deposit. Insurance certificate required	3-5-2(C) Regs., Res. No. 2003-35, Res. No. 2018-32 , Ord. No. 1974
Tree Legacy Program Plaque	Actual Cost (\$270.00-\$350.00)	

(G) *Police Department Administrative Fees.*

Application Permit/License	Fee	Code Reference
Administrative Fees—Copies	\$10.00 for each police report	3-20-1 Regs. 3-20-2, Res. No. 2009-1, Ord. No. 1992
	\$10.00 for each criminal history report	
	\$0.25 per page for hard copies of documents	
Administrative Fees—Impound Fees	\$4.00 per day for vehicles impounded in the City lot	3-20-4 Regs., Res. No. 2003-55, Ord. 1992
Administrative Fees—Sex Offender Registration	\$40.00 initial registration fee \$20.00 annual registration fee	3-20-5 Regs., Res. No. 2004-39
Administrative Fees - Staff Time (Research, Redaction, etc.)	\$10.00 per hour for first hour \$30.00 per hour after the first hour	
Administrative Fees - Specialized document production or specialized skills required to fully comply with request (Public Safety Attorney, Special SW/HW, System Admin, Crime Analyst etc.)	\$30.00 per hour Fees for legal review as noted in Section 3-1-1 (A) Records Requests may apply.	
Administrative Fees—Towing	Varies based on City contract	3-20-4 Regs., Res. No. 2009-1, Ord. No. 19923-20-3 Regs., Res. No. 2003-55, Ord. No. 1992
Administrative Fees—VIN Inspections	\$10.00 VIN Inspection, at Police Dept.	
	\$15.00 VIN Inspection at residence within City Limits set by C.R.S. Certified VIN Inspection	

(H) Building Code Fees.

Application Permit/License	Fee		Code Reference
Building Permit Fees	Total Valuation	Fee	Res.#2005-45 3-1-1(H)(1)(a), Ord. No. 2069, Res.#2005-45 3-1-1(H)(6), Ord. No. 2069
	\$1.00 to \$500.00	\$23.50	
	\$501.00 to \$2,000.00	\$23.50 for the first \$500 plus \$3.05 for each additional \$100, or fraction thereof, to and including \$2,000.00	
	\$2001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1000.00, or fraction thereof, to and including \$25,000.00	
	\$25,001.00 to \$50,000.00	\$391.75 for the first \$25,000.00 plus \$10.10 for each additional \$1000.00, or fraction thereof, to and including \$50,000.00	
	\$50,001.00 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1000.00, or fraction thereof, to and including \$100,000.00	
	\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1000.00, or fraction thereof, to and including \$500,000.00	
	\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1000.00, or fraction thereof, to and including \$1,000,000.00	
	\$1,000,000.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.65 for each additional \$1000.00, or fraction thereof	
Plan Review Fees	Commercial- 65 percent of building permit fee		Res.#2005-45, 3-1-1(H)(2)(a), Ord. No. 2069
	Residential- 50 percent of building permit fee		
Investigation Fees: Work without a permit	Equal to building permit fee		Res.#2005-45, 3-1-1(H)(4)(b), Ord. No. 2069
Plumbing Permit Fees	Residential- \$50.00		Res.#2005-45, 3-1-1(H)(8), Ord. No. 2069
	Commercial- \$100.00		
Gas Permit Fees	Residential- \$50.00	Res.#2005-45, 3-1-1(H)(7), Ord. No. 2069	
	Commercial- \$100.00		

(Res. No. 2005-45, 7-21-2005; Res. No. 2018-32, exh. A, § 3-1-1, 11-20-2018; Res. No. 2019-28, exh. A, § 3-1-1, 12-17-2019)

Sec. 3-1-2. Pavilion fee schedule.

(A) *Pavilion Fee Schedule.*

Service	Fee	Code Reference
AV Equipment		
CD Player	\$12.00	Res. No. 2009-1
Full Sound System	\$375.00	Res. No. 2009-1
Small Sound System (8 ch)	\$62.00	Res. No. 2009-1
Cordless Microphone Receiver	\$10.00	Res. No. 2009-1
DVD Player	\$18.00	Res. No. 2009-1
Phone Connection	\$125.00 each	Res. No. 2009-1
Electric Plug Connections	\$5.00 each	Res. No. 2009-1
Laser Pointer	\$5.00	Res. No. 2009-1
Audio Recording of Concerts (auditorium only)	\$45.00	Res. No. 2009-1
Furniture		
Marley Dance Floor (auditorium only)	\$200.00	Res. No. 2009-1
Pitt Cover Removal	\$250.00	Res. No. 2009-1
Podium with Wired Microphone	\$10.00	Res. No. 2009-1
Portable Bar	\$50.00	Res. No. 2009-1
Portable Dance Floor	\$100.00	Res. No. 2009-1
Portable Stage	\$15.00	Res. No. 2009-1
Art Divider/Room Divider (8' x 9'5")	\$20.00	Res. No. 2009-1
Screen 12 x 12	\$20.00	Res. No. 2009-1
Chairs	No charge	Res. No. 2009-1
Tables	No charge	Res. No. 2009-1
Use of Pianos	Tuning fee plus 50%	Res. No. 2009-1
Linens		
Napkins	\$ 1.00 per each	Res. No. 2009-1
Tablecloth	\$10.00 per each	Res. No. 2009-1
Administrative Services		
Copies (black and white)	\$0.20 per each	Res. No. 2009-1
Internet Connection	\$10.00	Res. No. 2009-1
Flipchart and Paper	\$15.00	Res. No. 2009-1
Beverages		
Alcohol	15% increase, Call for quote	Res. No. 2009-1
Coffee Service for approx. 30	\$15.00	Res. No. 2009-1
Hot Tea Service for approx. 30	\$15.00	Res. No. 2009-1
Hot Cocoa Service	\$1.00	Res. No. 2009-1
Hot Cider Service	\$1.00	Res. No. 2009-1
Iced Tea Service for approx. 30	\$15.00	Res. No. 2009-1
Lemonade Service for approx. 30	\$18.75	Res. No. 2009-1
Fruit Punch for approx. 30	\$18.75	Res. No. 2009-1
Soda Pop assorted	\$1.00 per each	Res. No. 2009-1
Bottled Water	\$1.00 per each	Res. No. 2009-1

Bars		
Portable Bar (Soda Fountains)	\$50.00	Res. No. 2009-1
Portable Bar with Bartender	\$12.65 per hour	Res. No. 2009-1
Food Service		
Sweet Rolls	\$1.75	Res. No. 2009-1
Cookies	\$18.75 per dozen	Res. No. 2009-1
Catering Fees and Kitchens		
Catering Fee	\$0.50—\$2.50 per person	Res. No. 2009-1
Main Kitchen	\$50.00	Res. No. 2009-1
Center Kitchen	\$50.00	Res. No. 2009-1
North Kitchen	\$50.00	Res. No. 2009-1
Room Rentals		
Fee for first 8-hour period, additional fees apply for additional hours.		
Auditorium with Technician	\$660.00	Res. No. 2018-32
Auditorium Rehearsal (non-event day)	\$60.00	Res. No. 2018-32
Commons/Front Lawn	\$240.00	Res. No. 2018-32
"Rain or Shine Performance/Event Only" rate, if an inclement weather plan requires inside performance/event, the inside room rate for required space will be charged.		
Center Room	\$250.00	Res. No. 2018-32
Courtyard/Patio	\$250.00	Res. No. 2018-32
Exhibit Gallery/Lobby	\$250.00	Res. No. 2018-32
Full Conference	\$815.00	Res. No. 2018-32
North Room	\$375.00	Res. No. 2018-32
North to Center	\$625.00	Res. No. 2018-32
Ballroom with Full Conference	\$1,075.00	Res. No. 2018-32
Ballroom with Lobby	\$810.00	Res. No. 2018-32
Ballroom	\$620.00	Res. No. 2018-32
South Room	\$250.00	Res. No. 2018-32
South to Center	\$525.00	Res. No. 2018-32
Founders Room	\$220.00	Res. No. 2018-32
Load-In/Load-Out/Rehearsals/Set-up - Non Event Day	\$50.00	Res. No. 2009-1

- (B) *Resident Discount.* For the purposes of subsections (A) and (B) of this section, the term "resident" means a natural person with a permanent, fixed domicile which is intended to be its residence within the City limits of the City of Montrose; or the term "resident" shall also mean any lawful business entity authorized by all applicable provisions of Colorado law, and the City of Montrose Municipal Code and Regulations Manual to do business within the City of Montrose. The discount applicable to residents as defined herein shall be 35 percent.
- (C) *Additional Hours.* Each additional hour after eight hours of scheduled event time shall be surcharged at \$50.00 U.S. Dollars per hour.
- (Res. No. 2018-32, exh. A, § 3-1-2, 11-20-2018; Res. No. 2019-28, exh. A, § 3-1-2, 12-17-2019)

Sec. 3-1-3. Fee schedule for water, sewer and trash.

(A) Water Rates and Fees.

Service	Fee				Code Reference
Deposit	\$50.00				MC section 3-5-2(B), Res. No. 2018-32
Maintenance to the City's facilities as a convenience to the customer	\$25.00 minimum fee				MC section 3-5-4(G), Res. No. 2018-32
"REDO" Overlay Zone water distribution tap fee for accessory dwelling units	\$300.00				MC section 3-5-12(A), Res. No. 2018-32
Water connection fees	Size of tap	Tap fee	Capacity fee	Total Charge	MC section 3-5-12(D), Res. No. 2018-32
	¾"	\$ 790.65	\$ 1,976.10	\$ 2,767.00	
	1"	\$1,054.20	\$ 3,292.80	\$ 4,347.00	
	1 ½"	\$1,316.70	\$ 6,585.60	\$ 7,902.00	
	2"	\$1,976.10	\$10,536.75	\$12,513.00	
	3"	\$2,634.45	\$19,756.80	\$22,391.00	
	4"	\$3,556.35	\$39,513.60	\$43,070.00	
	6"	\$6,585.60	\$69,807.15	\$76,393.00	
Connection charges per unit or a private fire system	\$922.00				MC section 3-5-12(E), Res. No. 2018-32
Private water distribution additional unit charge	\$922.00				MC section 3-5-12(H), Res. No. 2018-32
Monthly water rates - Residential	Base Charge \$18.99 Per 1,000 gallons of usage \$3.39				MC section 3-5-13(A)
Monthly water rates - Residential - outside	Base Charge \$28.50 Per 1,000 gallons of usage \$5.09				
Monthly water rates - Nonresidential	Meter Size, Inches	Amount			MC section 3-5-13(B), Res. No. 2018-32
	⅝"	\$ 33.61			
	¾"	\$ 44.19			
	1	\$ 68.27			
	1 ½	\$127.02			
	2	\$241.00			
	3	\$561.74			
	4	\$873.08			
	Customer type	\$ per 1,000 gallons			
	Nonresidential	\$ 2.00			
	Water Company	\$ 3.42			
	Meter Base Charge	\$ 18.99			
	Per 1,000 gallons	\$ 3.39			
Private fire system	\$16.00				MC section 3-5-13(C), Res. No. 2018-32

New construction for each separate building Buildings with more than three units shall pay additional	Minimum fee of \$60.00	MC section 3-5-13(E)(1), Res. No. 2018-32
	\$20.00 each additional unit	
Delinquent fee	\$50.00	MC section 3-5-15(G), Res. No. 2018-32
Hydrant meter deposit	\$500.00	MC section 3-5-17(C), Res. No. 2018-32

(B) *Sanitary Sewer Rates and Fees.*

Service	Fee				Code Reference
Sanitary Sewer connection fees	Tap Fee	Meter Size	Capacity Fee	Total Charge	MC section 3-5-12(G)(1), Res. No. 2018-32
	\$290.00	⅝"	\$ 4,083.00	\$ 4,373.00	
	\$290.00	¾"	\$ 6,191.00	\$ 6,481.00	
	\$290.00	1"	\$ 10,273.00	\$ 10,563.00	
	\$290.00	1 ½"	\$ 20,415.00	\$ 20,705.00	
	\$290.00	2"	\$ 32,664.00	\$ 32,954.00	
	\$290.00	3"	\$ 61,247.00	\$ 61,537.00	
	\$290.00	4"	\$122,492.00	\$ 122,782.00	
	\$290.00	6"	\$255,258.00	\$255,548.00	
	\$290.00	8"	\$367,477.00	\$367,767.00	
Sanitary sewer charges per unit	\$2,898.00				MC section 3-5-12 (G)(2), Res. No. 2018-32
Sanitary sewer monthly charges	Base Charge			Amount	MC section 3-5-20(A), Res. No. 2018-32
	Residential			\$23.46	
	Nonresidential			\$17.69	
	Volume Charge per 1,000 gallons			\$ 2.25	
	Extra strength charge per 1,000 gallons				
	Rate Code				
	900			\$ 0.62	
	901			\$ 0.85	
	902			\$ 1.18	
	903			\$ 1.68	
	904			\$ 2.17	
	905			\$ 2.51	
	906			\$ 3.18	
	907			\$ 4.19	
	908			\$ 5.38	
	909			\$ 0.62	
	910			\$ 2.17	
920 (\$ per bill)			\$65.90		

(C) *Trash and Recycling Rates and Fees.*

Service	Fee		Code Reference
Rates for Residential customers	Number of 90 gallon containers	Amount for one (1) pickup per week	MC section 3-1-7(A), Res. No. 2018-32
	1	\$16.63	
Rates for Commercial/Multi-Family customers	\$0.025 per gallon		MC section 3-1-7(B), Res. No. 2018-32

Sec. 3-1-1. Fee schedule.

(A) Administrative Fees.

Application Permit/License	Fee	Code Reference
Carnival License	\$250.00 per day	5-1-1(C) MC, Res. No. 2003-13, Ord. No. 1944
Commercial Rafting Permit	\$200.00 per year	9-10-2 MC, Ord. No. 2355, 4/21/2015, Res. No. 2018-32
Commercial Solicitation Permit	\$50.00 permit fee	Ord. No. 2331, 12/3/2013, Res. No. 2018-32
	\$10.00 fee per badge	
	\$50.00 deposit per badge	
False Alarms	First one free each year beginning May 1, then \$45.00 for each false alarm thereafter	5-3-5(D) MC, Res. No. 2007-9, Ord. No. 2153
Firearms/Agricultural Use	\$30.00	6-1-13(B)(5) MC, Res. No. 2018-32 , Ord. No. 1944
Fire Hydrant Use	\$50.00 service charge and water metered	3-5-17 MC, Res. No. 2003-55, Ord. No. 1992
Fireworks Display	\$50.00	7-4-6(A) MC, Res. No. 2003-13, Ord. No. 1944
Fireworks Stands	\$50.00	7-4-6(H)(3) MC, Res. No. 2003-13, Ord. No. 1944
Gasfitter's License	\$60.00	4-1-4(A)(3)(a) MC, Res. No. 2018-32 , Ord. No. 1944
	\$60.00 for gasfitter test	
Home Occupation	\$25.00	4-4-23(A)(1) MC, Res. No. 2003-13, Ord. No. 1944
Nuisance Abatement	\$50.00 administrative fee plus actual cost of abatement.	6-4-3(E) MC, Res. No. 2018-32 , Ord. No. 1992
Pawnbroker License	\$200.00	5-11-1(B)(1) MC, Res. No. 2007-9, Ord. No. 2153
Pellet Gun Permit	\$25.00	6-1-13(B)(3) MC, Res. No. 2018-32 , Ord. No. 1944
Plumber's License	\$40.00	4-1-4(B)(3)(a) MC, Res. No. 2018-32 , Ord. No. 1944
Records Requests	\$30.00 per hour after first hour free of charge.	Res. No. 2014-10
	Paper Copies - \$ 0.25 per page	
	Other Media (DVD) - \$25.00	
	In instances where legal review exceeds 15 minutes, a legal review charge may be assessed to partially defray the cost of time in excess of the first quarter hour. The hourly rate will be billed at \$100.00 an hour, in quarter hour increments.	
Returned Check Fee (Dishonored Check Policy)	\$30.00 for each check returned	5-9-3(A)(1) Regs., Res. No. 2003-55, Ord. No. 1992
Sales Tax License	\$35.00	5-15-3(A) MC, Res. No. 2003-13, Res. No. 2018-32 , Ord. No. 1944
	\$15.00 renewal	

FOR REVIEW 11-02-2021

	\$10.00 paper filing fee	
Security Alarm Vendor Permit	\$100.00 \$50.00 renewal	5-3-1(C) MC, Res. No. 2018-32, Ord. No. 1944
Sign Installation (no trespass)	\$25.00 for each sign \$35.00 for installation \$35.00 for each post	6-1-11(A)(2) MC, Res. No. 2007-9, Ord. No. 1992
Special Waste Collection	Non-scheduled residential and commercial collections will be billed the actual costs for time, equipment and landfill fees where applicable. \$20.00 Freon disposal fee (in addition to any applicable collection fee) \$45.00 for 350 gallon trash container – includes delivery and one empty. \$30.00 for each additional empty. \$15.00 for 90 gallon trash container – includes delivery and one empty. \$15.00 for each additional empty.	6-1-4(A) Regs., Res. No. 2007-9, Res. No. 2007-17, Res. No. 2018-32, Ord. No. 1992
Transient Vendor's License	\$75.00	5-6-2(C) MC, Res. No. 2018-32, Ord. No. 1944
Trash collection and water service "Lock and Leave" fee	\$30.00 to discontinue and reinstate service.	3-1-7(D) MC, Res. No. 2018-32, Ord. No. 2140
Tree Trimming License	\$50.00	3-4-9(C) Regs. 9-3-2(B) MC, Res. No. 2009-1, Ord. No. 1974
Vendor's Permit on Public Right of Way	\$20.00 per month \$50.00 electricity per year Insurance certificate required	3-6-3 & 3-5-5(C) Regs., Res. No. 2018-32, Ord. No. 1974 & 1992
Water & Sewer Service Deposit	\$50.00; interest thereon is earned and payable per §3-5-2(D) of the City of Montrose Municipal Code	3-5-2(B), (D) MC, 3-5-16(G) MC, Ord. No. 2113
Water & Sewer Delinquency Fee	\$50.00	3-5-16(G) MC, Ord. 2113

(B) *Animal Control Fees.*

Application Permit/License	Fee	Code Reference
Dog Variance Application	\$50.00 fee for Home Inspection and database administration.	Res. No. 2018-32
Impound Fee	When reclaiming a pet from the Animal Shelter on the same day that it was impounded for running at large, the fee will be \$20.00 if the pet was vaccinated by the Shelter. Otherwise, pets reclaimed	3-16-4 Regs., Res. No. 2009-1, Res. No. 2018-32

FOR REVIEW 11-02-2021

	the same day of impoundment will be free.	
	Other impounds are a \$20.00 fee plus \$5.00 per day boarding fee for all pets reclaimed after the first day.	
Interagency Fees	Covered under separate agency contracts.	Res. No. 2004-17
Relinquishment Fees for personal pets	\$20.00 Cats (over 1 year of age) \$10.00 Kitten (under 1 year of age) \$35.00 Dogs (over 1 year of age) \$25.00 Puppy (under 1 year of age)	3-16-3(A) Regs., Res. No. 2009-1, Res. No. 2018-32
Dogs 8 weeks to 1 year of age	\$100.00 per dog adopted	3-16-1 Regs., Res. No. 2018-32
Dogs over 1 year of age	\$75.00 per dog adopted	3-16-1 Regs., Res. No. 2018-32
Cats 8 weeks to 1 year of age	\$50.00 per cat adopted	3-16-1 Regs., Res. No. 2009-1
Cats over 1 year of age	\$30.00 per cat adopted	3-16-2 Regs., Res. No. 2006-8

(C) Cemetery Fees

Application Permit/License	Fee	Code Reference
Cemetery	\$500.00 lot sale *40 percent of lot cost is perpetual care	3-3-4 Regs. 3-3-5, 3-3-6, Res. No. 2003-35, Res. No. 2018-32 , Ord. No. 1974
	\$575.00 open/close	
	\$200.00 open/close for cremains	
	\$300.00 open/close for two sets of cremains, simultaneous, same lot	
	\$175.00 additional fee for full burial Saturdays or weekdays after 4:00 p.m.	
	\$100.00 additional fee for burial of cremains on Saturday or weekdays after 4:00 p.m.	
	\$2,000.00 disinterment	
	\$500.00 disinterment of cremains	
Columbarium	\$350.00 niche space Niche Plate-actual cost (\$325-\$375) Date Scroll-actual cost (\$105-\$125)	3-3-8(A)(H) Regs., Res. No. 2004-17, Res. No. 2018-32
	\$100.00 each open/close including disinterment	
	\$100.00 additional fee for Saturdays or weekdays after 4:00 p.m.	

FOR REVIEW 11-02-2021

(D) Land Use Fees.

Application Permit/License	Fee	Code Reference
Administrative Review Hearing	\$50.00	4-7-11(A) MC, Res. No. 2004-15, Ord. No. 1999
Amended Plat	\$200.00	4-7-10 MC, Res. No. 2020-26
Amended Preliminary Plat	\$200.00	4-7-10 MC, Res. #2020.26
Annexations	\$900.00	C.R.S., Res. No. 2005-60, Ord. No. 1940
Big Box Retail	\$1,000.00	4-1-16(E)(3) MC, Res. No. 2003-3, Ord. No. 1490
Boundary/Lot Line Adjustment	\$100.00	Res. No. 2005-60, Ord. No. 1940
Change in Non-Conforming Use	\$100.00	4-4-29(I) MC, Res. No. 2005-60, Ord. No. 1940
City Operations and Police Services (COPS Fee)	\$980.94 as of 2021. This fee increases annually according to the CPI.	Regulations Manual Res. #2005-69
Conditional Use	\$300.00	4-4-29(I) MC, Res. No. 2003-3, Ord. No. 1940
De Novo Hearing (Review Hearing Before City Council)	\$100.00	4-4-29(I) MC, Res. No. 2007-9, Ord. No. 1999
Development Permit for Flood Plain	No fee	4-2-2(B) MC, Res. No. 2004-15
Fence Permit	\$10.00	4-4-21(A)(1) MC, Ord. No. 2366
Final Plat	\$300.00	4-7-5(C)1(c) MC, Res. No. 2003-3, 2004-25, Ord. No. 2005
Historic Preservation	Historic Property Designation - No fee	4-15-4—4-15-7 MC, Ord. No. 2451
	Historic Property Alteration - No fee	
	Historic Property Relocation - No fee	
	Historic Structure Demolition - No fee	
Large Retail Site Development	\$1,000.00	4-1-16(E)(3) MC, Res. No. 2009-1, Ord. No. 2005
Minor Subdivision Plat Filing	\$200.00	4-7-9(B) MC, Res. No. 2003-3, 2004-25, Ord. No. 2005
Mobile Home Park	\$300.00	4-12-5(E) MC, Res. No. 2004-15, Ord. No. 1999
Mobile Home Set Up	\$30.00	4-12-11(A) MC, Res. No. 2004-15, Ord. No. 1999
Planned Development	\$100.00	4-4-29(B) MC, Res. No. 2005-60, Ord. No. 1940
Preliminary Plat	\$300.00 plus \$50.00 per acre for all acreage platted, rounded to the nearest half-acre, and subject to a	4-7-5(B)(1) MC, Res. No. 2003-3, 2004-25, Ord. No. 2005

FOR REVIEW 11-02-2021

	maximum of \$5,000.00, shall be submitted upon filing of the Preliminary Plat. The \$50.00 per acre fee shall not apply to acreage reserved for future development in another filing.	
REDO Overlay Zone Administrative Review	\$50.00	Res. No. 2008-31, Ord. No. 2200
Review Hearing Before City Council	\$50.00	4-7-11(A) MC, Res. No. 2004-15, Ord. No. 1999
Revised Preliminary Plat	\$200.00	Res. No. 2003-3, Res. No. 2004-25; Res. No. 2005-60, Ord. No. 1940, Ord. No. 2005
Revocable Right-of-Way Encroachment	\$50.00	3-5-4(D) Regs., Res. No. 2009-1, Ord. No. 1974
Rezone	\$300.00	4-4-29(I) MC, Res. No. 2003-3, Ord. No. 1940
Sketch Plan	\$300.00	4-7-5(A)(4) MC, Res. No. 2003-3, 2004-25, Ord. No. 2005
Sign Permit, Real Estate and Construction: for real estate and construction signs over six square feet (6 ft ²) in size	\$15.00 per sign	4-4-25(C) MC, Res. No. 2008-2, Ord. No. 2472
Sign Permit - Primary	\$30.00 per sign	4-4-22(C)(1) MC, Res. No. 2008-2, Ord. No. 2179
Sign Permit - Secondary	\$15.00 per sign	4-4-22(C)(1) MC, Res. No. 2008-2, Ord. No. 2179
Site Development	\$100.00	4-1-12 (B) MC, Res. No. 2004-15, Ord. No. 1999
Street Cut Permits (Street Excavation) *A deposit of \$200.00 is required prior to issuance of a street cut permit; said deposit may be used in the sole discretion of the City to pay the application fee after the street cut is made and measured or for any damages; any excess shall be refundable to the applicant.	\$70.00 Application Fee + Asphalt: \$2.00/square foot.	9-7-7 MC, Res. No. 2004-15, Res. No. 2007-17, Res. No. 2018-32 , Ord. No. 1999
	Earth: \$0.25/square foot	
	Concrete: \$2.00/square foot	
	Bore: \$1.00/linear foot*	
	Minimum trench width = 2 foot (all types of surfaces)	
	*Under public and privately improved infrastructure, such as: roads, sidewalks, driveways, etc.	
Street Name Change	\$100.00	3-21-1(A)(1) Regs., Res. No. 2004-20
Temporary Location or Occupancy of Travel Home	\$50.00	4-12-4(A) MC, Res. No. 2004-15, Ord. No. 1999
Temporary Permit for Structure	\$50.00	4-1-3(N)(3)(g) MC, Res. No. 2004-15, Ord. No. 1999
Temporary Use Permit for Premises	Permit process is pending	4-4-23(G) MC, Res. No. 2004-15
Third Primary Sign	\$25.00	4-4-22 (C)(1) MC, Res. No. 2003-3, Ord. No. 1940

FOR REVIEW 11-02-2021

Tower Siting	\$150.00	4-4-23(J)(5)(vii), Res. No. 2004-15, Ord. No. 1999
Travel Home Park (RV Park)	\$300.00	4-12-7(E) MC, Res. No. 2004-15, Ord. No. 1999
Variance	\$100.00	4-4-29(I) MC, Res. No. 2003-3, Ord. No. 1940 & 1999

(E) *Liquor Fees.*

Application Permit/License	Fee	Code Reference
Liquor Licensing	City fees shall equal the maximum fee allowed by Colorado State Statute or regulation, as amended from time to time.	5-12-1(C) MC, Res. No. 2007-15, Ord. No. 1944

(F) *Parks/Private Use of Public Property.*

Application Permit/License	Fee	Code Reference
Alcohol Consumption Permit	\$50.00 \$100.00 deposit	3-6-2(D) Regs., Res. No. 2003-35, Ord. No. 1974
Special Events Alcohol Permit in conjunction with an Events Use Permit	Officers may be required at the discretion of the Montrose Police Department at a rate per hour based upon the actual burdened rate of officers and sergeants.	3-6-1(G)(2) Regs., Res. No. 2018-32 , Ord. No. 1974
Entertainment Permit	No Fee	3-5-7 Regs, Res. #2005-32
Events Use Permit	\$100.00 Events Use Permit Fee For all facilities/venues, including street closures and parades.	3-6-1(C) Regs., Res. No. 2012-11, Res. No. 2018-32 , Ord. No. 1974
	\$100.00 deposit required for all events	
	Certificate of insurance required.	
	Additional fees are required if alcohol permits are issued.	
Festival Event Permit	\$100.00 permit fee \$100.00 deposit Surety bond and/or insurance certificate required. Festivals or events under 1,000 attendees: \$0.50 per day per ticket; Festivals or events with 1,000 to 2,999 attendees: \$1.00 per day per ticket; Festivals or events with 3,000 and over attendees: \$2.50 per day per ticket.	3-6-9 Regs., Res. No. 2010-41

FOR REVIEW 11-02-2021

Insurance Certificate	Actual cost of insurance certificate through the City's insurance provider, added to permit fee.	3-6-1(E) Regs., Res. No. 2003-55, Ord. No. 1992
Lion's Community Building	\$25.00 w/o kitchen for five hours, \$5.00 per hour thereafter \$40.00 w/ kitchen for five hours, \$5.00 per hour thereafter \$100.00 deposit required	3-6-5(P)(4) Regs., Res. No. 2003-35, Ord. No. 1974
Main Street Closure Permit	\$250.00 permit fee, maximum of ten hours. City Council may approve additional hours for additional fees. \$100.00 deposit required. Surety bond and/or insurance certificate required.	Res. No. 2010-41, Res. No. 2018-32
Montrose Rotary Amphitheater		
Stage Only	\$ 100.00/24 hr. booking window	
Stage, Wings and Backstage Area	\$ 500.00/24 hr. booking window	
Full Facility Including Vendor Area	\$1,000.00/24 hr. booking window	
Deposit	50 % of total rental fees	
Memorial Bench	\$2,000.00 for all locations, includes bench, plaque and installation	Res. No. 2019-28
Overhead Main Street Banner Installation	\$250.00 \$200.00 for one banner \$350.00 \$380.00 for two banners	Res. No. 2019-28
Park Shelter Reservation	\$25.00 per day (includes electricity)	3-6-2(C) Regs., Res. No. 2018-32 , Ord. No. 1974
Parks Use Permit (for private use for areas excluding the shelters.)	No fee	3-6-2 Regs., Res. No. 2003-35, Ord. No. 1974
Right-of-Way Use Permit	No Fee	3-5-3 Regs.
Stage Rental	\$50.00 for stage without canopy.	Res. No. 2018-32
	\$100.00 for stage with canopy.	
	\$100.00 deposit required.	
Street Closure	\$100.00 \$100.00 deposit. Insurance certificate required	3-5-2(C) Regs., Res. No. 2003-35, Res. No. 2018-32 , Ord. No. 1974
Tree Legacy Program Plaque	Actual Cost (\$270.00-\$350.00)	

(G) Police Department Administrative Fees.

Application Permit/License	Fee	Code Reference
Administrative Fees—Copies	\$2.00 \$10.00 for each police report	3-20-1 Regs. 3-20-2, Res. No. 2009-1, Ord. No. 1992
	\$5.00 \$10.00 for each criminal history report	
	\$0.25 per page for hard copies of documents	
Administrative Fees—Impound Fees	\$4.00 per day for vehicles impounded in the City lot	3-20-4 Regs., Res. No. 2003-55, Ord. 1992

FOR REVIEW 11-02-2021

Administrative Fees—Sex Offender Registration	\$40.00 initial registration fee \$20.00 annual registration fee	3-20-5 Regs., Res. No. 2004-39
Administrative Fees - Staff Time (Research, Redaction, etc.)	\$10.00 per hour for first hour \$30.00 per hour after the first hour	
Administrative Fees - Specialized document production or specialized skills required to fully comply with request (Public Safety Attorney, Special SW/HW, System Admin, Crime Analyst etc.)	\$30.00 per hour Fees for legal review as noted in Section 3-1-1 (A) Records Requests may apply.	
Administrative Fees—Towing	Varies based on City contract	3-20-4 Regs., Res. No. 2009-1, Ord. No. 19923-20-3 Regs., Res. No. 2003-55, Ord. No. 1992
Administrative Fees—VIN Inspections	\$10.00 VIN Inspection, at Police Dept.	
	\$15.00 VIN Inspection at residence within City Limits set by C.R.S. Certified VIN Inspection	

(H) Building Code Fees.

Application Permit/License	Fee		Code Reference
Building Permit Fees	Total Valuation	Fee	Res.#2005-45 3-1-1(H)(1)(a), Ord. No. 2069, Res.#2005-45 3-1-1(H)(6), Ord. No. 2069
	\$1.00 to \$500.00	\$23.50	
	\$501.00 to \$2,000.00	\$23.50 for the first \$500 plus \$3.05 for each additional \$100, or fraction thereof, to and including \$2,000.00	
	\$2001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1000.00, or fraction thereof, to and including \$25,000.00	
	\$25,001.00 to \$50,000.00	\$391.75 for the first \$25,000.00 plus \$10.10 for each additional \$1000.00, or fraction thereof, to and including \$50,000.00	
	\$50,001.00 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1000.00, or fraction thereof, to and including \$100,000.00	
	\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1000.00, or fraction thereof, to and including \$500,000.00	
	\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1000.00, or fraction thereof, to and including \$1,000,000.00	

FOR REVIEW 11-02-2021

	\$1,000,000.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.65 for each additional \$1000.00, or fraction thereof	
Plan Review Fees	Commercial- 65 percent of building permit fee		Res.#2005-45, 3-1-1(H)(2)(a), Ord. No. 2069
	Residential- 50 percent of building permit fee		
Investigation Fees: Work without a permit	Equal to building permit fee		Res.#2005-45, 3-1-1(H)(4)(b), Ord. No. 2069
Plumbing Permit Fees	Residential- \$50.00		Res.#2005-45, 3-1-1(H)(8), Ord. No. 2069
	Commercial- \$100.00		
Gas Permit Fees	Residential- \$50.00	Res.#2005-45, 3-1-1(H)(7), Ord. No. 2069	
	Commercial- \$100.00		

(Res. No. 2005-45, 7-21-2005; Res. No. 2018-32, exh. A, § 3-1-1, 11-20-2018; Res. No. 2019-28, exh. A, § 3-1-1, 12-17-2019)

FOR REVIEW 11-02-2021

Sec. 3-1-2. Pavilion fee schedule.

(A) *Pavilion Fee Schedule.*

Service	Fee	Code Reference
AV Equipment		
CD Player	\$12.00	Res. No. 2009-1
Full Sound System	\$375.00	Res. No. 2009-1
Small Sound System (8 ch)	\$62.00	Res. No. 2009-1
Cordless Microphone Receiver	\$10.00	Res. No. 2009-1
DVD Player	\$18.00	Res. No. 2009-1
Television (19") VCR	\$17.00	Res. No. 2009-1
Phone Connection	\$125.00 each	Res. No. 2009-1
Electric Plug Connections	\$5.00 each	Res. No. 2009-1
Laser Pointer	\$5.00	Res. No. 2009-1
Cassette Player	\$10.00	Res. No. 2009-1
Audio Recording of Concerts (auditorium only)	\$45.00	Res. No. 2009-1
Furniture		
Marley Dance Floor (auditorium only)	\$200.00	Res. No. 2009-1
Pitt Cover Removal	\$250.00	Res. No. 2009-1
Podium with Wired Microphone	\$10.00	Res. No. 2009-1
Portable Bar	\$50.00	Res. No. 2009-1
Portable Dance Floor	\$100.00	Res. No. 2009-1
Portable Stage	\$15.00	Res. No. 2009-1
Art Divider/Room Divider (8' x 9'5")	\$20.00	Res. No. 2009-1
Screen 12 x 12	\$20.00	Res. No. 2009-1
Chairs	No charge	Res. No. 2009-1
Tables	No charge	Res. No. 2009-1
Use of Pianos	Tuning fee plus 50%	Res. No. 2009-1
Linens		
Napkins	\$0.50 per each \$ 1.00 per each	Res. No. 2009-1
Tablecloth	\$5.00 per each \$10.00 per each	Res. No. 2009-1
Administrative Services		
Copies (black and white)	\$0.20 per each	Res. No. 2009-1
Fax Transmission	\$2.00 first page \$1.25 subsequent pages each	Res. No. 2009-1
Internet Connection	\$10.00	Res. No. 2009-1
Flipchart and Paper	\$15.00	Res. No. 2009-1
Beverages		
Alcohol	15% increase, Call for quote	Res. No. 2009-1
Coffee Service for approx. 30	\$15.00	Res. No. 2009-1
Hot Tea Service for approx. 30	\$15.00	Res. No. 2009-1
Hot Cocoa Service	\$1.00	Res. No. 2009-1
Hot Cider Service	\$1.00	Res. No. 2009-1
Iced Tea Service for approx. 30	\$15.00	Res. No. 2009-1
Lemonade Service for approx. 30	\$18.75	Res. No. 2009-1
Fruit Punch for approx. 30	\$18.75	Res. No. 2009-1

FOR REVIEW 10-18-2021

Soda Pop assorted	\$1.00 per each	Res. No. 2009-1
Bottled Water	\$1.00 per each	Res. No. 2009-1
Bars		
Portable Bar (Soda Fountains)	\$50.00	Res. No. 2009-1
Portable Bar with Bartender	\$12.65 per hour	Res. No. 2009-1
Food Service		
Sweet Rolls	\$1.75	Res. No. 2009-1
Cookies	\$18.75 per dozen	Res. No. 2009-1
Catering Fees and Kitchens		
Catering Fee	\$0.50—\$2.50 per person	Res. No. 2009-1
Main Kitchen	\$50.00	Res. No. 2009-1
Center Kitchen	\$50.00	Res. No. 2009-1
North Kitchen	\$50.00	Res. No. 2009-1
Room Rentals		
Fee for first 8-hour period, additional fees apply for additional hours.		
Auditorium with Technician	\$660.00	Res. No. 2018-32
Auditorium Rehearsal (non-event day)	\$60.00	Res. No. 2018-32
Commons/Front Lawn	\$240.00	Res. No. 2018-32
"Rain or Shine Performance/Event Only" rate, if an inclement weather plan requires inside performance/event, the inside room rate for required space will be charged.		
Center Room	\$250.00	Res. No. 2018-32
Courtyard/Patio	\$250.00	Res. No. 2018-32
Exhibit Gallery/Lobby	\$250.00	Res. No. 2018-32
Full Conference	\$815.00	Res. No. 2018-32
North Room	\$375.00	Res. No. 2018-32
North to Center	\$625.00	Res. No. 2018-32
Ballroom with Full Conference	\$1,075.00	Res. No. 2018-32
Ballroom with Lobby	\$810.00	Res. No. 2018-32
Ballroom	\$620.00	Res. No. 2018-32
South Room	\$250.00	Res. No. 2018-32
South to Center	\$525.00	Res. No. 2018-32
Founders Room	\$220.00	Res. No. 2018-32
Load-In/Load-Out/Rehearsals/Set-up - Non Event Day	\$50.00	Res. No. 2009-1

(B) *Resident Discount.* For the purposes of subsections (A) and (B) of this section, the term "resident" means a natural person with a permanent, fixed domicile which is intended to be its residence within the City limits of the City of Montrose; or the term "resident" shall also mean any lawful business entity authorized by all applicable provisions of Colorado law, and the City of Montrose Municipal Code and Regulations Manual to do business within the City of Montrose. The discount applicable to residents as defined herein shall be 35 percent.

(C) *Additional Hours.* Each additional hour after eight hours of scheduled event time shall be surcharged at \$50.00 U.S. Dollars per hour.

(Res. No. 2018-32, exh. A, § 3-1-2, 11-20-2018; Res. No. 2019-28, exh. A, § 3-1-2, 12-17-2019)

FOR REVIEW 10-18-2021

Sec. 3-1-3. Fee schedule for water, sewer and trash.

(A) Water Rates and Fees.

Service	Fee				Code Reference
Deposit	\$50.00				MC section 3-5-2(B), Res. No. 2018-32
Maintenance to the City's facilities as a convenience to the customer	\$25.00 minimum fee				MC section 3-5-4(G), Res. No. 2018-32
"REDO" Overlay Zone water distribution tap fee for accessory dwelling units	\$300.00				MC section 3-5-12(A), Res. No. 2018-32
Water connection fees	Size of tap	Tap fee	Capacity fee	Total Charge	MC section 3-5-12(D), Res. No. 2018-32
	¾"	\$ 753.00 \$ 790.65	\$ 1,882.00 \$ 1,976.10	\$ 2,635.00 \$ 2,767.00	
	1"	\$1,004.00 \$1,054.20	\$ 3,136.00 \$ 3,292.80	\$ 4,140.00 \$ 4,347.00	
	1 ½"	\$1,254.00 \$1,316.70	\$ 6,272.00 \$ 6,585.60	\$ 7,526.00 \$ 7,902.00	
	2"	\$1,882.00 \$1,976.10	\$10,035.00 \$10,536.75	\$11,917.00 \$12,513.00	
	3"	\$2,509.00 \$2,634.45	\$18,816.00 \$19,756.80	\$21,325.00 \$22,391.00	
	4"	\$3,387.00 \$3,556.35	\$37,632.00 \$39,513.60	\$41,019.00 \$43,070.00	
	6"	\$6,272.00 \$6,585.60	\$66,483.00 \$69,807.15	\$72,755.00 \$76,393.00	
	Connection charges per unit or a private fire system	\$878.00 \$922.00			
Private water distribution additional unit charge	\$878.00 \$922.00				MC section 3-5-12(H), Res. No. 2018-32
Monthly water rates - Residential	Base Charge \$18.09 \$18.99 Per 1,000 gallons of usage \$2.95 \$3.39				MC section 3-5-13(A)
Monthly water rates - Residential - outside	Base Charge \$27.14 \$28.50 Per 1,000 gallons of usage \$4.43 \$5.09				
Monthly water rates - Nonresidential	Meter Size, Inches	Amount			MC section 3-5-13(B), Res. No. 2018-32
	⅝"	\$ 32.01 \$ 33.61			
	¾"	\$ 42.09 \$ 44.19			
	1"	\$ 65.02 \$ 68.27			
	1 ½"	\$120.97 \$127.02			
	2"	\$229.52 \$241.00			
	3"	\$534.99 \$561.74			
	4"	\$831.50 \$873.08			
	Customer type	\$ per 1,000 gallons			
	Nonresidential	\$ 1.74 \$ 2.00			
Water Company	\$ 2.97 \$ 3.42				

FOR REVIEW 10-18-2021

	Meter Base Charge	\$18.00 \$18.99	
	Per 1,000 gallons	\$2.95 \$ 3.39	
Private fire system	\$15.00 \$16.00		MC section 3-5-13(C), Res. No. 2018-32
New construction for each separate building Buildings with more than three units shall pay additional	Minimum fee of \$60.00		MC section 3-5-13(E)(1), Res. No. 2018-32
	\$20.00 each additional unit		
Delinquent fee	\$50.00		MC section 3-5-15(G), Res. No. 2018-32
Hydrant usage meter deposit	\$250.00 \$500.00		MC section 3-5-17(C), Res. No. 2018-32

(B) Sanitary Sewer Rates and Fees.

Service	Fee				Code Reference
Sanitary Sewer connection fees	Tap Fee	Meter Size	Capacity Fee	Total Charge	MC section 3-5-12(G)(1), Res. No. 2018-32
	\$276.00 \$290.00	5/8"	\$3,889.00 \$ 4,083.00	\$ 4,373.00	
	\$276.00 \$290.00	3/4"	\$5,896.00 \$ 6,191.00	\$ 6,481.00	
	\$276.00 \$290.00	1"	\$9,784.00 \$ 10,273.00	\$ 10,563.00	
	\$276.00 \$290.00	1 ½"	\$19,443.00 \$ 20,415.00	\$ 20,705.00	
	\$276.00 \$290.00	2"	\$31,109.00 \$ 32,664.00	\$ 32,954.00	
	\$276.00 \$290.00	3"	\$58,330.00 \$ 61,247.00	\$ 61,537.00	
	\$276.00 \$290.00	4"	\$116,659.00 \$122,492.00	\$122,782.00	
	\$276.00 \$290.00	6"	\$243,103.00 \$255,258.00	\$255,548.00	
	\$276.00 \$290.00	8"	\$349,978.00 \$367,477.00	\$367,767.00	
Sanitary sewer charges per unit	\$2,760.00 \$2,898.00				MC section 3-5-12 (G)(2), Res. No. 2018-32
Sewer Backup fee	\$0.25/account/month				MC section 3-5-19(C), Res. No. 2018-32
Sanitary sewer monthly charges	Base Charge		Amount		MC section 3-5-20(A), Res. No. 2018-32
	Residential		\$22.34 23.46		
	Nonresidential		\$16.85 17.69		

FOR REVIEW 10-18-2021

	Volume Charge per 1,000 gallons	\$-2.14	2.25
	Extra strength charge per 1,000 gallons		
	Rate Code		
	900	\$-0.59	0.62
	901	\$-0.81	0.85
	902	\$ 1.12	1.18
	903	\$ 1.60	1.68
	904	\$ 2.07	2.17
	905	\$ 2.39	2.51
	906	\$ 3.03	3.18
	907	\$ 3.99	4.19
	908	\$ 5.12	5.38
	909	\$ 0.59	0.62
	910	\$ 2.07	2.17
920 (\$ per bill)	\$62.76	65.90	
Fees for sewage or septage from private hauler			
1. Minimum charge of \$150.00 per load			
2. \$0.15 per gallon			
3. After hours surcharge of \$75.00 per load			

MC section 3-5-20 (D), Res. No. 2018-32
--

(C) *Trash and Recycling Rates and Fees.*

Service	Fee		Code Reference
Rates for Residential customers	Number of 90 gallon containers	Amount for one (1) pickup per week	MC section 3-1-7(A), Res. No. 2018-32
	1	\$15.12 \$16.63	
	2	\$30.24	
Rates for Commercial/Multi-Family customers	\$0.023 \$0.025 per gallon		MC section 3-1-7(B), Res. No. 2018-32

FOR REVIEW 10-18-2021

ORDINANCE NO. 2568

**AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO,
REPEALING TITLE 6 CHAPTER 1 SECTION 26 (6-1-26) ONLY, REGARDING
LOITERING**

WHEREAS, the City's Police Regulations are updated 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:

The following Section of Title 6 Chapter 1 of the Official Code of the City of Montrose, Colorado is hereby repealed: Title 6 Chapter 1 Section 26 (6-1-26) only is hereby repealed. This version supersedes all previous versions of Montrose Municipal Code § 6-1-26, to read in full as follows:

6-1-26. - Reserved.

You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and the question of its passage on first reading on Tuesday, the 2nd day of November, 2021, at the hour of 6:00 p.m. at the Elks' Civic Building in Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading this 2nd day of November, 2021.

Douglas Glaspell, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

INTRODUCED, READ and ADOPTED on second reading this 16th day of November, 2021.

Douglas Glaspell, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, REPEALING TITLE 6 CHAPTER 1 SECTION 26 (6-1-26) ONLY, REGARDING LOITERING.

WHEREAS, the City's Police Regulations are updated 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:

The following Section of Title 6 Chapter 1 of the Official Code of the City of Montrose, Colorado is hereby repealed: Title 6 Chapter 1 Section 26 (6-1-26) only is hereby repealed. This version supersedes all previous versions of Montrose Municipal Code § 6-1-26, to read in full as follows:

6-1-26. - ~~Loitering.~~ Reserved.

- ~~(A) It shall be unlawful for any person under the age of 18 years to loiter on or about any street, avenue, highway, road, sidewalk, curb, gutter, parking lot, alley, vacant lot, park, playground, yard, building, place of amusement, or eating place, whether public or private, without the consent or permission of the owner or occupant thereof, during the hours beginning at 12:00 a.m. through 6:00 a.m. on Saturday and Sunday, and beginning at 10:00 p.m. on Sunday night through Thursday night, and ending at 6:00 a.m. the following day. No violation of this Subsection will have occurred if the person under the age of 18 years is accompanied by a parent, guardian or other adult person over the age of 21 years who is authorized by a parent or guardian of such juvenile to take said parent's place in accompanying said juvenile for a designated period of time and purpose within a specified area.~~
- ~~(B) It shall be unlawful for the parent, guardian, or other adult person having the care and custody of a juvenile under the age of 18 years to knowingly permit or allow such juvenile to loiter at the places and within the time prohibited by Subsection (A) of this Section. The term "knowingly" includes knowledge which a parent should be reasonably expected to have concerning the whereabouts of a juvenile in that parent or guardian's custody. It shall be no defense that a parent, guardian, or other person having the care and custody of the juvenile was indifferent to the activities, conduct or whereabouts of such juvenile.~~

~~(C) The term "loitering" or "loiter" means remaining idle in essentially one location, to be dilatory, to tarry, to dawdle and, shall include but not be limited to, standing around, hanging out, sitting, kneeling, sauntering or prowling.~~

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

INTRODUCED, READ and PASSED on first reading this _____ day of _____, 2021.

Douglas Glaspell, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

INTRODUCED, READ and ADOPTED on second reading this _____ day of _____, 2021.

Douglas Glaspell, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

LOITERING ELEMENTS

The elements of the crime of loitering (juvenile) are:

1. That the defendant, [NAME]
2. In the City of Montrose, County of Montrose, State of Colorado, at or about the date and place charged;
3. Unlawfully loitered on or about any street, avenue, highway, road, sidewalk, curb, gutter, parking lot, alley, vacant lot, park, playground, yard, building, place of amusement, or eating place, whether public or private. Loiter means remaining idle in essentially one location, to be dilatory, to tarry, to dawdle and, shall include but not be limited to, standing around, hanging out, sitting, kneeling, sauntering or prowling.
4. without the consent or permission of the owner or occupant thereof;
5. [during the hours beginning at 12:00 a.m. through 6:00 a.m. on Saturday and Sunday], OR [during the hours beginning at 10:00 p.m. on Sunday night through Thursday night through 6:00 a.m. the following day]; and
6. the defendant is under the age of 18 years and
7. the defendant is unaccompanied by a parent, guardian or other adult person over the age of 21 years who is authorized by a parent or guardian of such juvenile to take said parent's place in accompanying said juvenile for a designated period of time and purpose within a specified area

After considering all the evidence, if you decide the prosecution has proven each of the elements beyond a reasonable doubt, you should find the defendant guilty of loitering.

After considering all the evidence, if you decide the prosecution has failed to prove any one or more of the elements beyond a reasonable doubt, you should find the defendant not guilty of loitering.

The elements of the crime of loitering (adult – parent or guardian) are:

1. That the defendant, [NAME]
2. In the City of Montrose, County of Montrose, State of Colorado, at or about the date and place charged;
3. Having the care and custody of a juvenile under the age of 18 years in capacity as a parent, guardian, or other adult person;
4. Knowingly;
5. Permitted or allowed such juvenile to unlawfully loiter on or about any street, avenue, highway, road, sidewalk, curb, gutter, parking lot, alley, vacant lot, park, playground, yard, building, place of amusement, or eating place, whether public or private without the consent or permission of the owner or occupant thereof; [during the hours beginning at 12:00 a.m. through 6:00 a.m. on Saturday and Sunday], OR [during the hours beginning at 10:00 p.m. on Sunday night through Thursday night through 6:00 a.m. the following day]. Loiter means remaining idle in essentially one location, to be dilatory, to tarry, to dawdle and, shall include but not be limited to, standing around, hanging out, sitting, kneeling, sauntering or prowling.

Knowingly means when he or she is aware that his or her conduct is of such nature or that such circumstance exists. A person acts "knowingly" or "willfully," with respect to a result of his or her conduct, when he or she is aware that his or her conduct is practically certain to cause the result. For purposes of this definition, knowingly includes knowledge which a parent should be reasonably expected to have concerning the whereabouts of a juvenile in that parent or guardian's custody.

After considering all the evidence, if you decide the prosecution has proven each of the elements beyond a reasonable doubt, you should find the defendant guilty of loitering.

After considering all the evidence, if you decide the prosecution has failed to prove any one or more of the elements beyond a reasonable doubt, you should find the defendant not guilty of loitering.



CITY OF MONTROSE

Planning Services

MEMO

TO: City Council
FROM: Amy Sharp, Senior Planner
DATE: November 2, 2021
RE: ANX21-0080 McCracken Addition

ATTACHMENTS:

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

City Council Consideration:

City Council is considering this annexation application and the associated zoning, which is done by considering approval of an annexation ordinance and a zoning ordinance at a first and second reading. Council will consider all of the information in this memo in making a decision.

Proposed schedule:

August 16:	Council Work Session Overview
September 7:	Council Resolution to set a hearing date
September 22:	Planning Commission zoning hearing
October 19:	City Council Annexation hearing, 1st reading of annexation ordinance, and 1st reading of zoning ordinance
November 2:	2nd reading of annexation and zoning ordinances

Application Background:

The McCracken Addition is a proposed annexation approximately 2.295 acres in size. The parcel is located east of the Uncompahgre River, west of Hwy 50, south of Industrial Drive, and north of N. Grand Avenue. It is within the City's Urban Growth Boundary, the City of Montrose Water Service Area, and the City of Montrose Sewer Service Area. Annexation of this property will allow for future development of the property and connection to City utilities. An Annexation Agreement will be required.

Proposed Zoning: "B-3" General Commercial District

Applicant: Ray McCracken

Staff Analysis:

1. The City-County IGA gives the City the option to annex properties within the IGA. The area is urbanizing and more than 1/6 of the perimeter is contiguous to the city limits. These factors support annexation.
2. An annexation agreement is required as a condition of this annexation.
3. Zoning Regulations
 - a. Municipal Code, Section, 4-4-29(B), Zoning of Additions. "The Planning Commission shall recommend to the Council a zoning district designation for all property annexed to the City not previously subject to City zoning, and shall follow the review procedure set out in Section 4-4-31 in arriving at its recommendation. Proceedings concerning the zoning of property to be annexed may be commenced at any time prior to the effective date of the annexation ordinance or thereafter. *The zoning designation for newly annexed property shall not adversely affect the public health, safety and welfare* (emphasis added)."
 - b. Municipal Code, Section 4-4-14(A) Intent: The "B-3" General Commercial District is intended for a large variety of uses that require large storage areas to conveniently serve customers.
 - c. The proposed zoning is compatible with existing zoning and general conditions in the area. The property is adjacent to properties that are zoned "I-2" General Industrial District, "P" Public District, and agricultural (outside City limits).
4. The Comprehensive Plan Future Land Use Map designates the area of the McCracken Addition as Employment Center. This land use designation is intended to encourage the development of planned light industrial, office, and business parks, as well as to identify locations for medium industrial uses such as manufacturing, warehousing and distributing, and indoor and outdoor storage. This district is also intended to accommodate secondary uses that complement and support the primary workplace uses, such as hotels, restaurants, convenience shopping, childcare, and housing.
5. The property is located within Growth Area 1 and Growth Area 2. According to the Comprehensive Plan, Growth Area 1 represents the most cost-efficient areas for the city to grow and comprises platted but unbuilt lots, annexed but un-platted land, and un-annexed small enclaves. Growth Area 2 has some level of, or moderate proximity to, existing infrastructure.
6. The "B-3" zoning does not appear to be adverse to the public health, safety and welfare.

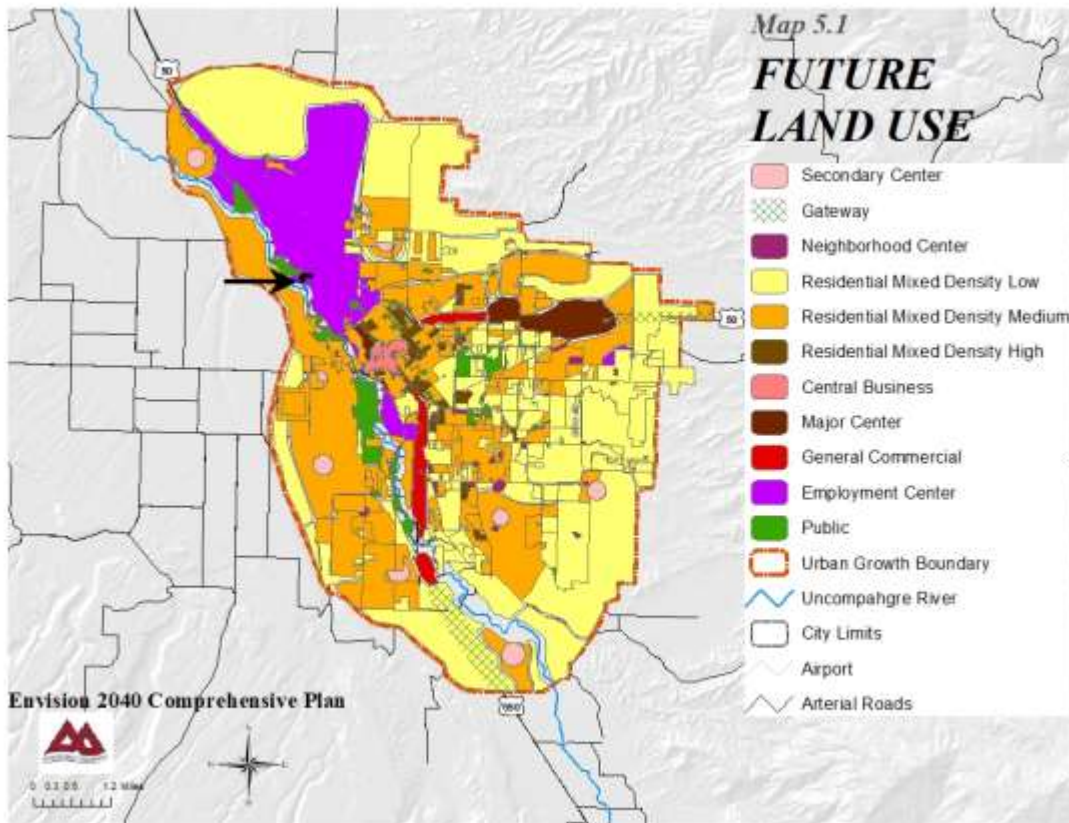
Staff Recommendation:

Staff recommends approval of the annexation and "B-3" General Commercial District.

EXHIBIT A: Maps
Vicinity Map

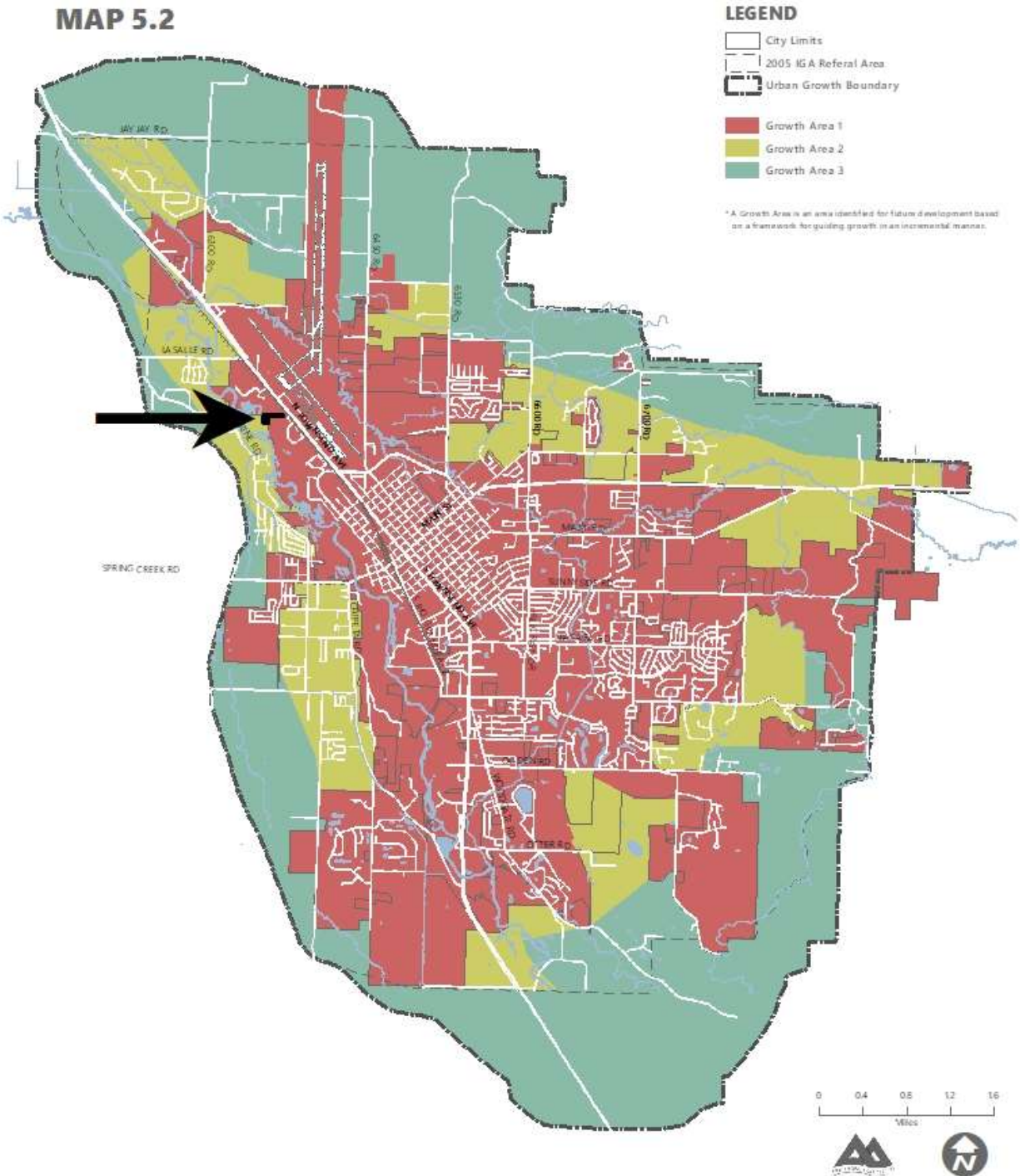


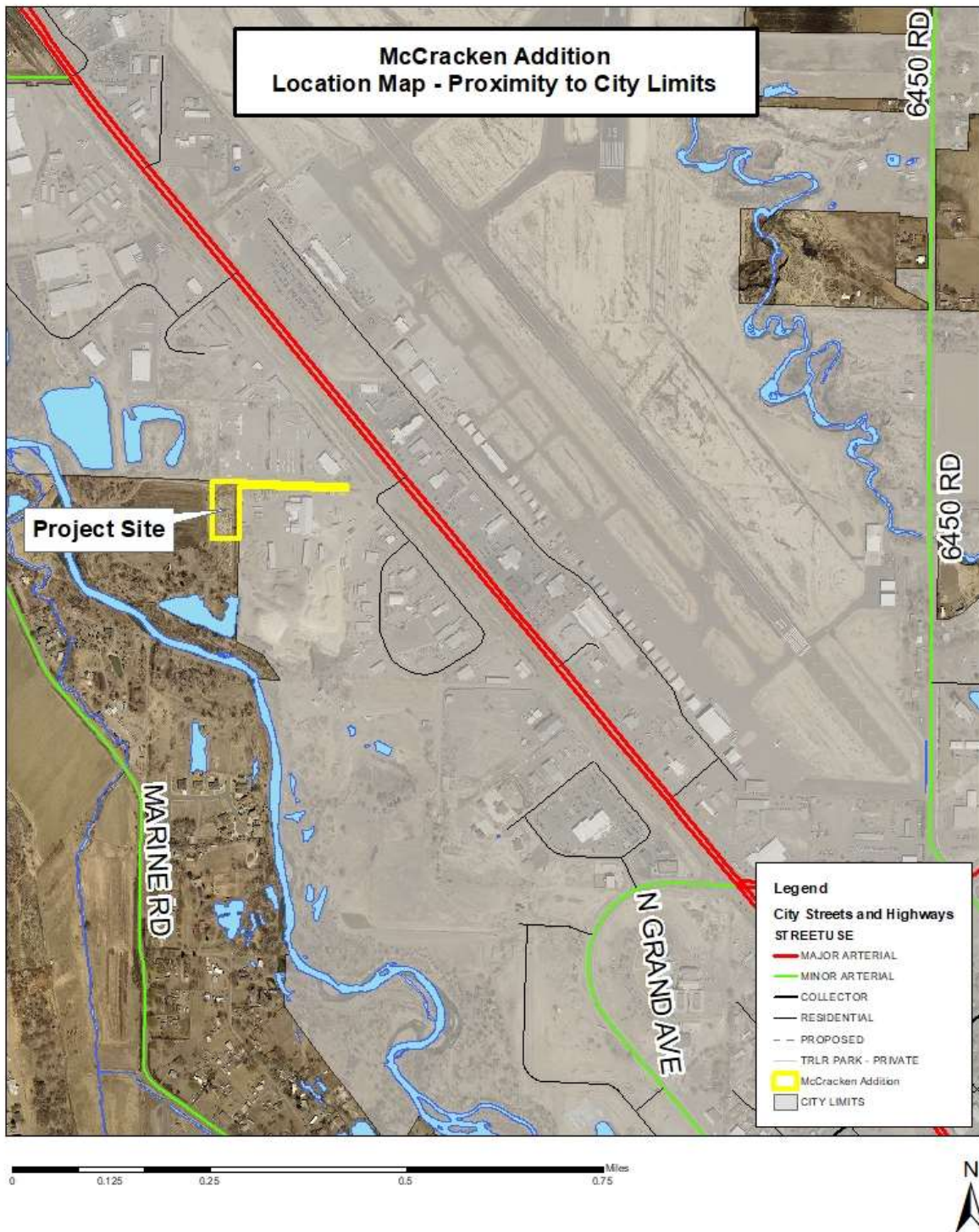
Comprehensive Plan Future Land Use Map



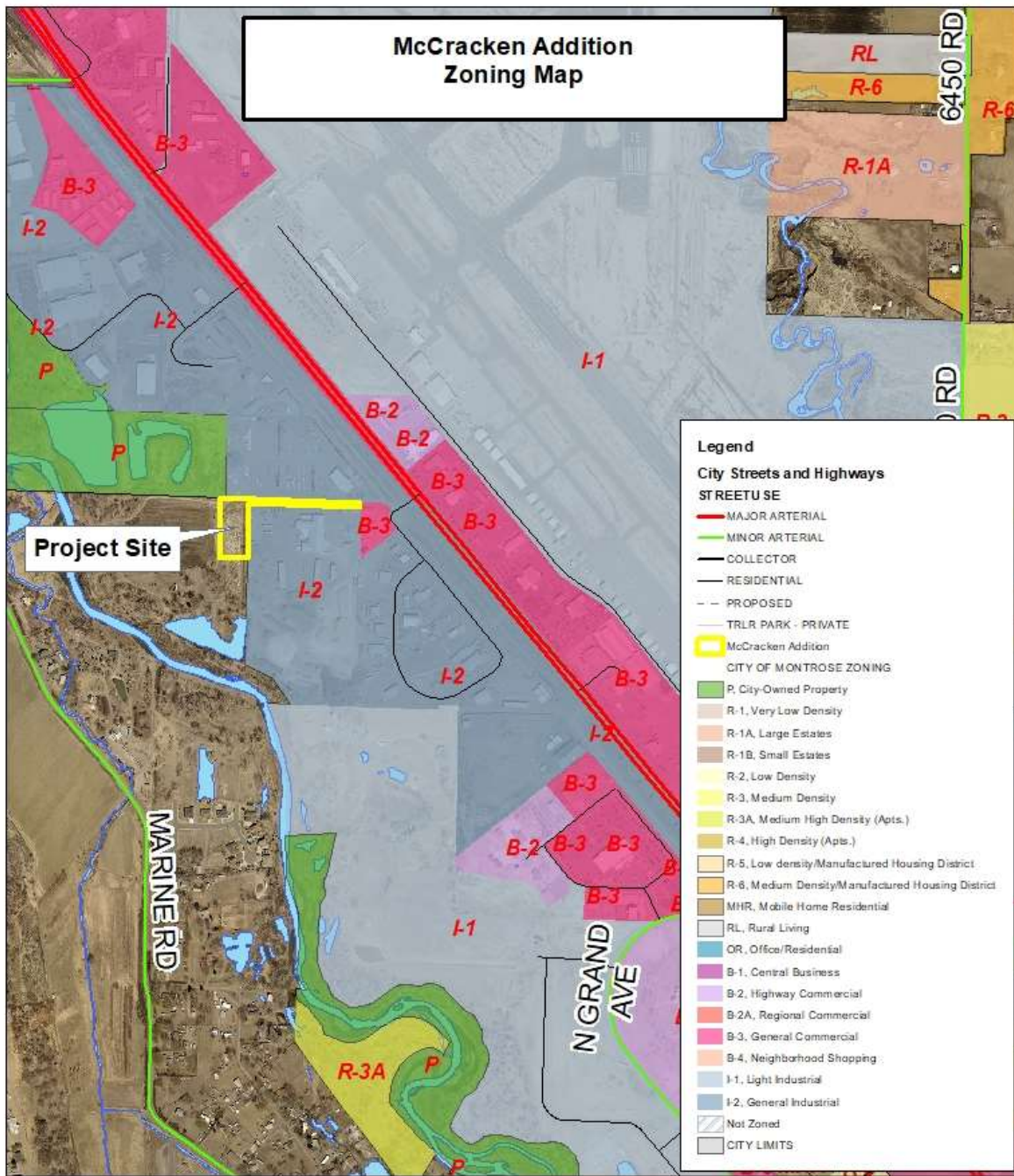
GROWTH AREAS*

MAP 5.2





Map created 7/27/2021



0 0.125 0.25 0.5 0.75 Miles



Map created 7/27/2021

McCRACKEN ADDITION

WITHIN THE NW1/4 SE1/4 OF SECTION 20 T.49N., R.9W., N.M.P.M.
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO

LEGEND

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

CITY LIMITS

TOTAL PERIMETER = 2660.30'
PERIMETER CONTIGUOUS TO CITY LIMITS = 2058.29'

C1/4
FOUND 2" ALUMINUM CAP PLS 12180

S 89°34'09" E 400.30'

SEWER LINE EASEMENT TO CITY OF MONTROSE RECORDED IN BOOK 715
PAGE 580, MONTROSE COUNTY RECORDS.

60' ACCESS AND UTILITY
EASEMENT PER RECEPTION
NO. 937322.

20' WIDE SEWER LINE EASEMENT TO CITY OF MONTROSE RECORDED IN
BOOK 736 PAGE 726, M.C.R.

NON-EXCLUSIVE PERPETUAL ROAD USE & RIGHT-OF-WAY EASEMENT
RECORDED AT RECEPTION NO. 654853.

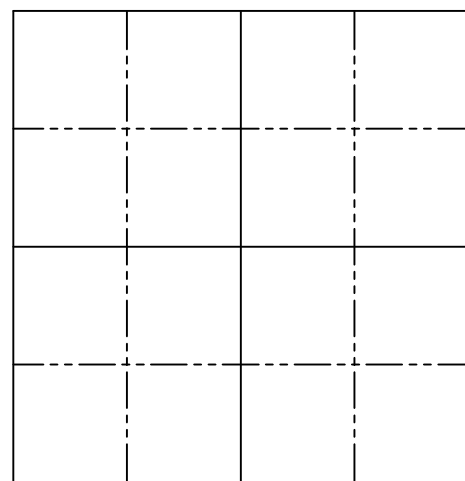
CE1/16

S 00°26'10" E
30.27'

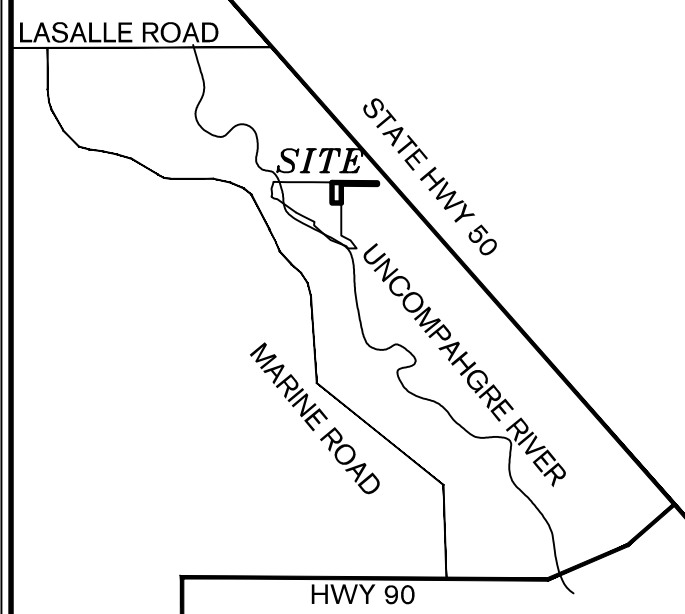
FOUND 1 1/2" ALUMINUM CAP PLS 17509 BEARING S.00°01'10"W, 0.6'
FROM TRUE CORNER POSITION.
USED AS WITNESS CORNER.

N 89°29'54" W 727.81'

SEE PLAT



CONTROL MAP



AREA LOCATOR

TYPICAL LEGEND

- Found PK Nail in Asphalt
- Set 5/8" rebar 30" long with 2" aluminum cap PLS25972
- Set 5/8" rebar 30" long with 2" aluminum cap as Witness corner or linepin PLS25972
- Found 5/8" rebar with 1 1/2" aluminum cap LS12180 or as noted.
- Found 5/8" rebar with 2" aluminum cap as Witness corner or linepin PLS38255
- Found 3/4" rebar 30" long with 3-1/4" aluminum cap PLS25972 per monument record
- Found 5/8" rebar with 1 1/2" aluminum cap LS17509 or as noted
- Found 5/8" rebar with 1 1/2" aluminum cap RLS 1456 or as noted
- Found 5/8" rebar with 1 1/2" aluminum cap LS 12420
- Found 5/8" rebar with 1 1/2" aluminum cap LS 7160
- Fencelines
- Electric (overhead)
- Electric (underground)
- Water line
- Easement
- Previous Parcel Boundary
- CL River
- East Bank of old River
- R.O.W. Easement Reception No. 654853.

BASIS OF BEARINGS:

N.89°32'46"W, FROM THE C1/4
CORNER TO THE 1/4 CORNER
COMMON TO SECTIONS 19 AND 20
GEODETIC NORTH
GPS OBSERVATION

SCALE 1"=50 U.S. SURVEY FEET

0 25 50 100

TOTAL ACRES
99983 Sq. Feet
2.295 Acres

NOTE:

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

PROPERTY DESCRIPTION

McCRACKEN ADDITION
PARCEL A, McCRACKEN EXEMPTION PLAT FOR BOUNDARY LINE ADJUSTMENT
A tract of land situated in the NW1/4 of the SE1/4 Section 20, Township 49 North, Range 9 West, N.M.P.M.,
Montrose County, Colorado and being more particularly described as follows: Beginning at the NE corner of
said NW1/4 of the SE1/4, also being the CE1/16 corner and running thence S.00°26'10"E, 30.27 feet; thence
N.89°29'54"W, 727.81 feet; thence S.00°01'10"W, 382.64 feet; thence N.89°34'09"W, 190.00 feet; thence
N.00°01'10"E, 412.01 feet to the north line of said NW1/4 of the SE1/4; thence along the north line of said
NW1/4 of the SE1/4 S.89°34'09"E, 917.57 feet to the Point of Beginning, said parcel contains 2.295 acres,
more or less.
City of Montrose,
County of Montrose,
State of Colorado.

MAYOR'S CERTIFICATE

This is to certify that the City of Montrose, a municipal corporation in the County of Montrose, State of Colorado
has by its Ordinance No. _____
adopted on the ____ day of _____, 20____ annexed the property hereon to the City of Montrose.

Mayor

Attest

City Clerk

SURVEYOR'S CERTIFICATE

Randy A. Wilmore, a Registered Land Surveyor in the State of Colorado, do hereby
certify that the survey represented by this plat was made under my responsible charge and that this plat accurately
reflects said survey.

Signature

Date

CLERK AND RECORDER'S CERTIFICATE

This plat was filed in the office of the Clerk and Recorder of Montrose
County, Colorado, at ____ m. on this ____ day of _____, A.D. 20____;
Reception Number _____.

County Clerk & Recorder, by Deputy



WILMORE & COMPANY
PROFESSIONAL LAND SURVEYING, INC.

406 Grand Avenue 970.527-4200 PHONE
P.O. Box 1652 970.527-4202 FAX
Paonia, Colorado 81428 www.wilmorelandsurveying.com
EMAIL randy@wilmorelandsurveying.com

FIELD CREW:

RAW, TWG

DRAFTER:

RAW

CHECKED BY:

KC

McCRACKEN ADDITION

WITHIN THE NW1/4 SE1/4 OF SECTION 20 T.49N., R.9W., N.M.P.M.
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO

J20124 ADDITION FINAL

27 JULY 2021

EXHIBIT B: Zoning Code Excerpt

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

- (A) *Intent.* The "B-1" Central Business District is intended as a shopping and business center for the City and surrounding area. The most intensive commercial use of buildings and land is encouraged with parking primarily of public concern. No off-street parking is required, except where otherwise specified. This district is oriented to pedestrian traffic.
- (B) *Uses by Right.*
- (1) Retail stores, business and professional offices, and service establishments which cater to the general shopping public.
 - (2) Libraries and museums.
 - (3) Government buildings and facilities.
 - (4) Public utility service facilities.
 - (5) Private and fraternal clubs.
 - (6) Theaters.
 - (7) Restaurants and taverns.
 - (8) College or other place of adult education.
 - (9) Fueling stations which comply with the following criteria:
 - (a) All fuel storage, except propane, shall be located underground.
 - (b) All fuel pumps, lubrication and service facilities shall be located at least 20 feet from any street right-of-way line.
 - (10) Places of worship.
 - (11) Childcare facilities.
 - (12) Parks and playgrounds.
 - (13) Accessory uses.
 - (14) Hotels and motels (off-street parking required).
 - (15) Single-family homes, duplexes, and multiple-family residences (off-street parking required).
 - (16) Parking facilities.
 - (17) Public transportation facilities.
 - (18) Renewable energy facilities.
 - (19) Short-term rentals.
 - (20) Daytime social service activities by a social service provider, to include food storage; food distribution without monetary remuneration as a food pantry and/or food service without monetary remuneration as a soup kitchen; laundry facilities not for profit; showers; and counseling to include alcohol and/or substance abuse counseling. This use by right expressly excludes the overnight sheltering of people. For the purposes of this use by right authorization, "daytime" shall mean from 6:00 a.m. to 6:00 p.m. Mountain Standard Time. "Night" shall mean from 6:00 p.m. to 6:00 a.m. Mountain Standard Time.
- (C) *Conditional Uses.*
- (1) Schools.

- (2) Funeral homes.
 - (3) Building materials businesses.
 - (4) Automobile and other vehicle sales or service establishments.
 - (5) Automobile body shops.
 - (6) Distribution, warehouse and wholesale operations.
 - (7) Drive-in or drive-through restaurants.
 - (8) Storage facilities.
 - (9) Antennas and towers are allowed only as conditional uses in all zones and are subject to the provisions of Section 4-4-21 and the other applicable requirements of City ordinances and regulations.
- (D) *Outdoor Storage Businesses.* Businesses that need outdoor storage are not compatible with this district.
- (Ord. No. 2472 , § 4-4-12, 5-7-2019; Ord. No. 2540 , 5-4-2021)

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

- (A) *Intent.* The "B-2" Highway Commercial District is intended to provide for business oriented toward serving the motoring public. This district provides for the convenient exchange of goods and services along the major thoroughfares of the City.
- (B) *Uses by Right.*
- (1) Those listed in the "B-1" district as uses by right.
 - (2) Self-service laundry facilities.
 - (3) Drive-in or drive-through restaurants.
 - (4) Car washes.
 - (5) Childcare facilities.
 - (6) Rental storage units inside a building.
 - (7) Veterinary clinics or hospitals for small animals.
 - (8) Skilled nursing and assisted living facilities and hospitals.
 - (9) Retail building material supply businesses.
 - (10) Parking facilities.
 - (11) Renewable energy facilities.
 - (12) Short-term rentals.
- (C) *Conditional Uses.*
- (1) Those conditional uses listed for the "B-1" district.
 - (2) Recreational vehicle parks and campgrounds.
 - (3) Retail stores, business and service establishments serving the general public but which also involve limited manufacturing of the products supplied.
 - (4) Antennas and towers are allowed only as conditional uses in all zones and are subject to the provisions of Section 4-4-21 and the other applicable requirements of City ordinances and regulations.

- (D) *Not Included in this District.* The following uses are not to be construed as a use by right or conditional use in the "B-2" Highway Commercial District:
- (1) Farm implement sales or service establishments.
 - (2) Construction and contractor's equipment storage facilities.
 - (3) Machine and welding shops.
 - (4) Above ground storage facilities for hazardous fuels.
 - (5) Manufacturing and industrial uses except as allowed by Subsection (C)(3) of this Section.
 - (6) Storage facilities. Small rental storage units are allowed. See Subsection (B)(6) of this Section.
- (E) *Performance Standards.* No use shall be established, maintained or conducted in any "B-2" Highway Commercial District that will result in any public or private nuisance.
- (Ord. No. 2472 , § 4-4-13, 5-7-2019)

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

- (A) *Intent.* "B-2A" Regional Commercial District is intended for a full spectrum of retail and services uses including both convenience goods and general merchandise.
- (B) *Uses by Right.*
- (1) Uses listed as uses by right in the "B-2" and "B-1" districts.
 - (2) Automobile and vehicle sales or service establishments.
 - (3) Farm implement sales or service establishments.
 - (4) Mobile home sales or service establishments.
 - (5) Building materials sales establishments.
 - (6) Rental businesses.
 - (7) Veterinary clinics or hospitals for large animals.
 - (8) Automobile body shops.
 - (9) Automotive repair and service establishments.
 - (10) Parking facilities.
 - (11) Renewable energy facilities.
 - (12) Short-term rentals.
- (C) *Conditional Uses.*
- (1) Uses listed as conditional uses in the "B-1" and "B-2" districts.
 - (2) Warehouses and storage facilities.
 - (3) Manufacturing uses allowed in the "I-1" Light Industrial district.
 - (4) Antennas and towers are allowed only as conditional uses in all zones and are subject to the provisions of Section 4-4-21 and the other applicable requirements of City ordinances and regulations.
- (D) *Not Included in the District.* The following uses are not to be construed as a use by right or a conditional use in the "B-2A" Regional Commercial District:
- (1) Manufacturing and industrial uses, except as allowed by Subsections (C)(1) and (3) of this Section.

- (2) Above ground storage facilities for hazardous fuel.
- (3) Construction and contractor's equipment storage facilities.
- (4) Animal boarding facilities.

(E) *Performance Standards.*

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

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

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

- (A) *Intent.* The "B-3" General Commercial District is intended for a large variety of uses that require large storage areas to conveniently serve customers.
- (B) *Uses by Right.*
- (1) Uses listed as "uses by right" in the "B-1," "B-2" and "B-2A" districts.
 - (2) Automobile and vehicle sales or service establishments.
 - (3) Farm implement sales or service establishments.
 - (4) Mobile home sales or service establishments.
 - (5) Building materials sales establishments.
 - (6) Rental businesses.
 - (7) Feed storage and sales establishments.
 - (8) Veterinary clinics or hospitals for large animals.
 - (9) Automobile body shops.
 - (10) Automotive repair and service establishments.
 - (11) Construction and contractor's office and equipment storage facilities.
 - (12) Above ground storage facilities for hazardous fuels.
 - (13) Parking facilities.
 - (14) Renewable energy facilities.
 - (15) Short-term rentals.
- (C) *Conditional Uses.*
- (1) Uses listed as conditional uses in the "B-1," "B-2" and "B-2A" districts.
 - (2) Warehouses and storage facilities.
 - (3) Antennas and towers are allowed only as conditional uses in all zones and are subject to the provisions of Section 4-4-21 and the other applicable requirements of City ordinances and regulations.
- (D) *Not Included in this District.* The following uses are not to be construed as a use by right or a conditional use in the "B-3" General Commercial district:
- (1) Manufacturing and industrial uses except as allowed by Subsection (C)(1) of this Section.
- (E) *Performance Standards.*
- (1) Manufacturing and storage associated with manufacturing shall be indoors.
 - (2) No use may create a nuisance to other property by reasons of dust, odor, noise, light, smoke, or vibration or other adverse effects which cannot be effectively confined on the premises.

(Ord. No. 2472 , § 4-4-14, 5-7-2019)

ORDINANCE NO. 2565

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, FOR THE ANNEXATION OF THE MCCRACKEN ADDITION

WHEREAS, a petition for the annexation of a tract of land known as the **McCracken Addition** has been submitted to the City of Montrose and has been found by the City Council to be in substantial compliance with C.R.S. 31-12-107(1), and

WHEREAS, said petition has been signed by the owners of 100% of the area proposed to be annexed exclusive of streets and alleys, and

WHEREAS, the property is eligible for annexation in accordance with the Municipal Annexation Act of 1965, as amended,

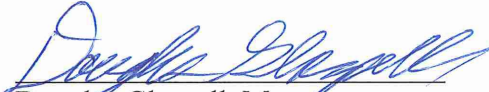
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTROSE, COLORADO, as follows:

SECTION 1:

The property described in **Exhibit A**, known as the **MCCRACKEN ADDITION**, is hereby annexed to the City of Montrose, Colorado.

You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and on the question of its passage on first reading on Tuesday, the 19th day of October, 2021, at the hour of 6:00 p.m. at Montrose City Council Chambers, Elks Building, Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading this 19th day of October, 2021.


Douglas Glaspell, Mayor

ATTEST:


Lisa DelPiccolo, City Clerk



INTRODUCED, READ and ADOPTED on second reading this 2nd day of November, 2021.

Douglas Glaspell, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

EXHIBIT A

Legal Description

A tract of land situated in the NW1/4 of the SE1/4 Section 20, Township 49 North, Range 9 West, N.M.P.M., Montrose County, Colorado and being more particularly described as follows: Beginning at the NE corner of said NW1/4 of the SE1/4, also being the CE1/16 corner and running thence S00°26'10"E, 30.27 feet; thence N89°29'54"W, 727.81 feet; thence S00°01'10"W, 382.64 feet; thence N89°34'09"W, 190 feet; thence N00°01'10"E, 412.01 feet to the north line of said NW1/4 of the SE1/4; thence along the north line of said NW1/4 of the SE1/4 S89°34'09"E, 917.14 feet to the Point of Beginning, said parcel contains 2.295 acres, more or less. City of Montrose, County of Montrose, State of Colorado.

ORDINANCE NO. 2566

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, PROVIDING FOR THE ZONING OF THE MCCRACKEN ADDITION AS A "B-3", GENERAL COMMERCIAL DISTRICT

WHEREAS, the **McCracken Addition** has been recently annexed to the City of Montrose, Colorado; and

WHEREAS, the owners of such property have requested zoning which the Planning Commission has reviewed and recommended in accordance with the requirements of the City Code; and

WHEREAS, the proposed recommendation is substantially in accord with the City's Master Plan, is compatible with existing zoning in nearby or adjoining properties, and is in the public interest.

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

The Official Zoning Map is hereby amended to designate the **McCracken Addition**, according to the Official Annexation Map thereof, as a "B-3", General Commercial District.

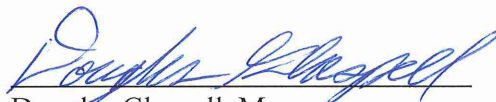
You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and on the question of its passage on first reading on Tuesday, the 19th day of October, 2021, at the hour of 6:00 p.m. at Montrose City Council Chambers, Elks' Civic Building in Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading this 19th day of October, 2021.

ATTEST:


Lisa DelPiccolo, City Clerk




Douglas Glaspell, Mayor

INTRODUCED, READ and ADOPTED on second reading this 2nd day of November,

2021.

ATTEST:

Douglas Glaspell, Mayor

Lisa DelPiccolo, City Clerk



CITY OF MONTROSE
Planning Services

MEMO

TO: City Council
FROM: Amy Sharp, Senior Planner
DATE: November 2, 2021
RE: Air Park Rezone
ATTACHMENTS:

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

City Council Consideration:

City Council is considering the approval to rezone a portion of Parcel #376720200907, also known as 2365 Air Park Way. (See Exhibit A). City Council will consider all of the information in this memo in making a decision.

Applicant: City of Montrose

Application Background:

The proposal is to rezone a portion of Parcel #376720200907, also known as 2365 Air Park Way. A rezone map and legal description of the property to be rezoned is found in Exhibit A. This property is currently zoned “P” Public District. The proposed new zoning is “B-3” General Commercial District. This proposed zoning would allow for new commercial use opportunities within this area. The City would retain a small piece of land within this parcel as shown on the attached map as “P” Public District for public access to the river. The property consists of approximately 1.3 acres. A minor subdivision is currently in process to separate these two parcels. This is an administrative action, reviewed and approved by staff and the City Manager.

Proposed Zoning: “B-3” General Commercial District



Staff Analysis:

1. Municipal Code, Section, 4-4-29(A), Rezoning.
“Amendments to the Official Zoning Map involving any change in the boundaries of an existing zoning district, or changing the designation of a district, shall be allowed only upon findings as follows:
 - a) The amendment is not adverse to the public health, safety and welfare; and
 - b) The amendment is in substantial conformity with the master plan or,
 - i. The existing zoning is erroneous, or
 - ii. Conditions in the area affected or adjacent areas have changed materially since the area was last zoned.”
2. The Planning Commission should consider the merits of the proposed rezone only and make a recommendation to City Council based on whether it should be rezoned to “B-3” General Commercial District. The current zoning is “P” Public District.
 - Zoning Regulations. The “B-3” General Commercial District is intended for a large variety of uses that require large storage areas to conveniently serve customers. (Section 4-4-14) (See Exhibit B for excerpt from Municipal Code)
3. This property is adjacent to properties that are zoned “P” Public District, “I-2” General Industrial District, and agricultural (outside City limits).
4. The Comprehensive Plan Future Land Use Map (Chapter 5) designates this area as Public. This land use designation is to suggest potential locations for parks, open space, trails, school, churches, cemeteries, and public buildings.
 - Staff finds that the proposed zoning is compatible with the Comprehensive Future Land Use Map and surrounding zoning and uses.
5. The “B-3” zoning does not appear to be adverse to the public health, safety and welfare, and is consistent with Municipal Code requirements and the Comprehensive Plan.

Staff Recommendation:

Staff finds that the rezone criteria has been met; it is in compliance with the Comprehensive Plan; it is compatible with existing uses in the surrounding area; and therefore, recommends approval of the "B-3" General Commercial District.

Planning Commission Recommendation:

The Planning Commission recommended approval of the rezone for this project from “P” Public District to “B-3” General Commercial District at the October 26, 2021 meeting.

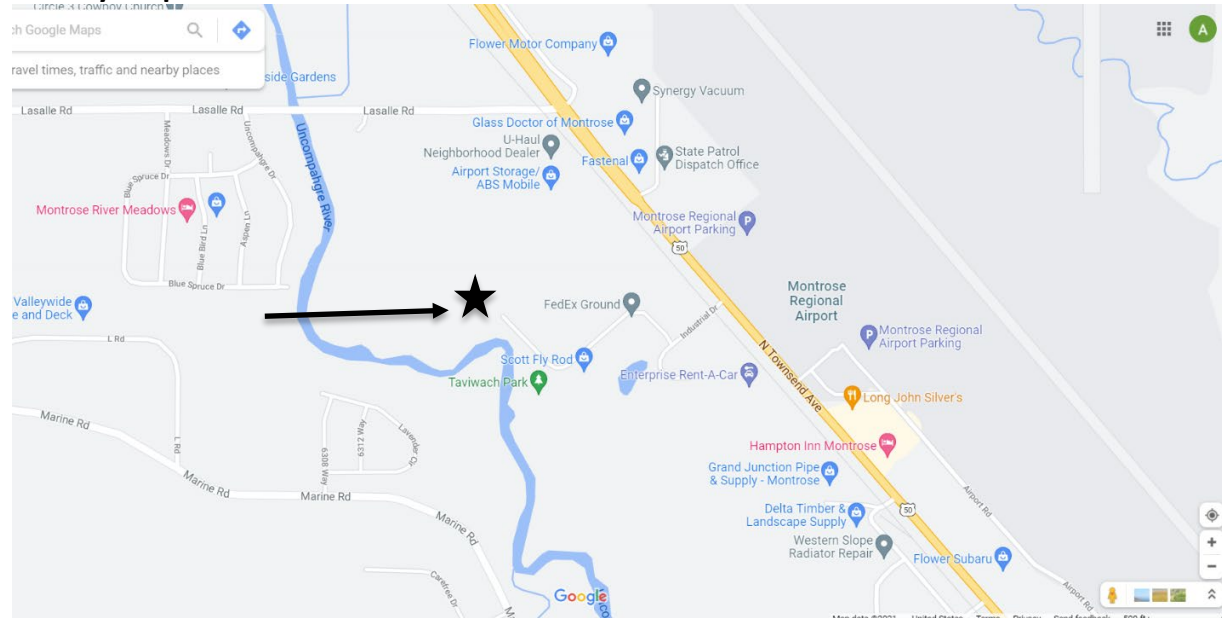
City Council Options:

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

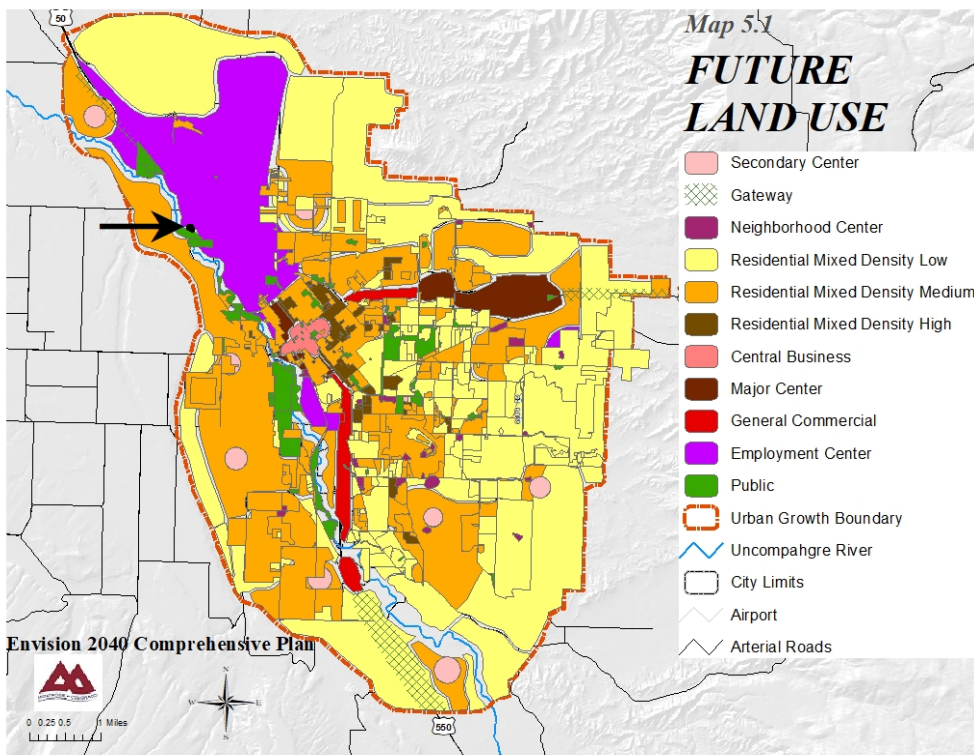


EXHIBIT A: Maps

Vicinity Map



Comprehensive Plan Land Use Map



Rezone a portion of Parcel #376720200907

Rezone to "B-3"

Remains "P" Public District

Legend

City Streets and Highways
STREETU SE

- MAJOR ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- RESIDENTIAL
- PROPOSED
- TLRL PARK - PRIVATE

- City Parcel
- Rezone Area
- County Parcels
- CITY LIMITS

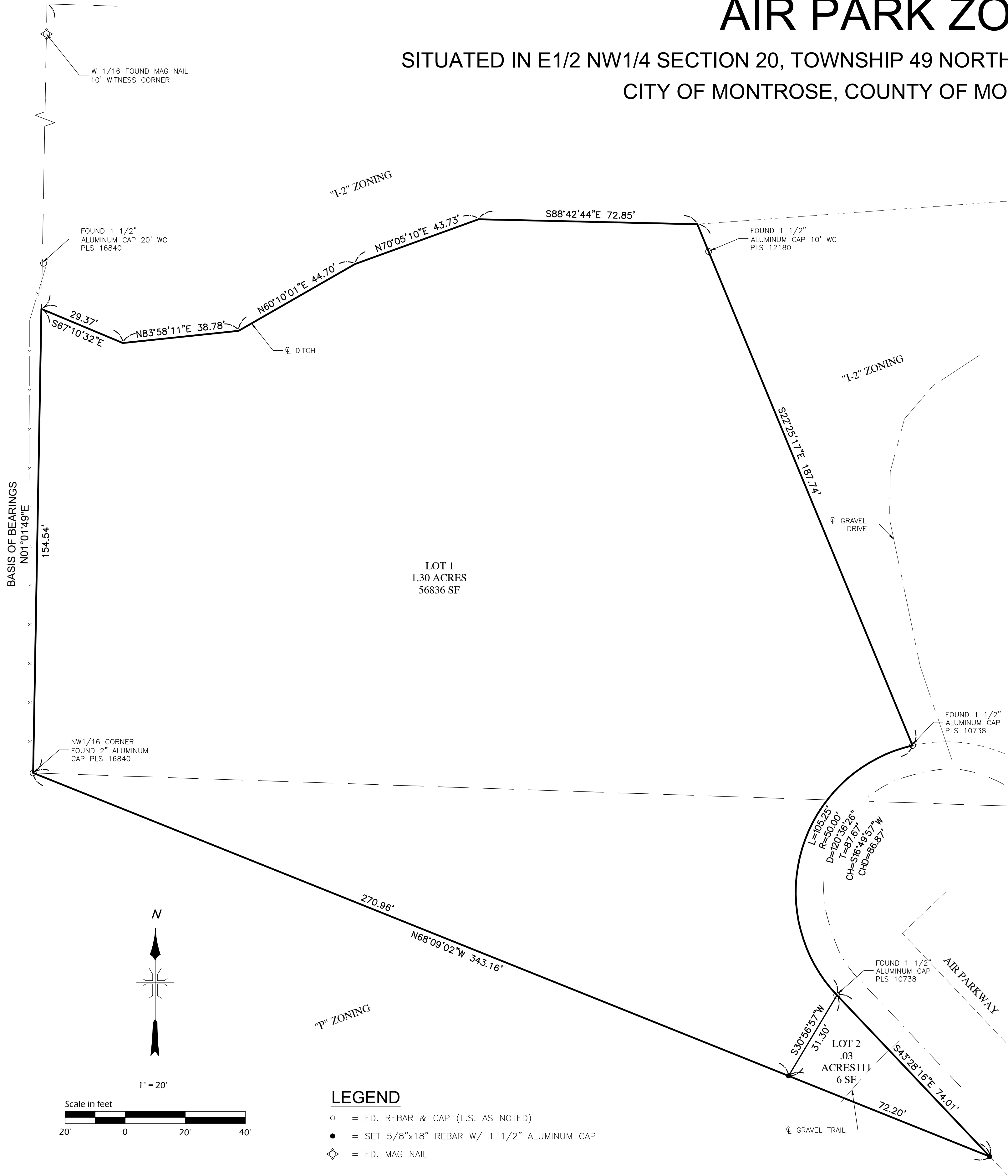
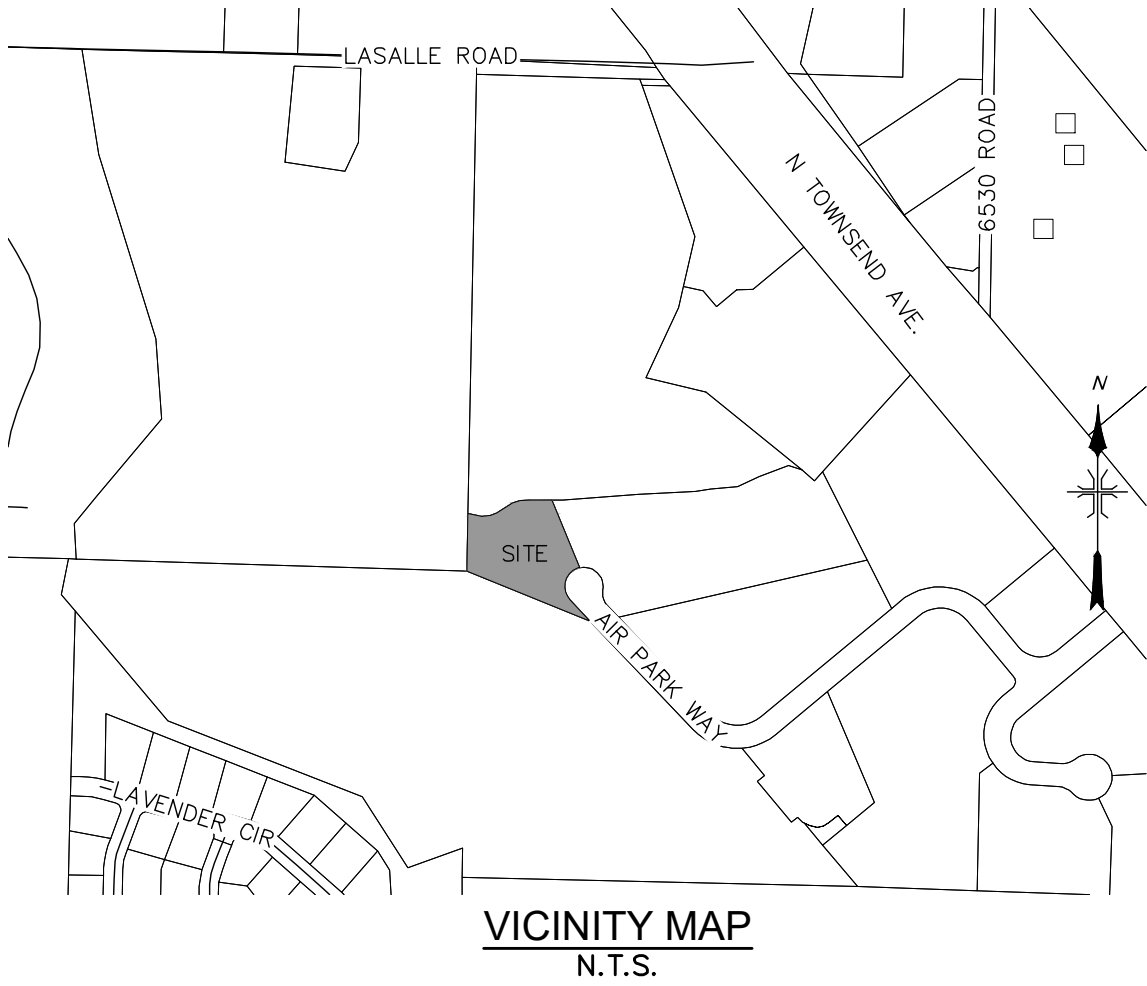
0 0.0275 0.055 0.11 0.165 Miles

N

Map created 10/5/2021

AIR PARK ZONING MAP

SITUATED IN E1/2 NW1/4 SECTION 20, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO



PROPERTY DESCRIPTION (PROPOSED LOT 1):

A parcel of land situated in the E1/2NW1/4 Section 20, Township 49 North, Range 9 West, New Mexico Principal Meridian, City of Montrose, State of Colorado being better described as beginning at the NW1/16 corner of said Section 20, thence along the West line of the NE1/4NW1/4 N01°01'49"E 154.54 feet to a point on the centerline of a ditch; Thence the following five (5) courses along said centerline S67°10'32"E 29.37 feet; N83°58'11"E 38.78 feet; N60°10'01"E 44.70 feet; N70°05'10"E 43.73 feet; S88°42'44"E 72.85 feet to the Northwest corner of Gordon Minor Subdivision recorded at Reception No. 718789; Thence the following two (2) courses along the boundary of said Gordon Minor Subdivision S22°25'17"E 187.74 feet; 105.25 feet along the arc of a non tangent curve to the left with a radius of 50.00 feet, an interior angle of 120°36'26" and a chord of S16°49'57"W 86.87 feet; Thence leaving said boundary S30°56'57"W 31.30 feet; Thence N68°09'02"W 270.96 feet to The Point of Beginning. Containing 1.30 Acres more or less as described.

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.

DMC				DEL-MONT CONSULTANTS, INC. ENGINEERING & SURVEYING 125 Colorado Ave. • Montrose, CO 81401 • (970) 245-2251 • (970) 245-2242 FAX www.del-mont.com • service@del-mont.com	
FIELD BOOK:	790	DRAWN BY:	DCC	DATE:	2021-10-25
SHEET:	1 of 1	FILE:	21169V_ZONING	JOB NO.:	21169
				TITLE:	AIR PARK WAY REZONING MAP
				CLIENT:	CITY OF MONTROSE
				ADDRESS & PHONE:	2365 AIR PARK WAY MONTROSE, CO 81401
				TYPE:	REZONE

EXHIBIT B: Photo of Project Area



EXHIBIT C: Zoning Code Excerpt

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

- (A) *Intent.* The "B-3" General Commercial District is intended for a large variety of uses that require large storage areas to conveniently serve customers.
- (B) *Uses by Right.*
- (1) Uses listed as "uses by right" in the "B-1," "B-2" and "B-2A" districts.
 - (2) Automobile and vehicle sales or service establishments.
 - (3) Farm implement sales or service establishments.
 - (4) Mobile home sales or service establishments.
 - (5) Building materials sales establishments.
 - (6) Rental businesses.
 - (7) Feed storage and sales establishments.
 - (8) Veterinary clinics or hospitals for large animals.
 - (9) Automobile body shops.
 - (10) Automotive repair and service establishments.
 - (11) Construction and contractor's office and equipment storage facilities.
 - (12) Above ground storage facilities for hazardous fuels.
 - (13) Parking facilities.
 - (14) Renewable energy facilities.
 - (15) Short-term rentals.
- (C) *Conditional Uses.*
- (1) Uses listed as conditional uses in the "B-1," "B-2" and "B-2A" districts.
 - (2) Warehouses and storage facilities.
 - (3) Antennas and towers are allowed only as conditional uses in all zones and are subject to the provisions of Section 4-4-21 and the other applicable requirements of City ordinances and regulations.
- (D) *Not Included in this District.* The following uses are not to be construed as a use by right or a conditional use in the "B-3" General Commercial district:
- (1) Manufacturing and industrial uses except as allowed by Subsection (C)(1) of this Section.
- (E) *Performance Standards.*
- (1) Manufacturing and storage associated with manufacturing shall be indoors.
 - (2) No use may create a nuisance to other property by reasons of dust, odor, noise, light, smoke, or vibration or other adverse effects which cannot be effectively confined on the premises.

(Ord. No. 2472 , § 4-4-14, 5-7-2019)



ORDINANCE NO. 2569

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, AMENDING THE ZONING DISTRICT DESIGNATION OF A PORTION OF PARCEL #3767-202-00-907 FROM "P", PUBLIC DISTRICT TO "B-3," GENERAL COMMERCIAL DISTRICT

WHEREAS, Phoebe Benziger moved, and Karen Vacca seconded, to recommend the City Council approval of the rezone for a portion of parcel #3767-202-00-907, also known as 2365 Air Park Way, City of Montrose; and

WHEREAS, the motion carried and Planning Commission has recommended the zoning changes provided herein; and

WHEREAS, the City Council has determined that such zoning will be consistent with the public health, safety and welfare, the City's Master Plan and changed conditions in the area.

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

SECTION 1:

The Official Zoning Map is amended to designate a portion of parcel #3767-202-00-907, also known as 2365 Air Park Way, as shown on **Exhibit A** attached hereto, and more particularly described as:

A parcel of land situated in the E1/2 NW1/4 Section 20, Township 49 North, Range 9 West, New Mexico Principal Meridian, City of Montrose, State of Colorado being better described as beginning at the NW1/16 corner of said Section 20, thence along the West line of the NE1/4 NW1/4 N01°01'49"E 154.54 feet to a point on the centerline of a ditch; Thence the following five (5) courses along said centerline S67°10'32"E 29.37 feet; N83°58'11"E 38.78 feet; N60°10'01"E 44.70 feet; N70°05'10"E 43.73 feet; S88°42'44" E 72.85 feet to the Northwest corner of Gordon Minor Subdivision recorded at Reception No. 718789; Thence the following two (2) courses along the boundary of said Gordon Minor Subdivision S22°25'17"E 187.74 feet; 105.25 feet along the arc of a non tangent curve to the left with a radius of 50.00 feet, an interior angle of 120°36'26" and a chord of S16°49'57"W 86.87 feet; Thence leaving said boundary S30°56'57"W 31.30 feet; Thence N68°09'02"W 270.96 feet to The Point of Beginning. Containing 1.30 Acres more or less as described.

as a "B-3", General Commercial District, according to the Official Zoning Map.

You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and on the question of its passage on first reading on Tuesday, the 2nd day of November, 2021, at the hour of 6:00 p.m. at Montrose City Council Chambers, Elks' Civic Building in Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading this 2nd day of November, 2021.

ATTEST:

Douglas Glaspell, Mayor

Lisa DelPiccolo, City Clerk

INTRODUCED, READ and ADOPTED on second reading this 16th day of November, 2021.

ATTEST:

Douglas Glaspell, Mayor

Lisa DelPiccolo, City Clerk



CITY OF MONTROSE
Planning Services

MEMO

TO: City Council
FROM: Amy Sharp, Senior Planner
DATE: November 2, 2021
RE: 2021 Intergovernmental Agreement between the City and County
EXHIBITS: Redline & Clean Version of IGA

After completion of the Envision 2040 Comprehensive Plan, City staff reviewed the 2010 Intergovernmental Agreement (IGA) between the City and County of Montrose pertaining to the development of land surrounding the City. City staff made updates to the IGA and also reviewed with Montrose County staff for proposed changes. Attached is a redline and clean version of the new IGA which incorporates the new maps from the Envision 2040 Comprehensive Plan.

**2021 - INTERGOVERNMENTAL AGREEMENT
BETWEEN THE CITY AND COUNTY OF
MONTROSE COLORADO PERTAINING TO THE
DEVELOPMENT OF LAND
SURROUNDING THE CITY**

THIS AGREEMENT is entered into between the City of Montrose, Colorado (City) and the County of Montrose, Colorado (County).

WHEREAS, the City has adopted a revised Comprehensive Plan; and

WHEREAS, the Parties wish to cooperate to provide for the efficient management and administration of development proposals in the area near the City where City water or sewer service is reasonably available and annexation is possible; and

WHEREAS, this Agreement supplements and expands upon the Land Use Policies contained in the existing "City of Montrose Waste Water Treatment Facilities Plan - Management Strategy" Agreement dated December 4, 1980, as amended by the "Waste Water Service and Treatment Agreement" dated April 2001 ("Facilities Plan"), as such Facilities Plan may necessarily be amended from time to time to ensure compatibility with this Agreement (the 201 Plan was Amended in 2005 also); and

WHEREAS, the Parties wish to provide advance guidance to developers as to which entity will administer development proposals in said area around the City; and

WHEREAS, the State of Colorado has authorized and encouraged local governments to cooperate with each other pursuant to C.R.S. § 29-20-105(1), C.R.S. § 29-1-203 and Section 18(2)(a) and (2)(b) of Article XIV of the Colorado Constitution; and

WHEREAS, this Agreement is authorized by the above cited statutes and other applicable laws.

NOW, THEREFORE, for and in consideration of mutual covenants set out herein, it is agreed as follows:

I. ADMINISTRATION OF DEVELOPMENT PROPOSALS

(A)

- (1) All applicants seeking Development Approvals, as defined below, for property located outside of the City limits within the area delineated as (i) the land within the Urban Growth Boundary shall be referred to the City prior to the formal submission of any application for Development Approval to the County. A representative map of the above described areas is attached hereto as **Exhibit "A"** (hereinafter referred to as "Interface Area"), and incorporated herein. The term "Development Approval" shall include any subdivision, zoning, planned

development or other action relating to the use of land for which state or County laws and regulations require County approval, **and (ii) Subdivisions in the West Montrose Sanitation District will be reviewed by the City of Montrose to determine if additional right-of-way dedication is necessary;** except the following:

- (a) Minor Subdivisions, Boundary Line Adjustments, Exemption Plats and/or Exemption Resolutions or replats that do not involve additional lots or buildings needing additional water service or sewer service, ~~except that Minor Subdivisions within the boundaries of the West Montrose Sanitation District shall be considered a “Development Approval”;~~
 - (b) Down-zoning requests (where the zoning request is for a less intensive classification than the existing zoning);
 - (c) Other proceedings where neither additional water service nor sewer service will be required, including, but not limited to, Building Permits, ~~ISDS~~ **OWTS** Permits, Driveway and Access Permits, Addresses, Flood Plain Permits, Road Cut Permits, and Correction Plats;
 - (d) Minor Subdivisions outside the West Montrose Sanitation District, except that public street rights-of-way shall be dedicated, but not necessarily constructed, in conformance with Section II of this Agreement.
- (2) The City will review the matter and advise the applicant and the County of the following within thirty (30) days:
- (a) Whether or not the property is eligible for annexation pursuant to state statute.
 - (b) Whether or not it is feasible for the City to annex the property.
 - (c) Whether the City is willing to proceed with annexation of the property.
 - (d) On what terms and cost to the developer City sewer service can be made available to the property.
- (3) Upon the conclusion of the City's review, two options shall be available:
- (a) If the City advises the County that the property is not eligible for annexation pursuant to state statute, annexation is not feasible, or the City does not desire to proceed with annexation, the County shall thereafter process the development pursuant to County regulations.
 - (i) In the case of Minor Subdivisions inside the West Montrose Sanitation District for which the City declines annexation, the County shall follow Section II, herein.

- (b) Where the City has indicated that the property is eligible for annexation pursuant to state statute, annexation is feasible and that the City will proceed with annexation, annexation of the property shall be processed by the City in accordance with City regulations.
- (B) The City may condition annexation upon legal and reasonable requirements to the developer as appropriate to implement the City's Comprehensive Plan and will advise the County of the conditions. The County may request that the City consider additional conditions.
- (C) The City will not, except under extraordinary circumstances specifically authorized by City Council, provide City sewer service to any property which is not annexed or for which a petition for annexation has not been filed with the City.
- (D) The City will keep updated City sewer system maps on file in the County's Planning Office for purposes of application of this Agreement.
- (E) If, after a full and complete annexation application has been submitted to the City, twelve (12) months have elapsed, and the application continues to be actively pursued by the applicant, the City and County planning and development staffs shall meet to confer on the application.

II. STREETS AND ROAD PLANS

It is the goal of the Parties that the City's ~~Major Street Plan~~ Proposed Roadway Network and Classification identified in their Comprehensive Plan (included as an excerpt in Exhibit B) and the County's Transportation Plan be brought into substantial conformity with one another. The City agrees to participate in the County's planning process toward that objective during the County's planning process. At the conclusion of the process, the City will consider any appropriate amendments to its Plan as agreed by the Parties.

- (A) Public street rights-of-way shall be dedicated in conformance with ~~Map 6.1~~ of the City of Montrose Transportation Plan, attached hereto and incorporated herein as **Exhibit "B"**.
- (B) Public street rights-of-way shall be dedicated in widths appropriate to the classification of said rights-of-way ~~conforming to City standards in effect at that point in time., conforming to those shown on Exhibits "D" through and including "K", attached hereto and incorporated herein.~~

III. COORDINATION OF REGULATIONS

- (A) The Parties agree to have appropriate representatives of their administration meet at least ~~monthly~~ quarterly for the following purposes:
 - (1) To review pending proposals for development in the Interface Area.
 - (2) To explore ways to bring substantive standards of City and County development regulations into substantial consistency where appropriate.

(3) To consider additional amendments to this Agreement or additional cooperative agreements.

(B) The City and County agree to ~~aggressively~~ continue to negotiate ~~certain~~ items of particular importance to either the City or the County concerning incorporated standards or land use issues of their appropriate jurisdictions, ~~including those items the City has identified as being of particular importance, set forth herein on Exhibit "C", attached hereto and incorporated herein.~~ At such time that the City and County mutually agree that any of these conditions or standards are acceptable and agreed upon by both bodies, those agreed upon amendments will be made part of this Intergovernmental Agreement by amendment hereof and the City and County shall commence the public processes and procedures necessary to incorporate any such agreed conditions or standards into the appropriate codes or regulations.

IV. **THIS AGREEMENT** may be terminated by either Party within ninety (90) days advance written notice to the other Party at any time.

V. **THIS AGREEMENT** is dated the _____ day of _____ 2021.

CITY OF MONTROSE, COLORADO

BY: _____
Douglas Glaspell, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

COUNTY OF MONTROSE, COLORADO

BY: _____
_____, Chairman

ATTEST:

_____, Deputy Clerk

Exhibit “A”

GROWTH AREAS*

MAP 5.2

LEGEND

- City Limits
- 2005 IGA Referral Area
- Urban Growth Boundary

- Growth Area 1
- Growth Area 2
- Growth Area 3

* A Growth Area is an area identified for future development based on a framework for guiding growth in an incremental manner.

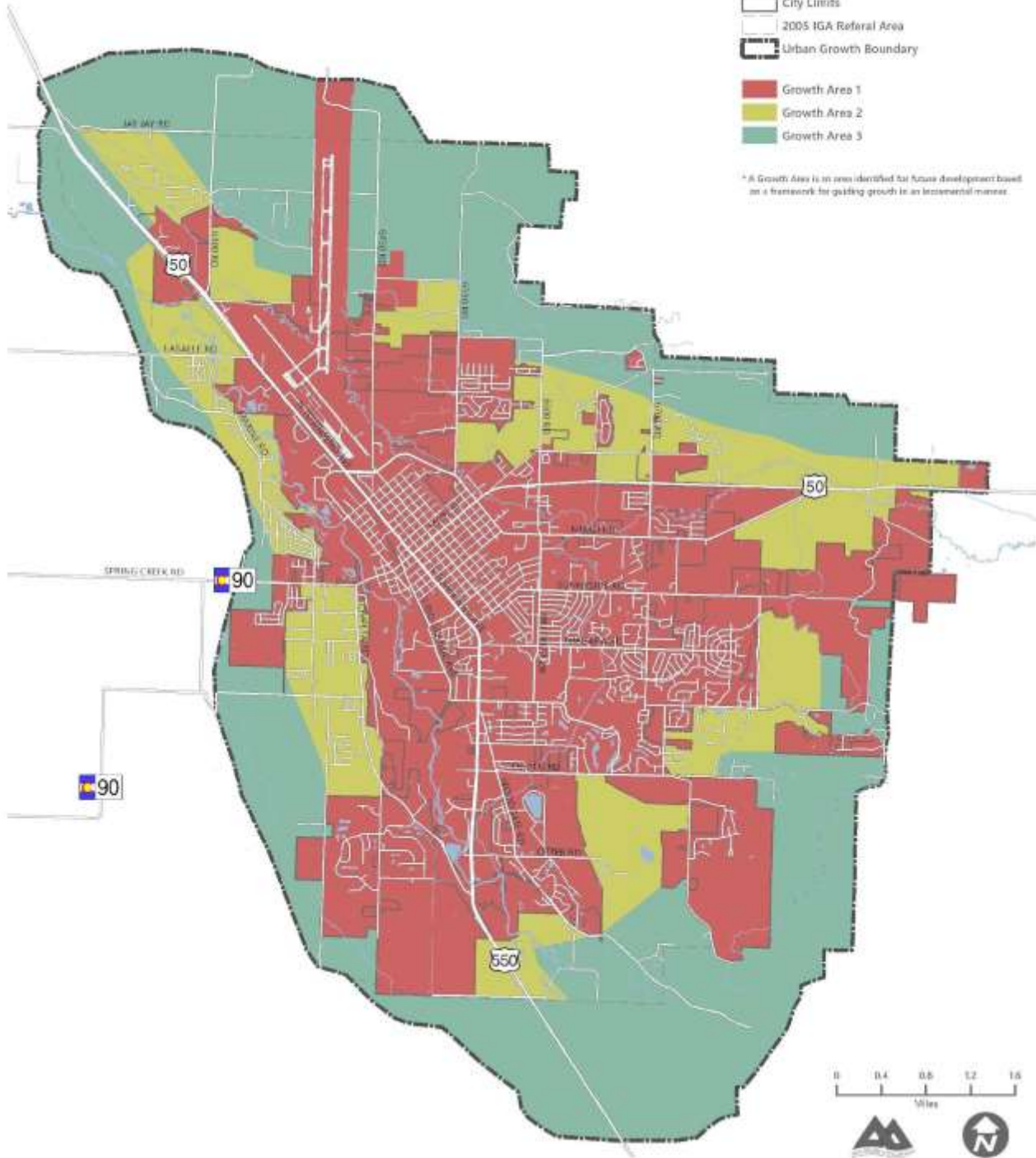


Exhibit “B”

TRANSPORTATION

Proposed Roadway Network and Classification

MAP 6.1

LEGEND

- Roundabout
- ◆ Traffic Signal
- BLM
- City Limits
- 2005 IGA Referral Area
- Major Arterial
- Minor Arterial
- Collector
- Proposed Minor Arterial (alignment to be determined)
- Proposed Collector (alignment to be determined)

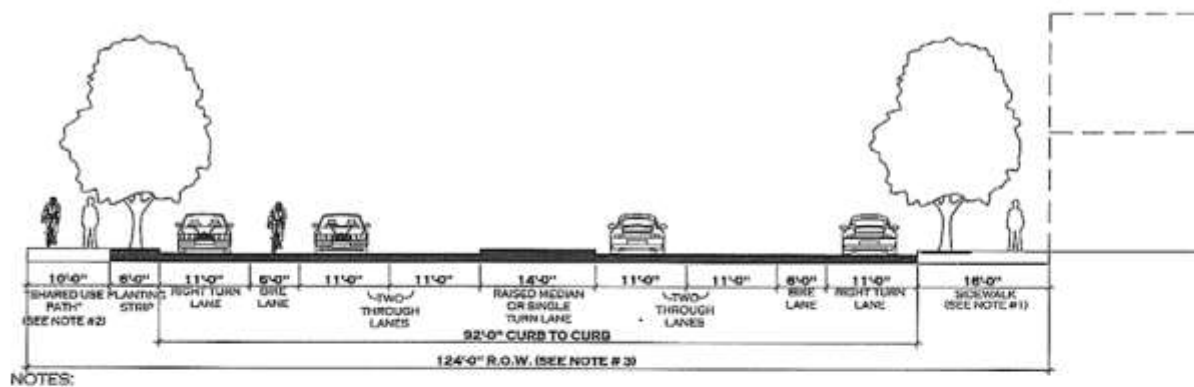
* Due to topography, precise alignment of this arterial route will be determined upon development of the area. It is expected that deviations to this route, some of which may be significant, will be made.



~~Exhibit “C”~~

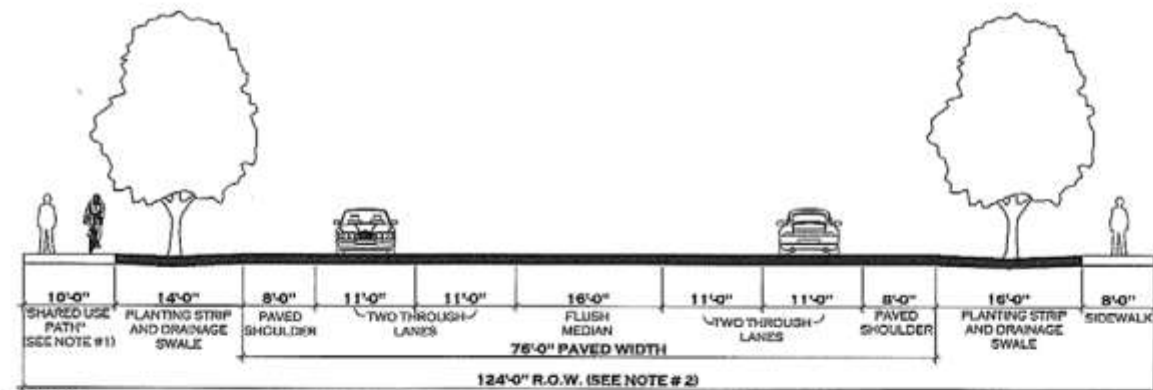
- ~~● On and Off-site Improvements~~**
- ~~● Parks and Recreation Paths~~**
- ~~● Location of Sewer Lines~~**
- ~~● Manufactured Home Park Standards~~**

These diagrams/exhibits will all be removed. They are from the old Comprehensive Plan.



1. IN URBAN AREAS WITH BUILDINGS AT R.O.W. LINE, SIDEWALKS MAY BE 16'-0", ATTACHED TO CURB, WITH TREES IN TREE GRATES.
2. IN NON-URBAN AREAS, SIDEWALK ON ONE SIDE TO BE 10'-0" TO BECOME A "SHARED USE PATH", PLANTING STRIP SHOULD BE 6'-0" WIDE MINIMUM.
3. R.O.W. WIDTH SHALL BE WIDENED TO 134'-0" WITHIN 500'-0" OF AN ARTERIAL CROSS-STREET TO ALLOW FOR A DOUBLE LEFT TURN LANE.
4. NO ON-STREET PARKING
5. MEDIAN WILL ALLOW FOR SINGLE OR DOUBLE TURN LANE
6. RIGHT TURN LANES PROVIDED AS NEEDED
7. MINIMUM RAISED MEDIAN WIDTH OF 4'-0" ADJACENT TO LEFT TURN LANE

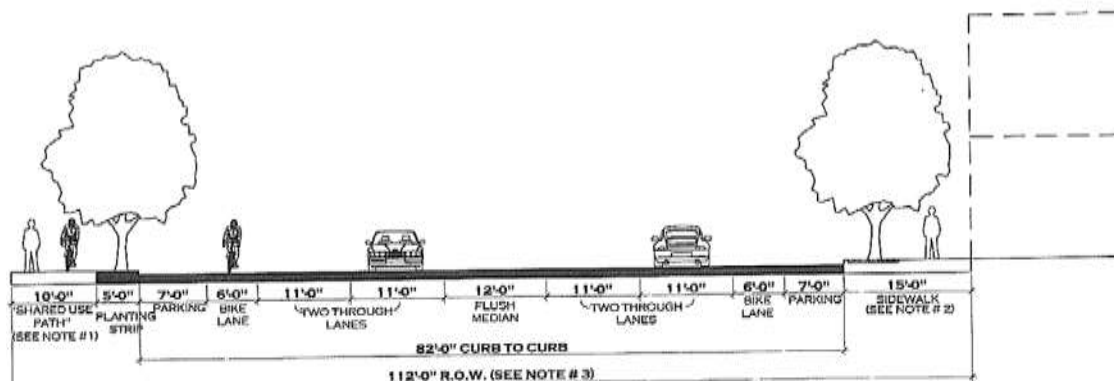
Figure 10.2: Urban Major Arterial Street



1. SIDEWALK ON ONE SIDE MAY BE WIDENED TO 10'-0" WIDE TO BECOME A "SHARED USE PATH".
2. R.O.W. WIDTH SHALL BE WIDENED TO 134'-0" WITHIN 500'-0" OF AN ARTERIAL CROSS-STREET TO ALLOW FOR A DOUBLE LEFT TURN LANE.
3. NO ON-STREET PARKING
4. MEDIAN WILL ALLOW FOR SINGLE LEFT TURN LANE OR TWO-WAY LEFT TURN LANE
5. RIGHT TURN LANES MAY BE ADDED AS NEEDED (NARROW PLANTING STRIP)
6. 8'-0" WIDE PAVED SHOULDER SUITABLE FOR BICYCLING IS REQUIRED
7. RURAL MAJOR ARTERIAL MAY BE CONVERTED TO AN URBAN MAJOR ARTERIAL SECTION OVER TIME

Figure 10.3: Rural Major Arterial Street

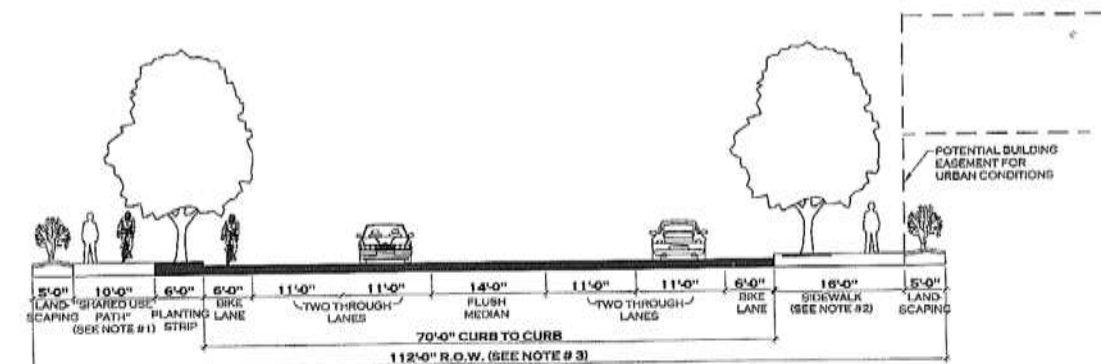
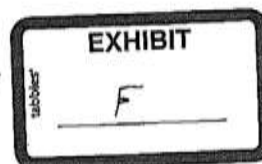




NOTES:

1. IN NON-URBAN AREAS, SIDEWALK ON ONE SIDE TO BE 10'-0" TO BECOME A "SHARED USE PATH". PLANTING STRIP WOULD BE 5'-0" WIDE.
2. IN URBAN AREAS WITH BUILDINGS AT THE R.O.W. LINE, SIDEWALKS MAY BE WIDENED TO 15'-0", ATTACHED TO THE CURB, WITH TREES IN TREE GRATES.
3. R.O.W. WIDTH SHALL BE WIDENED TO 124'-0" WITHIN 500'-0" OF AN ARTERIAL CROSS-STREET TO ALLOW FOR A DOUBLE LEFT TURN LANE.
4. MEDIAN WILL ALLOW FOR SINGLE LEFT TURN LANE OR TWO-WAY LEFT TURN LANE.
5. MEDIAN MAY BE RAISED IF APPROPRIATE FOR ACCESS CONTROL OR STREETScape

Figure 10.4: Urban Minor Arterial Street with On-Street Parallel Parking

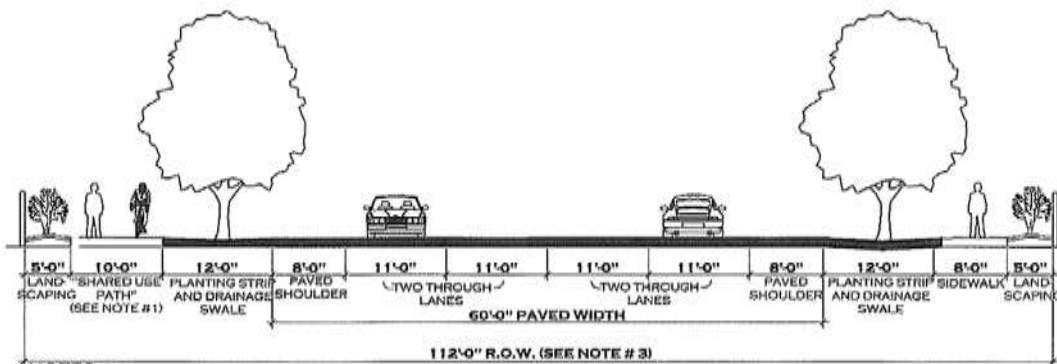


NOTES:

1. IN NON-URBAN AREAS, SIDEWALK MAY BE WIDENED TO 10'-0" TO BECOME A "SHARED USE PATH". PLANTING STRIP WOULD BE AT LEAST 6'-0" WIDE. SIDEWALK/PATH MAY MEANDER TO PROPERTY LINE.
2. IN URBAN AREAS WITH BUILDINGS AT THE R.O.W. LINE, SIDEWALKS MAY BE WIDENED TO 16'-0", ATTACHED TO THE CURB, WITH TREES IN TREE GRATES.
3. R.O.W. WIDTH SHALL BE WIDENED TO 124'-0" WITHIN 500'-0" OF AN ARTERIAL CROSS-STREET TO ALLOW FOR A DOUBLE LEFT TURN LANE.
4. MEDIAN WILL ALLOW FOR SINGLE LEFT TURN LANE OR TWO-WAY LEFT TURN LANE.
5. MEDIAN MAY BE RAISED IF APPROPRIATE FOR ACCESS CONTROL OR STREETScape

Figure 10.5: Urban Minor Arterial Street without On-Street Parallel Parking

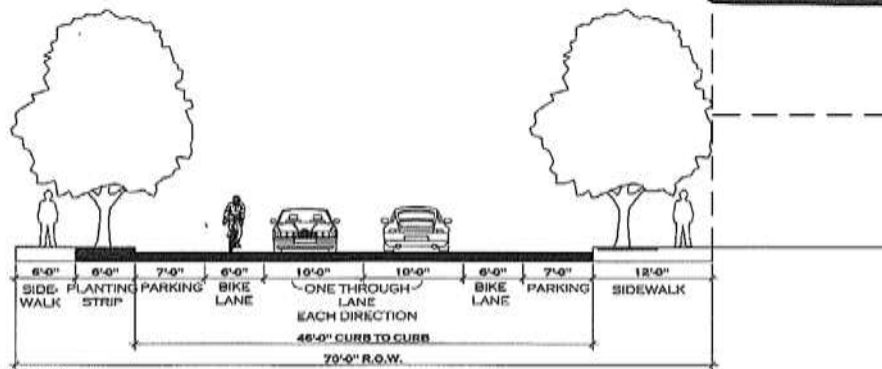




NOTES:

1. SIDEWALK TO BE 8'-0" WIDE SEPARATED FROM STREET BY PLANTING STRIP AT LEAST 12'-0" WIDE. SIDEWALK MAY MEANDER TO PROPERTY LINE.
2. IN NON-URBAN AREAS, SIDEWALK TO BECOME A "SHARED-USE PATH". PLANTING STRIP WOULD BE AT LEAST 12'-0" WIDE. SIDEWALK /PATH MAY MEANDER TO PROPERTY LINE.
3. R.O.W. WIDTH SHALL BE WIDENED TO 124'-0" WITHIN 500'-0" OF AN ARTERIAL CROSS-STREET TO ALLOW FOR A DOUBLE LEFT TURN LANE.
4. NO ON-STREET PARKING
5. LEFT TURN LANE MAY BE ADDED IF NEEDED BY NARROWING PLANTING STRIPS
6. RURAL MAJOR ARTERIAL MAY BE CONVERTED TO URBAN MINOR ARTERIAL SECTION OVER TIME
7. 8'-0" WIDE PAVED SHOULDER IS TO BE SUITABLE FOR BICYCLING

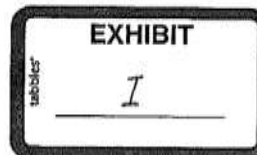
Figure 10.6: Rural Minor Arterial Roadway



NOTES:

1. SIDEWALK TO BE 6'-0" SEPARATED FROM STREET BY 6'-0" PLANTING STRIP
2. SIDEWALK MAY BE WIDENED TO 12'-0" IN URBAN AREAS WHERE BUILDINGS FRONT ON THE R.O.W. LINE. TREES WOULD BE IN TREE GRATES.
3. DRIVE ZONE TO BE TWO-LANE UNDIVIDED
4. CURB AND GUTTER REQUIRED
5. ON-STREET PARKING LANES AND STRIPED BIKE LANES REQUIRED

Figure 10.7: Collector Street



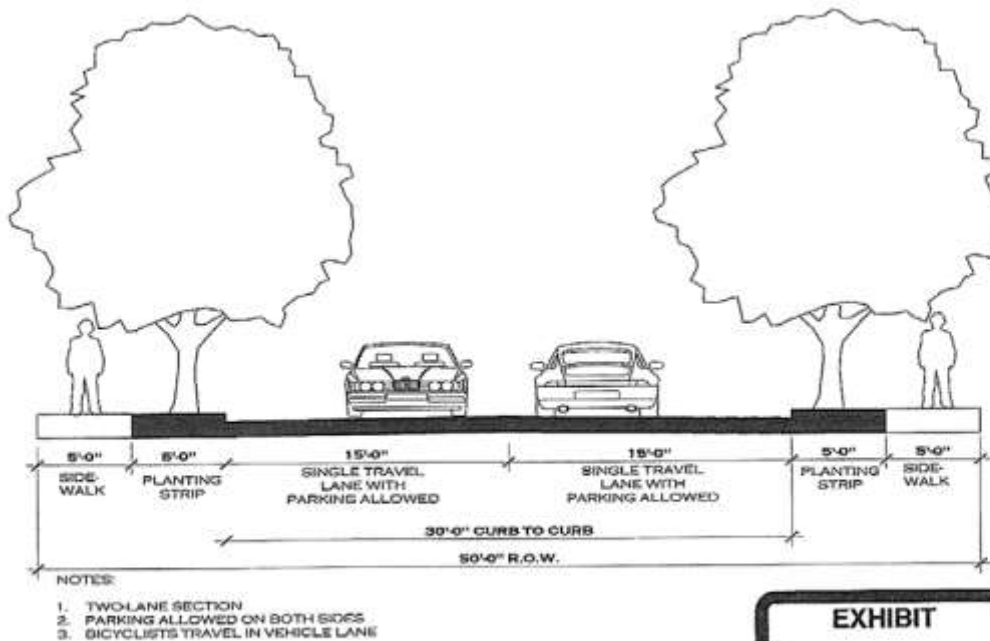


Figure 10.8: Local Access Street - Alternative #1

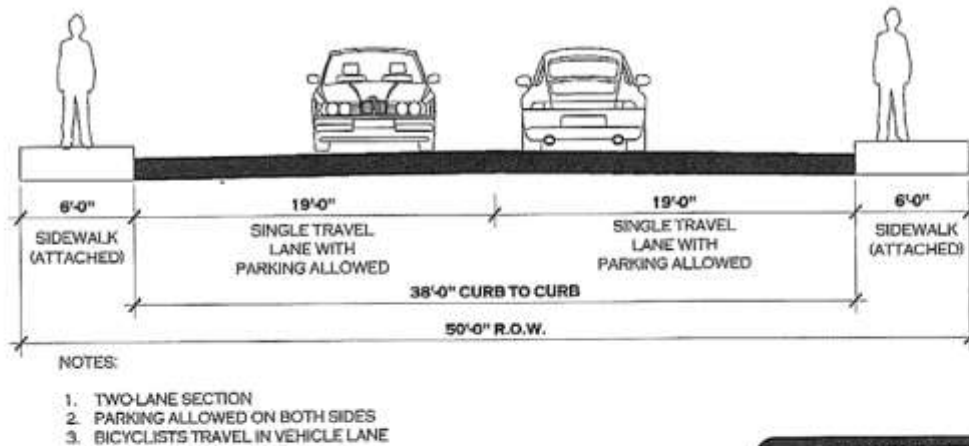
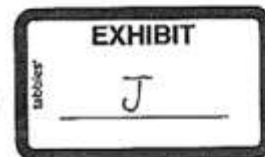
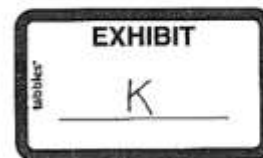


Figure 10.9: Local Access Street - Alternative #2



**2021 - INTERGOVERNMENTAL AGREEMENT
BETWEEN THE CITY AND COUNTY OF
MONTROSE COLORADO PERTAINING TO THE
DEVELOPMENT OF LAND
SURROUNDING THE CITY**

THIS AGREEMENT is entered into between the City of Montrose, Colorado (City) and the County of Montrose, Colorado (County).

WHEREAS, the City has adopted a revised Comprehensive Plan; and

WHEREAS, the Parties wish to cooperate to provide for the efficient management and administration of development proposals in the area near the City where City water or sewer service is reasonably available and annexation is possible; and

WHEREAS, this Agreement supplements and expands upon the Land Use Policies contained in the existing "City of Montrose Waste Water Treatment Facilities Plan - Management Strategy" Agreement dated December 4, 1980, as amended by the "Waste Water Service and Treatment Agreement" dated April 2001 ("Facilities Plan"), as such Facilities Plan may necessarily be amended from time to time to ensure compatibility with this Agreement (the 201 Plan was Amended in 2005 also); and

WHEREAS, the Parties wish to provide advance guidance to developers as to which entity will administer development proposals in said area around the City; and

WHEREAS, the State of Colorado has authorized and encouraged local governments to cooperate with each other pursuant to C.R.S. § 29-20-105(1), C.R.S. § 29-1-203 and Section 18(2)(a) and (2)(b) of Article XIV of the Colorado Constitution; and

WHEREAS, this Agreement is authorized by the above cited statutes and other applicable laws.

NOW, THEREFORE, for and in consideration of mutual covenants set out herein, it is agreed as follows:

I. ADMINISTRATION OF DEVELOPMENT PROPOSALS

(A)

- (1) All applicants seeking Development Approvals, as defined below, for property located outside of the City limits within the area delineated as (i) the land within the Urban Growth Boundary shall be referred to the City prior to the formal submission of any application for Development Approval to the County. A representative map of the above described areas is attached hereto as **Exhibit "A"** (hereinafter referred to as "Interface Area"), and incorporated herein. The term "Development Approval" shall include any subdivision, zoning, planned

development or other action relating to the use of land for which state or County laws and regulations require County approval, and (ii) Subdivisions in the West Montrose Sanitation District will be reviewed by the City of Montrose to determine if additional right-of-way dedication is necessary; except the following:

- (a) Minor Subdivisions, Boundary Line Adjustments, Exemption Plats and/or Exemption Resolutions or replats that do not involve additional lots or buildings needing additional water service or sewer service;
 - (b) Down-zoning requests (where the zoning request is for a less intensive classification than the existing zoning);
 - (c) Other proceedings where neither additional water service nor sewer service will be required, including, but not limited to, Building Permits, OWTS Permits, Driveway and Access Permits, Addresses, Flood Plain Permits, Road Cut Permits, and Correction Plats;
 - (d) Minor Subdivisions outside the West Montrose Sanitation District, except that public street rights-of-way shall be dedicated, but not necessarily constructed, in conformance with Section II of this Agreement.
- (2) The City will review the matter and advise the applicant and the County of the following within thirty (30) days:
- (a) Whether or not the property is eligible for annexation pursuant to state statute.
 - (b) Whether or not it is feasible for the City to annex the property.
 - (c) Whether the City is willing to proceed with annexation of the property.
 - (d) On what terms and cost to the developer City sewer service can be made available to the property.
- (3) Upon the conclusion of the City's review, two options shall be available:
- (a) If the City advises the County that the property is not eligible for annexation pursuant to state statute, annexation is not feasible, or the City does not desire to proceed with annexation, the County shall thereafter process the development pursuant to County regulations.
 - (i) In the case of Minor Subdivisions inside the West Montrose Sanitation District for which the City declines annexation, the County shall follow Section II, herein.

- (b) Where the City has indicated that the property is eligible for annexation pursuant to state statute, annexation is feasible and that the City will proceed with annexation, annexation of the property shall be processed by the City in accordance with City regulations.
- (B) The City may condition annexation upon legal and reasonable requirements to the developer as appropriate to implement the City's Comprehensive Plan and will advise the County of the conditions. The County may request that the City consider additional conditions.
- (C) The City will not, except under extraordinary circumstances specifically authorized by City Council, provide City sewer service to any property which is not annexed or for which a petition for annexation has not been filed with the City.
- (D) The City will keep updated City sewer system maps on file in the County's Planning Office for purposes of application of this Agreement.
- (E) If, after a full and complete annexation application has been submitted to the City, twelve (12) months have elapsed, and the application continues to be actively pursued by the applicant, the City and County planning and development staffs shall meet to confer on the application.

II. STREETS AND ROAD PLANS

It is the goal of the Parties that the City's Proposed Roadway Network and Classification identified in their Comprehensive Plan (included as an excerpt in Exhibit B) and the County's Transportation Plan be brought into substantial conformity with one another. The City agrees to participate in the County's planning process toward that objective during the County's planning process. At the conclusion of the process, the City will consider any appropriate amendments to its Plan as agreed by the Parties.

- (A) Public street rights-of-way shall be dedicated in conformance with Map 6.1 of the City of Montrose Transportation Plan, attached hereto and incorporated herein as **Exhibit "B"**.
- (B) Public street rights-of-way shall be dedicated in widths appropriate to the classification of said rights-of-way conforming to City standards in effect at that point in time.

III. COORDINATION OF REGULATIONS

- (A) The Parties agree to have appropriate representatives of their administration meet at least quarterly for the following purposes:
 - (1) To review pending proposals for development in the Interface Area.
 - (2) To explore ways to bring substantive standards of City and County development regulations into substantial consistency where appropriate.

(3) To consider additional amendments to this Agreement or additional cooperative agreements.

(B) The City and County agree to continue to negotiate items of particular importance to either the City or the County concerning incorporated standards or land use issues of their appropriate jurisdictions. At such time that the City and County mutually agree that any of these conditions or standards are acceptable and agreed upon by both bodies, those agreed upon amendments will be made part of this Intergovernmental Agreement by amendment hereof and the City and County shall commence the public processes and procedures necessary to incorporate any such agreed conditions or standards into the appropriate codes or regulations.

IV. **THIS AGREEMENT** may be terminated by either Party within ninety (90) days advance written notice to the other Party at any time.

V. **THIS AGREEMENT** is dated the _____ day of _____ 2021.

CITY OF MONTROSE, COLORADO

BY: _____
Douglas Glaspell, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

COUNTY OF MONTROSE, COLORADO

BY: _____
_____, Chairman

ATTEST:

_____, Deputy Clerk

Exhibit “A”

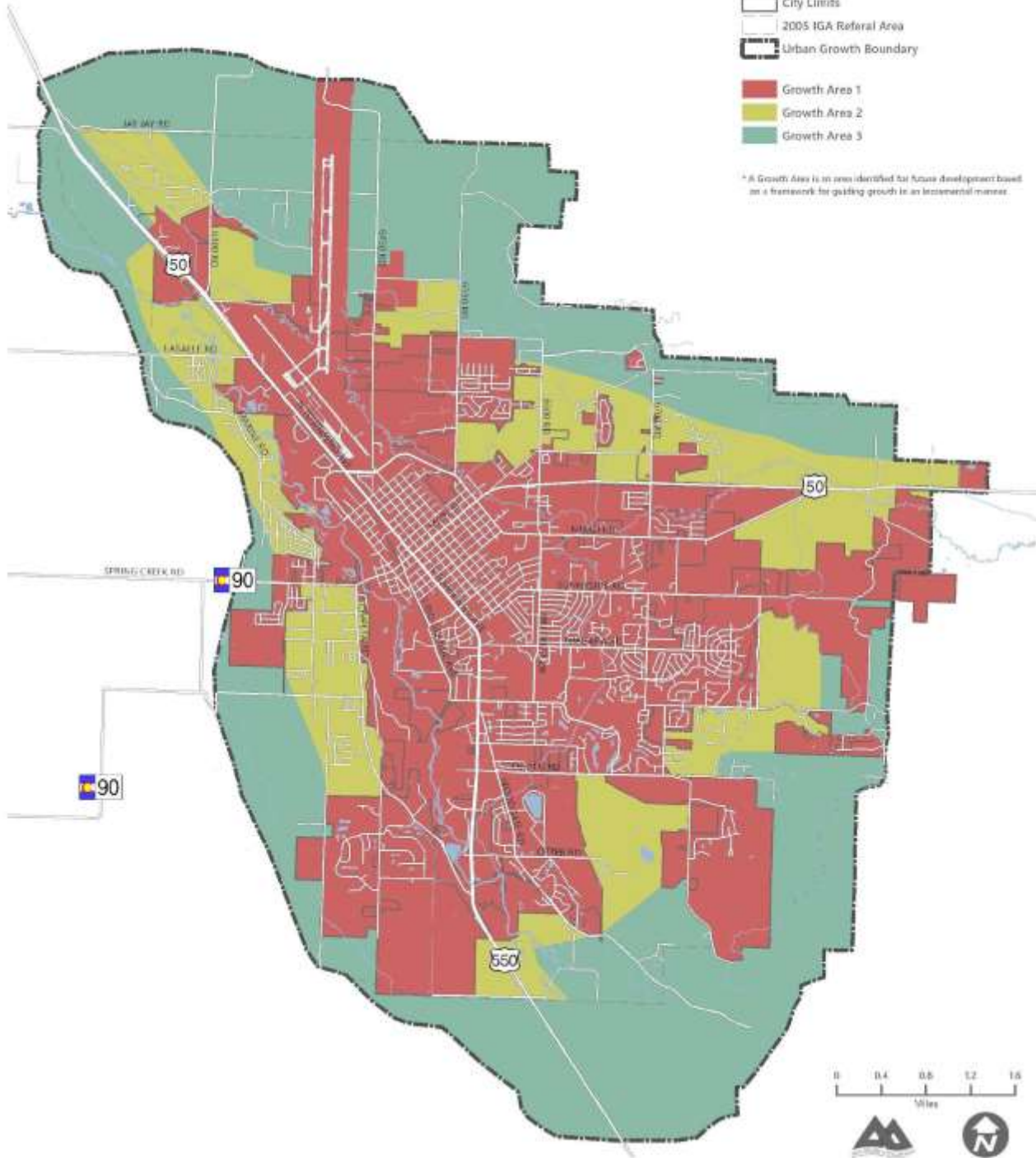
GROWTH AREAS*

MAP 5.2

LEGEND

- City Limits
- 2005 IGA Referral Area
- Urban Growth Boundary
- Growth Area 1
- Growth Area 2
- Growth Area 3

* A Growth Area is an area identified for future development based on a framework for guiding growth in an incremental manner.



TRANSPORTATION

Proposed Roadway Network and Classification

MAP 6.1

LEGEND

- Roundabout
 - ◆ Traffic Signal
 - BLM
 - City Limits
 - 2005 IGA Referral Area
 - Major Arterial
 - Minor Arterial
 - Collector
 - Proposed Minor Arterial (alignment to be determined)
 - Proposed Collector (alignment to be determined)
- * Due to topography, precise alignment of this arterial route will be determined upon development of the area. It is expected that deviations to this route, some of which may be significant, will be made.

