



REGULAR PLANNING COMMISSION MEETING AGENDA
Wednesday, October 9, 2024 - 5:00 PM
City Council Chambers, Elks Civic Building - 107 S. Cascade Ave.

The Montrose Planning Commission is pleased to have residents of the community take time to attend Planning Commission 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. *The 11 pm rule will be enforced in accordance with City of Montrose Regulations (Sec. 7-15-2).*

Additional written comments are welcome. If you would like to comment on an agenda item, please [email the city](#). Written comments must be received by noon one week prior to the meeting in order to be included in the Planning Commission packet. After that deadline, comments received by noon the day prior to the meeting will be distributed to the Planning Commission on the meeting day.

Hearing assistance devices are available for public use. Please let us know if you need accommodation. The City also offers interpretation for Spanish speakers. In order to allow time to book this resource, please [email the city](#) at least three days before the meeting.

- 1) Planning Commission meeting called to order
- 2) Roll call by the Planning Commission Chair
- 3) Approval of Minutes of the September 25, 2024 Planning Commission meeting.
- 4) Additions or Deletions
- 5) **SEASONS SUBDIVISION FILING NO. 2 AMENDED PRELIMINARY PLAT** This proposed subdivision consists of 25 residential lots, located on Outlot A of the Oregon Street South Boundary Line Adjustment, at the end of Oregon Street. The applicant is Dean McCall and Stanford Group, LLC.
- 6) **RED ARROW RV PARK CONDITIONAL USE PERMIT** This is a proposal for an RV park located



on Lot 2 of the Red Arrow Subdivision. The property is zoned "B-2" Highway Commercial District. Travel home parks are considered a conditional use in B-2 zoning. The applicant is Pineapple Hotel Group, LLC.

- 7) Other Business
- 8) Next Meeting will be October 23, 2024.
- 9) Motion to Adjourn



City of Montrose Planning Commission

September 25, 2024

The Montrose City Planning Commission held a meeting on August 14, 2024 at 5:00 p.m. in City Hall Council Chambers. The meeting agenda was posted in accordance with the Colorado Open Meetings Act (C.R.S. §24-6-401, et.seq.).

Planning Commissioners Present: David Fishing (Chair), Chad Huffman (Vice-Chair), Phoebe Benziger, Steve Ball and Ronald L. Cairns. Absent: Richard Rogers and Delphine Jadot.

Staff Members Present: Jace Hochwalt (Community Development Director), William Reis (Planner II), Chris Dowsey (City Attorney), Greg Stunder (Staff Attorney), Scott Murphy (City Engineer), Sharon Dunning (Building Services Technician).

There were 35 members of the public in attendance.

Call to Order

Chairperson David Fishing called the meeting to order at 5:00 p.m.

Approval of Minutes

Phoebe Benziger moved to approve the minutes of the August 14, 2024 meeting as submitted. Chad Huffman seconded, and the motion carried.

Additions or Deletions

None.

Brookside Meadows Subdivision Preliminary Plat

Chad Huffman recused himself and left the room.

This proposed subdivision consists of 62 residential lots, located on Lot 2 of the Sugarpine Minor Subdivision, on the northwest corner of 6700 Road and Miami Road. The applicant is Christopher Koch.

Staff Presentation

William Reis introduced this item. All public requirements have been fulfilled and the official files and exhibits have been entered into the record.

Scott Murphy discussed the public infrastructure and the preliminary plat process.

Applicant Presentation

Chris Koch, applicant, approached the podium to discuss the project.

Questions for Applicant

None.

Public Comment

Six members of the public came forward with concerns about the ingress and egress on Miami Road and timing of development phases, access for emergency vehicles, vehicles blocking streets, capacity of sewer system, timeline for 6700 bridge improvements, traffic through Ironhorse subdivision, and lack of bridge between the 2 subdivisions.

Discussion

Planning Commissioners and staff discussed width of roads, phasing plan, access onto Miami Rd, capacity for sewer, parking on City streets, and timeline for the 6700 bridge improvements.

Motion and Vote

Phoebe Benziger moved to recommend to City Council approval of the Preliminary Plat application with the following condition(s). The approval of this Preliminary Plat is expressly conditioned upon City staff ensuring that all policies, regulations, ordinances and municipal code provisions are met and that the Applicant adequately addresses all of staff's concerns prior to the execution of the Final Plat. The City staff is not authorized by this approval to execute the Final Plat prior to all conditions being satisfied. The request meets the Code criteria based on the evidence and testimony presented at this hearing and in the staff report. Ron Cairns seconded, and the motion carried unanimously.

Leonard Farm Addition Zoning Hearing

This is a proposal for initial zoning of "R-3A" Medium High Density District for the proposed Leonard Farm Addition, approximately 71.22 acres. This property is located south of Ogden Road, near the intersections with Bridges Drive and Sleeping Bear Road. The applicant is Ogden Views, LLC.

Staff Presentation

William Reis introduced this item. All public requirements have been fulfilled and the official files and exhibits have been entered into the record.

Scott Murphy discussed the preliminary plat process.

Applicant Presentation

Mat Miles, applicant, approached the podium. He stated he had nothing to add to the staff report.

Questions for Applicant

None.

Public Comment

None.

Discussion

Planning Commissioners and staff discussed density and street alignments.

Motion and Vote

Chad Huffman moved to recommend to City Council approval the initial zoning request of "R-3A" Medium High Density District. The request meets the Code criteria based on the evidence and testimony presented at this hearing and in the staff report. Ron Cairns seconded and the motion carried unanimously.

Other Business

Jace Hochwalt gave an update on the progress of the code update and an applicant who will be interviewing for the alternate Planning Commissioner vacancy.

Next Meeting

The next Planning Commission meeting is scheduled for October 9, 2024.

Public Comment

None.

Adjournment

Ron Cairns moved to adjourn the meeting. Phoebe Benziger seconded, and the meeting ended at 6:08 p.m.

Chairperson

Attest



CITY OF MONTROSE
Planning Services

MEMO

TO: Planning Commission
FROM: William Reis, Planner II
DATE: October 9, 2024
RE: Seasons Subdivision Filing No. 2 Amended Preliminary Plat
ATTACHMENTS

- Exhibit A: Area Maps
- Exhibit B: Excerpts from City of Montrose Municipal Code

Public notice requirements have been fulfilled in accordance with Section 11-4-3(D) of the City of Montrose Municipal Code. A sign was posted on the property, letters sent to property owners within 300 feet, and an ad appeared in the Montrose Daily Press.

Planning Commission Consideration:

The Planning Commission shall make a recommendation to City Council to approve, deny, or approve with conditions the Seasons Subdivision Filing No. 2 Amended Preliminary Plat. The Planning Commission will consider all of the information in this memo in making a decision.

Applicant: Dean McCall and Stanford Group, LLC

Application Background:

The Seasons Subdivision Filing No. 2 Amended Preliminary Plat is a proposed residential development on Outlot A of the Oregon Street South Boundary Line Adjustment, located at the end of Oregon St. The property is zoned “R-3A” Medium High Density District, and is approximately 3.75 acres in size. This preliminary plat renews previously approved preliminary plats within the Seasons Subdivision, and proposes 25 residential units.

The meeting before City Council to approve or deny the Preliminary Plat is tentatively scheduled for November 5, 2024. A Final Plat will also be required within five (5) years of approval of this Preliminary Plat (City of Montrose Municipal Code, Section 11-4-8(A)(3)).

Staff Analysis:

1. Subdivision Application Details & Review Standards:

The City of Montrose Municipal Code outlines the process and standards for Subdivision applications. The preliminary plat and proposed improvements shall comply with all



requirements of the subdivision regulations and other applicable City design and construction specifications and standards. The Planning Commission should consider whether the project meets the standards outlined within Section 11-5 and summarized below: (See Exhibit B)

- The proposal shall be consistent with the Master Plan, City subdivision and zoning regulations, standards and other applicable ordinances and regulations and will be reviewed considering the following at a minimum:
 - a. Conformance with the master plan and zoning regulations;
 - b. Relationship of development to topography, soils, drainage, flooding, potential hazard areas and other physical characteristics;
 - c. Availability of water, means of sewage collection and treatment, storm water drainage, access and other utilities and services;
 - d. Compatibility with the natural environment, wildlife, vegetation and unique natural features;
 - e. Adjacent streets and traffic flow, including pedestrian access;
 - f. Availability of fire, police and other emergency services protection;
 - g. Impacts on area schools.
- 2. Comprehensive Plan - Land Use Map Designation:
 - The Comprehensive Plan Future Land Use Map identifies this parcel as located in an area proposed as follows: Residential Mixed Density Medium. The Residential Mixed Density Medium district provides for a variety of residential types, mixed within a neighborhood, including single-family homes, townhomes, duplexes and triplexes. The majority of the mixed-density medium residential land uses are designated in areas that are not yet developed.
- 3. Zoning Regulations:
 - Municipal Code, Section 11-7-5 (A)(6): The "R-3A" Medium High Density District is intended to provide for an area which is suitable for single-family homes, duplexes and multifamily residences, along with certain other compatible land uses.
 - The proposed use is a use-by-right in the "R-3A" zoning district, and is compatible with general conditions in the area. The property is adjacent to properties that are zoned "R-2" Low Density District and "R-4" High Density District.
- 4. This subdivision falls within the Seasons Subdivision 2nd Amended Preliminary Plat/P.D. Plan, recorded at Reception #798375, which permits zero foot side lot setbacks on all residential lots; with the provision that no two buildings shall be separated by less than 10'. Garages shall be set back at minimum 20' from the front of the property line.
- 5. The Seasons Subdivision Filing No. 2 Amended Preliminary Plat does not appear to be adverse to the public health, safety and welfare and is in compliance with the City's Subdivision Regulations.



Planning Commission Action:

The Planning Commission shall make a recommendation to City Council to approve, deny, or approve with conditions the Seasons Subdivision Filing No. 2 Amended Preliminary Plat. The Planning Commission may also continue the item. Proposed motions for Planning Commission consideration are included below.

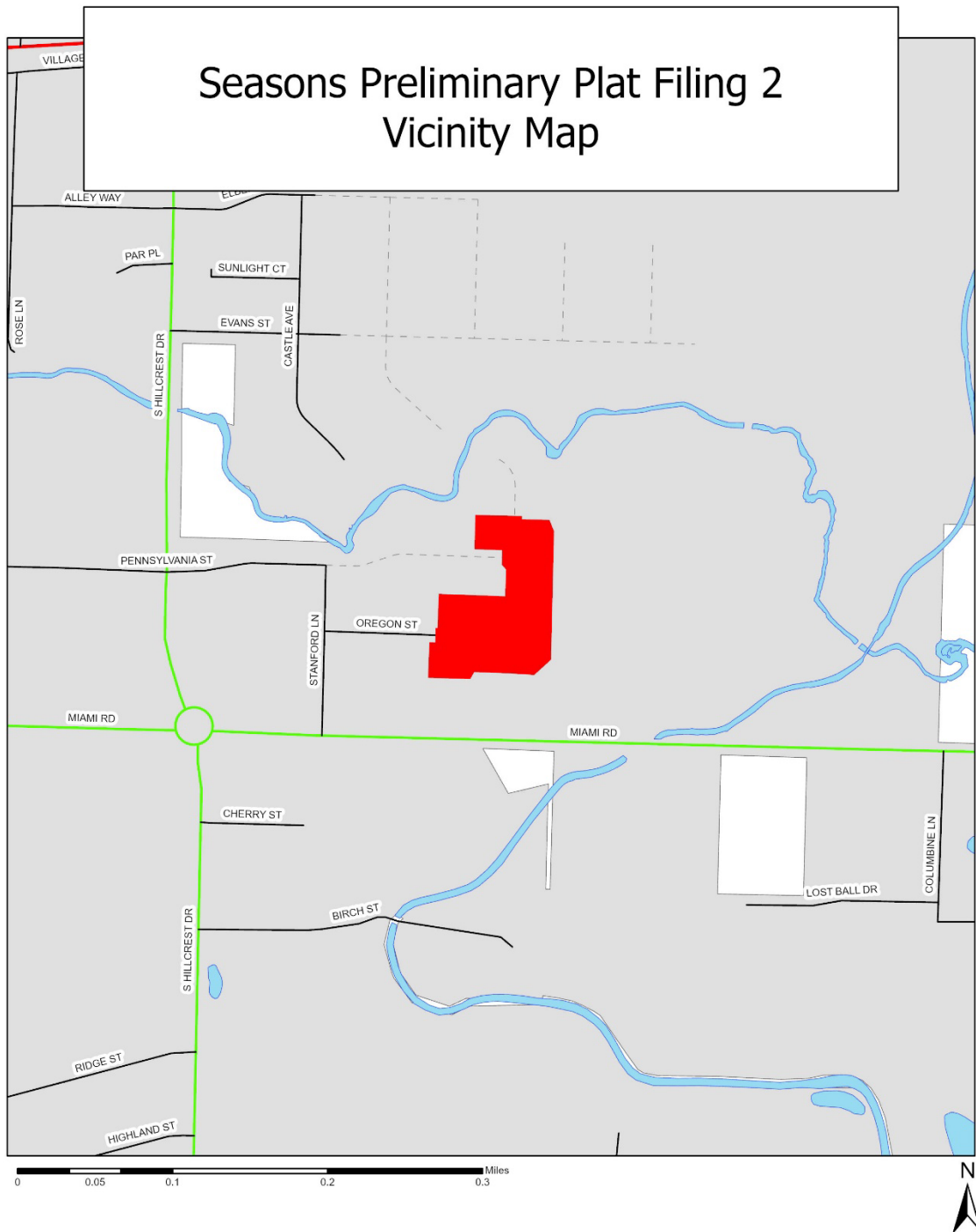
Planning Commission Recommendation Alternatives for Preliminary Plat:

Conditional Approval Motion: “I hereby make a motion to recommend to City Council approval of the Preliminary Plat application with the following condition(s). The approval of this Preliminary Plat is expressly conditioned upon City staff ensuring that all policies, regulations, ordinances and municipal code provisions are met and that the Applicant adequately addresses all of staff's concerns prior to the execution of the Final Plat. The City staff is not authorized by this approval to execute the Final Plat prior to all conditions being satisfied. The request meets the Code criteria based on the evidence and testimony presented at this hearing and in the staff report.”

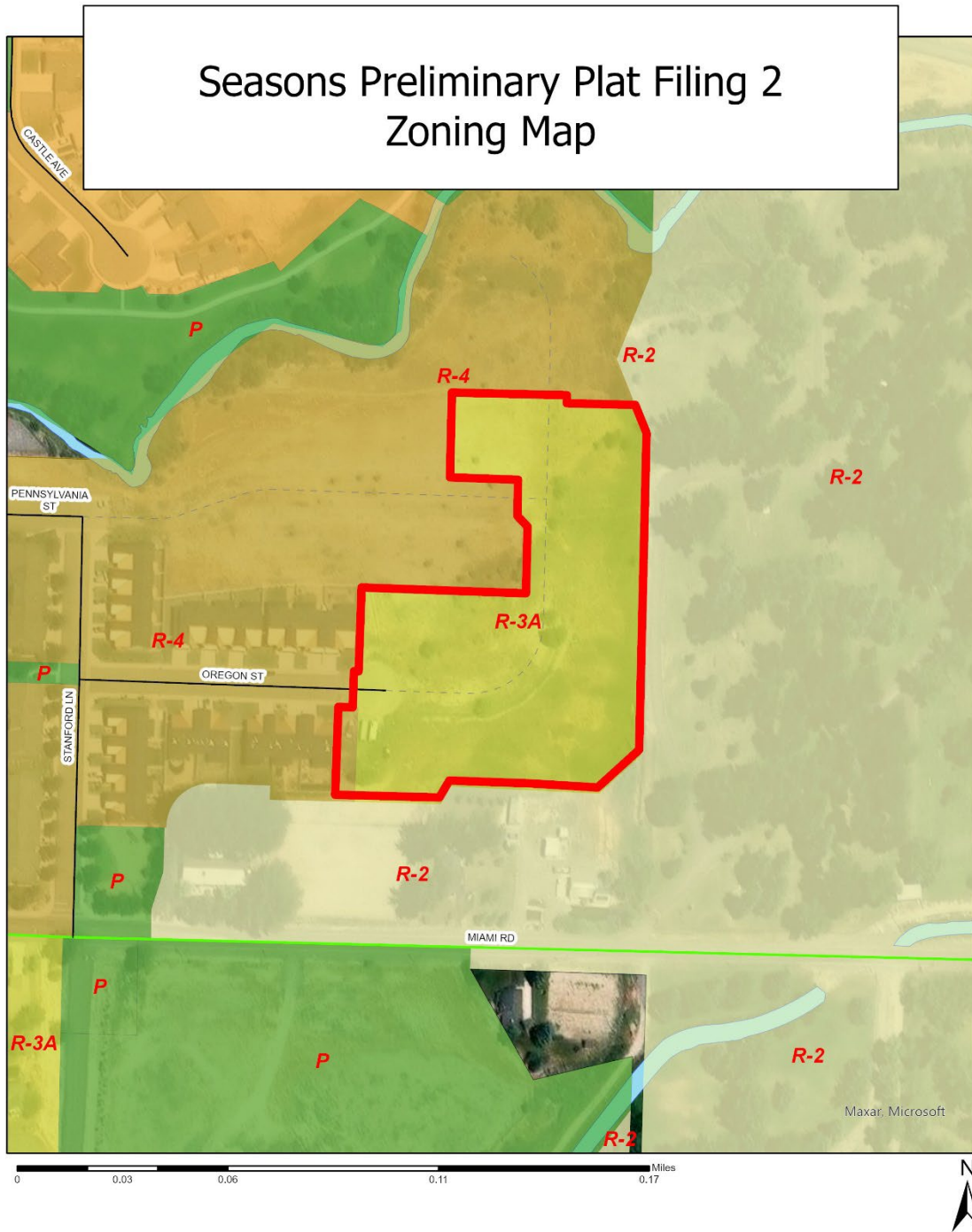
Denial Motion: “I hereby make a motion to recommend to City Council denial of the Preliminary Plat application. The application does not meet the Code criteria based on evidence and testimony presented at this hearing and in the staff report.



EXHIBIT A: Area Maps
Vicinity Map



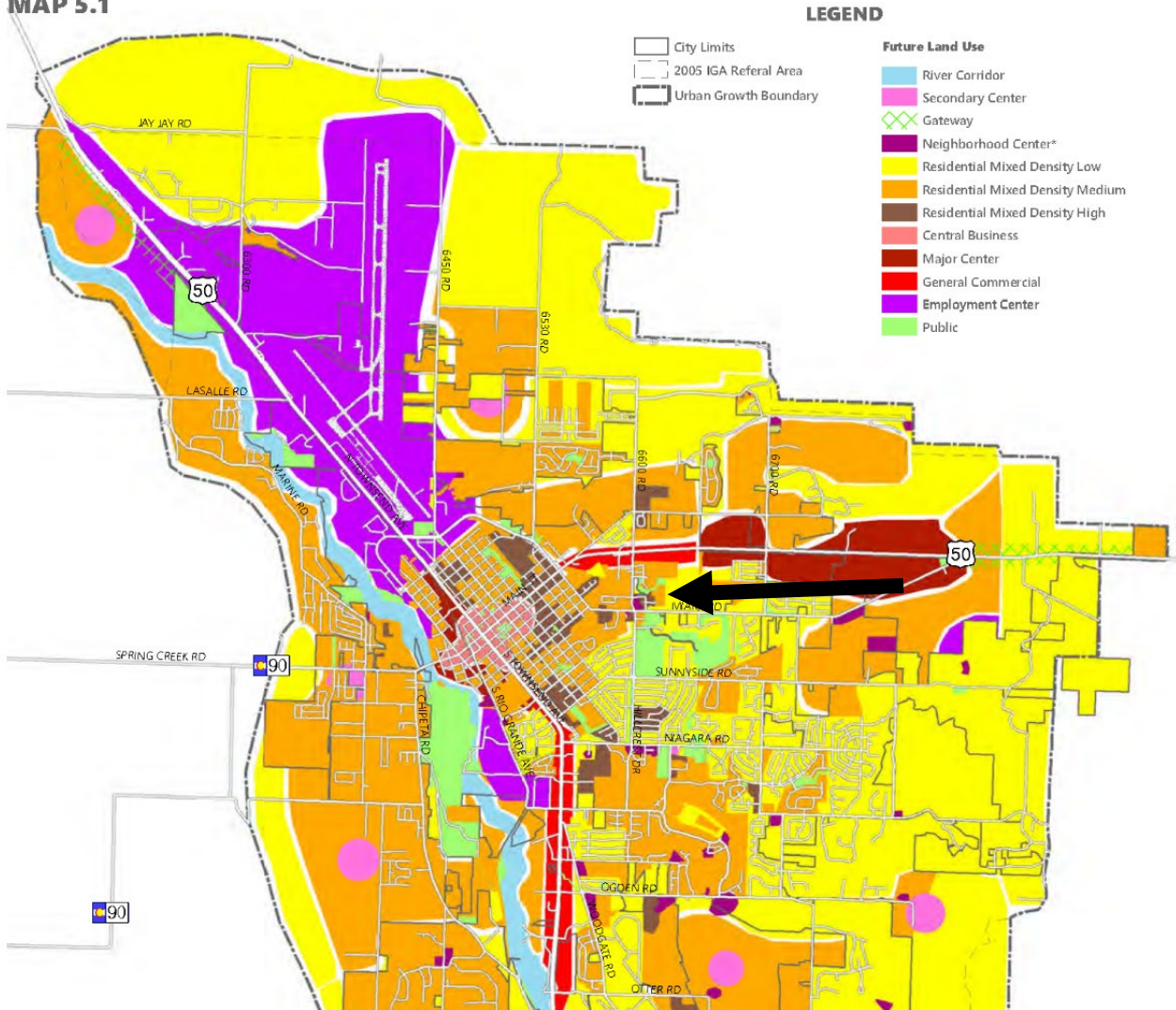
Zoning Map



Comprehensive Plan Future Land Use Map

FUTURE LAND USE

MAP 5.1



SEASONS SUBDIVISION FILING NO. 2

PRELIMINARY PLAT

SITUATED IN SW¹/₄ NW¹/₄ SECTION 26, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO



VICINITY MAP
N.T.S.

RECORDER'S CERTIFICATE

This plat was filed for record in the office of the Clerk and Recorder of Montrose County, Colorado, at the time of _____, on the ____ day of _____, 20____, under Reception No. _____

County Clerk and Recorder

Deputy

AREA SUMMARY:	
RIGHT-OF WAY	0.45 ACRES
OUTLOT 1	1.15 ACRES
LOTS	2.16 ACRES
TOTAL	3.76 ACRES

DEVELOPER: SEASONS CONSTRUCTION
60803 MAPLE GROVE RD
MONTROSE, CO 81403

ENGINEER: DEL-MONT CONSULTANTS, INC.
125 COLORADO AVE.
MONTROSE, CO 81401
(970) 249-2251

APPROVAL OF PRELIMINARY PLAT

City Engineer _____ Date _____
Scott Murphy, P.E.

City Attorney _____ Date _____
Chris Dowsey

City Planning Commission Chair _____ Date _____
David Fishing

City Mayor _____ Date _____
J. David Reed

SEASONS SUBDIVISION FILING NO. 2

CLIENT: DEAN MCCALL & STANFORD GROUP LLC

ADDRESS & PHONE

DMC DEL-MONT CONSULTANTS, INC.
ENGINEERING & SURVEYING
125 Colorado Ave. Montrose, CO 81401
www.del-mont.com service@del-mont.com

FIELD BOOK: 740
DRAWN BY: DCC
DATE: 2024-08-29

SHEET: 1 of 2
FILE: 24059V_PLAT-PRE
JOB NO.: 24059

TYPE: PRELIMINARY PLAT

CERTIFICATE OF DEDICATION AND OWNERSHIP

KNOW ALL YE BY THESE PRESENTS that the undersigned being the owners of certain lands in the City of Montrose, County of Montrose and State of Colorado to wit:

OUTLOT A, OREGON STREET SOUTH BOUNDARY LINE ADJUSTMENT, ACCORDING TO THE PLAT RECORDED OCTOBER 21, 2020 UNDER RECEPTION NO. 926831, COUNTY OF MONTROSE, STATE OF COLORADO.

Have by these presents laid out, platted and subdivided the same into lots, as shown on this plat, under the name and style of Seasons Subdivision Filing No. 2, and do hereby dedicate, grant and convey to the City of Montrose, Colorado, for the use of the public, Oregon Street as hereon shown.

The utility easements shown on this plat are dedicated, granted and conveyed to the City of Montrose, Colorado for public utility purposes, including but not limited to water, sewer, electrical, telephone, gas, communications, fiber optic, and CATV lines, and drainage easements specifically labeled for dedication, together with perpetual right of ingress and egress for installation, maintenance and replacement of such facilities. The dedication of easements as herein provided shall not include those easements exclusively utilized for irrigation improvements, or otherwise subject to a previously recorded conveyance.

Executed this ____ day of _____, 20____.

Dean McCall

STATE OF COLORADO }
COUNTY OF MONTROSE }
as.

The foregoing certificate was acknowledged before me this _____ day of _____, 20____ by Dean McCall

My commission expires _____

Witness my hand and seal _____
Notary Public

Executed this ____ day of _____, 20____.

Stanford Group LLC

STATE OF COLORADO }
COUNTY OF MONTROSE }
as.

The foregoing certificate was acknowledged before me this _____ day of _____, 20____ by _____

My commission expires _____

Witness my hand and seal _____
Notary Public

NOTES:

1. The drainage easements shown hereon shall be maintained by the owners of the lots encumbered by the easement, in a manner that preserves the grade as originally established and so as to not impede the free flow of water in any way, including but not limited to the construction of fencing and other improvements, or the planting or encroachment of trees and shrubs and other impeding vegetation. The City is not responsible or liable in any manner for the maintenance, repair, or operation of any pipelines, ditches or improvements as located within said easements. Upon failure to properly maintain the drainage easements shown hereon, or in the need to abate a nuisance or public hazard, the City may cause the maintenance or repair to be performed and assess the costs thereof to such owners, and may certify such charges as a delinquent charge to the County Treasurer to be collected similarly to taxes or in any lawful manner.

2. All residential lots or residential units hereon shall be required to make payment of money in lieu of school land dedication, at the time of issuance of building permit or certificate of occupancy relative to improvements upon said lot. The payment of money in lieu of school land dedication is subject to §11-5-9(C) of the Municipal Code. Payments shall be made to the City, to be later disbursed to the RE-1J School District.

3. Party Walls exist over and along the common boundaries between the units. The unit owners shall be deemed to own the necessary easements for the perpetual lateral and subjacent support, maintenance, and repair of the respective Party Walls and utilities therein, with equal rights of joint use.

4. A 20' Private Utility easement dedicated hereon for the use of lots 5-25.

FINAL PLAT CONDITIONAL APPROVAL

The approval of the Seasons Subdivision Filing No. 2 is expressly conditioned upon City staff ensuring that all policies, regulations, ordinances and municipal code provisions are met, and that the Applicant adequately addresses all of staff's concerns.

BASIS OF BEARINGS:

The bearing between the found 2" aluminum cap on a 3/4" rebar LS12180 at the NW1/16 corner of Section 26, Township 49 North, Range 9 West, New Mexico Principal Meridian, County of Montrose, State of Colorado and the found 2" aluminum cap on 3/4" rebar LS12180 W/C for the CW1/16 corner of said Section 26 bears S01°20'42"W (ASSUMED).

LINEAL UNITS STATEMENT:

The Lineal Unit used on this plat is U.S. Survey Feet

SURVEYORS CERTIFICATE

I, Frederick Ballard, a Registered Land Surveyor in the State of Colorado, do hereby certify that there are no roads, pipelines, irrigation ditches or other easements or rights-of-way in evidence or known to me to exist on or across said property except as shown on this plat. I certify that I have made the survey represented by this plat and that this plat accurately represents said survey, and conforms to all applicable requirements of the City Subdivision Regulations and applicable law. I further certify that all monuments shown hereon actually exist and their positions are as shown.

C.R.S. Section 38-51-106 Statement: this plat does not represent a title search by the Surveyor, nor by any professional corporation or business entity with which said Surveyor may be associated. Information regarding the title work performed for and used in producing this plat may be found in the title report issued by Land Title Guarantee Company, dated July 09, 2024 bearing policy number MRR87024770.

FOR REVIEW

Colorado Registered Land Surveyor:

Frederick Ballard

Registration No. 37690

Date: _____

ENGINEER'S CERTIFICATE

I, David Schieldt, a Registered Engineer in the State of Colorado, do hereby certify that the sanitary sewer system, water distribution system and the storm drainage system shown on the accompanying plans of this Subdivision are properly designed, meet City of Montrose specifications, and are adequate to properly serve the Subdivision shown hereon. I further certify that the sanitary sewer system, water distribution system, storm drainage system, streets, parks, and other improvements are designed and constructed in accordance with applicable City specifications and regulations.

David Schieldt, P.E. Registration No. 47195

Date: _____

CERTIFICATE OF COMPLETED IMPROVEMENTS

I, Scott Murphy, City Engineer, certify that all improvements and utilities required by the current Subdivision Regulations of the City of Montrose, have been constructed, inspected and approved in this Subdivision in accordance with applicable City ordinances, regulations and specifications, and a Letter of Substantial Completion has been issued, as required by the City's Municipal Code.

City Engineer
Registration No. _____

Date: _____

ATTORNEY'S CERTIFICATE

I, _____, an Attorney at Law, duly licensed to practice in Colorado, do hereby certify that I have examined the title of all land herein platted and described in the above Certificate of Ownership and Dedication, and that title to such land is in the owners and dedicators, and that the title to all dedicated property therein described, is free and clear of all liens and encumbrances except _____

Attorney
Registration No. _____

Date: _____

APPROVAL OF CITY MANAGER

Approved this ____ day of _____, 20____, by _____, Deputy
City Manager of the City of Montrose.

Deputy City Manager

APPROVAL OF CITY ATTORNEY

Approved for recording this ____ day of _____, 20____, by _____, City Attorney of the City of Montrose.

City Attorney
Atty. Reg. No. _____

APPROVAL OF CITY COUNCIL

Approved this ____ day of _____, 20____, by _____
Mayor of the City of Montrose; all conveyances of interests in real property made on this plat are hereby accepted by the City.

Mayor

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.
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SEASONS SUBDIVISION FILING NO. 2

PRELIMINARY PLAT

SITUATED IN SW¹/₄ NW¹/₄ SECTION 26, TOWNSHIP 49 NORTH, RANGE 9 WEST, N.M.P.M.,
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO

LEGEND

- = FOUND 1 1/2" ALUMINUM CAP ON 5/8" REBAR (PLS 36054)
- = FOUND 1 1/2" ALUMINUM CAP ON 5/8" REBAR (LS 12180)
- = SET 5/8" REBAR, 18" LONG, WITH A 1 1/2" ALUMINUM CAP STAMPED "DEL-MONT, PLS 37690"
- ◆ = FOUND 2" ALUMINUM CAP ON 3/4" REBAR (LS 12180)

LINE TABLE

LINE #	DIRECTION	LENGTH
L1	N62°56'37"W	15.00'
L2	N55°26'21"W	15.00'
L3	N40°39'55"W	15.00'
L4	N33°09'39"W	15.00'
L5	S26°42'40"E	15.00'
L6	S20°06'28"E	8.31'
L7	N09°43'19"W	15.02'
L8	N05°19'34"W	15.00'

CURVE DATA

CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	19.34'	50.00'	022°09'45"	N09°01'36"W	19.22'
C2	18.06'	125.00'	008°16'46"	N05°28'46"E	18.05'
C3	20.41'	125.00'	009°21'27"	N14°17'52"E	20.39'
C4	17.63'	125.00'	008°04'47"	N23°00'59"E	17.61'
C5	16.37'	125.00'	007°30'16"	N30°48'31"E	16.36'
C6	16.12'	125.00'	007°23'13"	N38°15'15"E	16.10'
C7	16.12'	125.00'	007°23'13"	N45°38'29"E	16.10'
C8	16.37'	125.00'	007°30'16"	N53°05'13"E	16.36'
C9	14.07'	125.00'	006°26'59"	N60°03'51"E	14.06'
C10	14.41'	125.00'	006°36'12"	N66°35'26"E	14.40'
C11	15.04'	125.00'	006°53'38"	N73°20'21"E	15.03'
C12	17.21'	125.00'	007°53'16"	N80°43'48"E	17.20'
C13	16.10'	125.00'	007°22'51"	N88°21'52"E	16.09'
C14	118.75'	75.00'	090°42'54"	S46°41'50"W	106.73'

DEVIATIONS FROM CITY STANDARDS PER SEASONS SUBDIVISION 2ND
AMENDED PRELIMINARY PLAT/PD PLAN, RECEPTION #798375:

- ZERO FOOT SIDE LOT SETBACKS ON ALL RESIDENTIAL LOTS; WITH THE PROVISION THAT NO TWO BUILDINGS SHALL BE SEPARATED BY LESS THAN 10'.
- GARAGES SHALL BE SET BACK AT MINIMUM 20' FROM THE FRONT OF PROPERTY LINE

SEASONS SUBDIVISION
FILING NO. 2



DEL-MONT CONSULTANTS, INC.
ENGINEERING & SURVEYING
125 Colorado Ave. W. Montrose, CO 81401
www.del-mont.com service@del-mont.com

CLIENT: DEAN MCCALL & STANFORD GROUP LLC

ADDRESS & PHONE:

FIELD BOOK: 740

DRAWN BY: DCC

DATE: 2024-08-29

SHEET: 2 of 2

FILE: 24059V_PLAT-PRE

JOB NO.: 24059

TYPE: PRELIMINARY PLAT

NOTICE: According to Colorado Law (13-80-105, CRS) you must commence any legal action based upon any defect in this survey within three (3) years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten (10) years from the date of the certification shown hereon.

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EXHIBIT B: Code Excerpts for Subdivisions

Sec. 11-5-2. Major subdivisions.

- (A) *New Subdivisions.* A subdivision shall be classified as a major subdivision and governed by this Section when an applicant proposes to create four or more new tracts, lots, or interests; or less than four new tracts, lots or interests if not eligible as a minor subdivision in accordance with Section 11-5-3.
- (B) *Resubdivisions or Major Plat Amendments.* Resubdivisions and major plat amendments are reviewed in the same manner as a major subdivision with the same purposes. A major plat amendment is any plat amendment that does not qualify as a minor plat amendment under Section 11-5-3 (C). To the extent that submittal information was submitted as part of the original subdivision proposal and is adequate by current standards, the applicant for approval of a resubdivision or major plat amendment does not need to submit the information again and may reference such submittal information in the new application. The City Manager will determine the technical adequacy of previously submitted information.
- (C) *Procedure.* The major subdivision procedure shall consist of three separate phases, sketch plan, preliminary plat and final plat, in accordance with Sections 11-5-4, 11-5-5, and 11-5-6, respectively.

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

Sec. 11-5-4. Sketch plan.

- (A) *Purpose.* Sketch plan review provides an opportunity to determine whether an application will comply with the City's subdivision review and approval criteria, and to address any issues of concern early in the review process. The sketch plan is a conceptual version of the preliminary plat showing the general subdivision layout, access, street and lot pattern, location of parks, open space tracts, trail corridors, and other tracts for utilities or services.
- (B) *Review Procedure.* The sketch plan application shall be reviewed by the City in accordance with Section 11-4-2 of this Title. The Planning Commission shall take no formal action at the conclusion of its public hearing on the sketch plan; however, comments by the public and the Commission shall be reflected in the minutes of the hearing as a part of the record on the application as it moves through the entire review process.
- (C) *Review Criteria.* A sketch plan shall comply with the following review criteria:
 - (1) The proposal shall be consistent with the City subdivision and zoning regulations, standards and other applicable ordinances and regulations and will be reviewed, considering the following at a minimum.
 - (a) Relationship of development to topography, soils, drainage, flooding, potential natural hazard areas and other physical characteristics;
 - (b) Availability of water, means of sewage collection and treatment, stormwater drainage, access and other utilities and services;
 - (c) Compatibility with the natural environment, wildlife, vegetation and unique natural features;
 - (d) Adjacent streets and traffic flow, including pedestrian access; and
 - (e) Availability of fire, police and other emergency services protection.
 - (2) An applicant who intends to immediately develop only a portion of a full tract shall nevertheless submit an informal sketch plan for the entire tract showing their present plans for its eventual development.

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

Sec. 11-5-13. Minimum design standards.

- (A) *Minimum Standards, Conformity to Preliminary Plat, and Approval Required.* All public improvements shall be constructed in accordance with the minimum standards set forth below or other applicable City design and construction specifications and standards, and other applicable City ordinances or regulations. All public and private improvements shall be in substantial conformity with the preliminary plat as approved, the City Comprehensive Plan and amendments thereto, and in accordance with good engineering and construction practices. All plans must be approved in advance by the City Engineer.
- (B) *Minimum Standards.*
- (1) *Streets.*
- (a) Subdivider shall be required to make and install improvements to existing streets within and abutting the subdivision and/or other areas outside the subdivision or any filing thereof being considered, including, but not limited to, curbs, gutters, sidewalks and street paving improvements, when the subdivision and developments thereof will directly create a need for said improvements outside the subdivision itself, or a need to expand or improve existing public improvements to current standards in order to properly serve future residents of the subdivision, or if the subdivider or their predecessors of interest by virtue of their actions and the timing and scope of developing the subdivision or other property have created a situation where the needed improvements were not previously improved or installed. It shall be presumed that existing streets and sidewalks directly abutting the subdivision must be improved to current City standards in order to properly serve the subdivision.
 - (b) In those cases where the City determines that the immediate improvement of the abutting street, or other on-site or off-site improvements, is not currently practical, or should be delayed, or the costs of such improvements should be shared with additional property likely to use and be benefited by the improvements, the developer may be allowed to execute recordable covenants on the plat or separately in a form provided by the City, binding the lots in the subdivision to future assessments or participation in an improvement district for the construction of such improvements.
 - (c) Wherever topography will permit, the arrangement of the streets shall provide for the dedication and construction of street stubs to align with existing or future streets to adjoining developing or developable areas.
 - (d) Cul-de-sacs shall terminate in a circular turn-around having a minimum right-of-way of at least 100 feet in diameter, and a paved turn-around with a minimum outside diameter of 80 feet. Cul-de-sacs shall be not less than 100 feet long, and not more than 500 feet long, as measured from the center of the cul-de-sac bulb to the center of the intersecting street; use of cul-de-sacs is limited to places where street connections would be impractical.
 - (i) Cul-de-sacs longer than 300 feet shall require a recreation trail connection at the end that provides connectivity to the nearest City street.
 - (e) Temporary dead-end streets which extend for a distance greater than the depth of one abutting lot shall be provided with a temporary turn-around having a diameter of at least 80 feet.
 - (f) Whenever a new street is proposed along the edge of the subdivision, the entire street shall be dedicated and improved within the subdivision.
 - (g) No more than two streets shall intersect at any point. Intersections shall be as near as practicable to 90 degrees. A street shall have a minimum straight distance of 100 feet from the intersection before it may be curved.



- (h) A straight section of 100 feet shall be provided between reverse curves on all streets.
- (i) All lots in the subdivision will have direct access to a dedicated street, subject to the following exceptions:
 - (i) One or more private shared access drives may be used to provide access up to no more than four dwelling units each, subject to City approval, in residential zoning districts. In general, shared access drives shall not be used as an extension to a cul-de-sac.
 - (ii) Reciprocal access easements may be approved to accommodate subdivisions with multiple commercial units with contiguous parking area in commercial zoning districts.
- (j) Any two local streets which intersect a common third local or collector street shall have centerlines no closer than 175 feet from one another. Any two local streets which intersect a common third minor arterial or major arterial street, shall have centerlines no closer than 350 feet from one another.
 - (i) The City may limit access to major arterial or minor arterial streets to facilitate traffic flows, or to promote public safety.
- (k) The maximum block length, as measured from the centerline of the nearest intersecting streets, shall be a maximum of 700 feet.
- (l) Street names must be approved by the City.
- (m) All streets, alleys, sidewalks, recreation paths, parks of two acres or larger, and other public ways or places must be dedicated to the City by the owners of any interest therein except the owners of severed mineral or water interests.
- (n) Streets shall be developed in accordance with the City's Comprehensive Plan roadway cross sections, the City's engineering specifications, as applicable, and the table below. The minimum dedicated rights-of-way and street widths shall be as shown in Table 5.2.

Table 5.2
Minimum Dedicated Rights-Of-Way and Street Widths

Street Classification	Minimum Right-of-Way	Minimum Street Width Urban = Width between Curb Flowlines Rural = Paved Width (asphalt or Concrete)
Major Arterial—Urban	124 feet *	92 feet ***
Major Arterial—Rural	124 feet *	76 feet ***
Minor Arterial—Urban	112 feet **	Varies with traffic volume and whether parking is allowed, see engineering specifications for road widths ***
Minor Arterial—Rural	112 feet **	Varies with traffic volume and whether parking is allowed, see engineering specifications for road widths ***
Collector	70 feet	46 feet
Local—Boulevard Style Alternative 2	50 feet; 50 feet	28 feet with detached 5-foot sidewalk; 36 feet with attached 6-foot sidewalk
Planned Developments	40 feet	24 feet with attached 6-foot sidewalks in addition to curb and gutter. Supplemental off-street parking may be required.



* ROW width shall be increased by ten feet within 500 feet of an arterial cross street intersection to allow a double left turn lane.

** ROW width shall be increased by 12 feet within 500 feet of an arterial cross street intersection to allow a double left turn lane.

*** The decision whether to require urban or rural street widths shall be made at sketch plan review.

- (o) Subdivisions which include any part of an existing platted street which does not conform to the minimum right-of-way requirements of these regulations may be required to provide additional width necessary to meet the minimum right-of-way requirements of these regulations.
- (p) No street grade shall be less than one-half of one percent or exceed the maximum grade shown in Table 5.3.

Table 5.3
Maximum Street Grade

Street Classification	Maximum Percent Grade	Minimum Radius of Curve	Minimum Sight Distance*
Major Arterial	5 percent	400 feet	500 feet
Minor Arterial	5 percent	400 feet	500 feet
Collector	8 percent	300 feet	300 feet
Local	8 percent	100 feet	200 feet
* As measured between points four feet above the centerline of the street.			

- (q) Alleys shall be provided at the rear of lots within the commercial zoning districts, or as otherwise approved by the City. Alleys shall be 20 feet in width and shall be paved in accordance with City specifications.
- (2) *Curb, Gutter, Sidewalks and Trails.*
- (a) Curb, gutter, and sidewalks or recreation trails shall be provided along all roadways consistent with the City's Comprehensive Plan.
 - (i) A minimum ten-foot-wide concrete recreation trail with the addition of two-foot obstacle-free recovery zones, constructed of Class 6 gravel aggregate, or a City-approved alternative, on each side of said trail shall be located along one side of the roadway, as determined by the City. Recreation trails shall be designed in accordance with the AASHTO "Guide for the Development of Bicycle Facilities."
 - (ii) A minimum six-foot-wide sidewalk shall be provided on the side of the roadway not occupied by the recreation trail described above. Greater sidewalk widths may be required in commercial areas.
 - (iii) Recreation trail lighting may be required in more heavily populated or urbanized areas, travel corridors, and commuter routes, as determined by the City. Recreation trail lighting shall provide a minimum 0.4 to 0.5 footcandles of illumination at all points along the length of the trail. The City's provisions, standards, and specifications regarding outdoor lighting shall also apply.
 - (iv) Recreation trails with alternative non-hard surfaces and narrower widths may be approved in those instances where such trails are secondary to existing or proposed concrete recreation



trails, and do not serve as connectors to the City's recreation trail system, as denoted within the City's Comprehensive Plan.

- (v) Curb, gutter, and sidewalks shall be provided along collector and local streets. Six-foot detached sidewalks are required on collector streets. Five-foot detached or six-foot attached sidewalks are required for local streets.
 - (b) Sidewalks shall be located and constructed as necessary to interconnect the subdivision and lots therein with the network of City sidewalks and recreation trails.
 - (c) Accessibility ramps shall be provided in accordance with the Americans with Disabilities Act.
 - (d) The City may elect to require over-sizing of any sidewalk and participate in cost sharing thereof.
 - (e) The City may require any sidewalk to be wider than those standards set forth herein, upon a finding that such greater widths are necessary to serve the subdivision, due to:
 - (i) High density of the subdivision;
 - (ii) Special needs of the residents of the subdivision; or
 - (iii) Connection to existing wider sidewalks or recreation trails.
- (3) *Blocks and Lots.*
- (a) In residentially zoned districts, blocks shall be wide enough to permit two lots between lengthwise streets.
 - (b) The building line for residential lots on collector streets shall be set back 25 feet from the front property line.
 - (c) The building line on corner lots shall be set back 25 feet from both street front property lines.
 - (d) Lots which abut a street in the front and the rear shall be avoided except where a railroad right-of-way, a major arterial or minor arterial street is located to the rear of the lot, in which case such a lot shall have a minimum depth of 125 feet. Lots abutting cul-de-sacs shall have a minimum frontage of 25 feet.
 - (e) Every lot shall front on a designated collector or local street, subject however, to the following exceptions:
 - (i) One or more private shared access drives may be used to provide access up to no more than four dwelling units each, subject to City approval, in residential zoning districts;
 - (ii) Private access easements may be provided, subject to City approval, in subdivisions within commercial zoning districts across parking lot areas;
 - (iii) In such instances, the shared access improvements shall be subject to City specifications and the restrictions set forth in Section 11-5-11 (B).
 - (f) No residential lot shall front on a major arterial or minor arterial street. No access shall be permitted directly from a residential lot to a major arterial or minor arterial street.
 - (g) The lot depth shall not be more than three times the lot width at the front building line.
 - (h) Access drives and intersections shall comply with City access standards and the transportation plan. In addition, accesses onto County roads shall comply with applicable County regulations.
 - (i) Lots shall be at least 50 feet in width at the front building line. Lots abutting cul-de-sacs shall have at least 25 feet of linear frontage to the cul-de-sac.



-
- (j) Sight triangles shall be shown on the plat as per the engineering specifications.
- (4) *Public Utilities.*
- (a) All utilities shall be installed underground unless the City Engineer determines that soil or topographic conditions make that impracticable.
 - (b) Utilities shall be installed prior to the paving of any street under which they are to be located and the individual service lines shall be connected and stubbed out prior to paving, in order to avoid the necessity of cutting into the pavement to connect any abutting lots.
 - (c) Utilities will be sized and placed as necessary to facilitate connection with future subdivisions and developments. At a minimum, six-inch water main lines shall be provided in residential zoning districts, and eight-inch water main lines shall be provided in commercial and industrial zoning districts. At a minimum, eight-inch sewer main lines shall be provided in all zoning districts. Multiple buildings within a single lot shall each require a singular water and sewer lateral connection to a main line.
 - (d) The City may elect to require over-sizing of the extended utility and pay for the cost of such materials accordingly.
 - (e) City water and sewer systems shall be provided except where the City has required an alternative supplier by service area agreement with such alternative provider. In cases where alternative utilities are provided on a temporary basis, connection to City services shall be required at such time they are made available to the subject property.
 - (f) In the event that City sewer service will not be available within a reasonable time period following final plat approval, engineered individual sewage disposal systems may be authorized by the City for those subdivisions occurring within the residential rural living zoning districts with lot sizes of five acres or greater. Advance City approval shall be required in each case.
 - (g) All extension of City utilities shall require City approval and proper execution of City utility extension agreements. The extension of utilities shall be at the sole expense of the subdivider.
 - (h) Prior to any installation or construction of utility extensions, the subdivider shall first submit proposed alignment location maps and engineered drawings for City approval. The subdivider shall acquire all necessary easements for the proposed utility location from all affected properties. The easements shall be conveyed to the City and executed on applicable City forms.
 - (i) All utility extensions shall be subject to City inspection and approval. The City may elect to contract inspection services at the subdivider's expense.
 - (j) All utility main line extensions, once approved by the City, shall be dedicated to the City with applicable utility easements. As-built plans and data shall be provided on hard copy in accordance with these provisions and on diskette in a digital format compatible with City computer systems.
 - (k) Following the completion of any utility extension and submission of the as-built plans, the City Engineer shall conduct an inspection, and if the improvements are in accordance with the requirements of these and other applicable regulations and good engineering and construction standards, shall issue a Preliminary Letter of Infrastructure Completion.
 - (i) For a period of two calendar years thereafter, the subdivider shall be responsible for correcting all defects or failures that appear in such improvements.
 - (ii) At the completion of this two-calendar-year construction warranty period, upon written request from the subdivider, all public and necessary on- and off-site improvements shall again be inspected by the City Engineer, and upon final approval, may be accepted by the City, as



evidenced by issuance of a Letter of Infrastructure Completion and Acceptance. The provisions set forth in Section 11-5-12(D) shall apply to improvements and construction covered by this Section.

(5) *Piped Drainage Facilities and Waterways.*

- (a) Stormwater discharge improvements shall be engineered and approved in accordance with City specifications. stormwater retention on site shall be discouraged. When feasible to do so and when requested by the City Engineer, all ditches shall be piped and subject to platted easements to be dedicated either to the City or to the applicable owner of the ditch facilities. The City may elect to allow the location of piped ditch facilities within its rights-of-way at its discretion. Perpetual maintenance shall be provided pursuant to plat notes and/or City-approved covenants.
- (b) Permission shall be acquired, in writing, from all applicable owners of ditch facilities prior to improvements thereto.
- (c) No discharges of urban stormwater into any irrigation ditch facilities shall be allowed. No discharges of urban stormwater into agricultural drainage ditch facilities shall be allowed, unless otherwise approved by the owning interest in said drainage facilities.

(6) *Monuments.* Monuments shall be set in concrete and placed at all corners of all street intersections, at the intersections of the boundary of the subdivision with street right-of-way lines, at angle points and points of curve in each street and at points of change in direction of the exterior boundaries of the subdivision. The top of the monument shall have a metal cap set flush to identify the location. All lot corners shall be monumented with a minimum of a #5 rebar 18 inches in length and metal cap.

(7) *Berms, Screening and Buffers.* Buffers and/or screening shall be provided between incompatible uses both within the subdivision and adjoining the subdivision in accordance with City design standards and specifications.

(8) *Street Lights.*

- (a) In all subdivisions, except for residential zoned rural living and estate subdivisions, streetlights shall be provided at all intersections and at intervals between intersections in accordance with City specifications.
- (b) In residential rural living zoning districts and estate subdivisions, street lights shall only be required at street intersections, with no interval requirements.
- (c) All streetlights shall conform to City standards and specifications, and with Chapter 11-9 of this Title.

(9) *Outdoor Lighting.* All outdoor and exterior lighting shall conform with Chapter 11-9 of this Title.

(10) *Flood Hazard Prevention.* All subdivision proposals shall conform to the flood hazard reduction standards in Section 11-6-5 (G) of this Title.

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





CITY OF MONTROSE
Planning Services

MEMO

TO: Planning Commission
FROM: William Reis, Planner II
DATE: October 9, 2024
RE: Red Arrow RV Park Conditional Use Permit
ATTACHMENTS:

- Exhibit A: Maps
- Exhibit B: Park Plans
- Exhibit C: Chapter 11-1. Zoning Regulations

Public notice requirements have been fulfilled in accordance with Section 11-4-3(D) of the City of Montrose Municipal Code. A sign was posted on the property, letters sent to property owners within 300 feet, and an ad appeared in the Montrose Daily Press.

Planning Commission Consideration:

The Planning Commission will approve or deny the Conditional Use Permit for the proposed travel home park located at . The Planning Commission will consider all of the information in this memo in making a decision.

Application Background:

The applicant is proposing to establish a vehicle sales establishment on the property addressed as 1702 E Main St. Travel home parks are considered a conditional use in the “B-2” Highway Commercial District.

Applicant:

Pineapple Hotel Group, LLC

Staff Analysis:

1. Zoning Code 11-7-6 (H) outlines conditional uses within the “B-2” Highway Commercial District.
 - Section 11-7-6 of the Municipal Code is provided in Exhibit B.
 - Conditional Uses include: Travel home parks.
 - This proposal is not a use-by-right, and therefore, is subject to review as a conditional use.

2. The conditional use criteria, outlined in 11-7-6 of the Montrose Municipal Code, are as follows:
 - *Conditional uses.* Uses listed as conditional uses on the schedule of uses in Subsections 11-7-6 (G) and 11-7-6 (H) shall be allowed only if the Planning Commission determines, following review pursuant to Chapter 11-4 of this Title, that the following criteria are substantially met with respect to the type of use and its dimensions:
 - i. The use will not be contrary to the public health, safety, or welfare.
 - ii. The use is not materially adverse to the City's Comprehensive Plan.
 - iii. Streets, pedestrian facilities, and bikeways in the area are adequate to handle traffic generated by the use with safety and convenience.
 - iv. The use is compatible with existing uses in the area and other allowed uses in the district.
 - v. The use will not have an adverse effect upon other property values.
 - vi. Adequate off-street parking will be provided for the use.
 - vii. The location of curb cuts and access to the premises will not create traffic hazards.
 - viii. The use will not generate light, noise, odor, vibration, or other effects which would unreasonably interfere with the reasonable enjoyment of adjacent property.
 - ix. Landscaping of the grounds and the architecture of any buildings will be reasonably compatible with that existing in the neighborhood.
 - The Burden shall be upon the applicant to prove that these requirements are met.
3. Staff finds that the proposed travel home park meets the Conditional Use Criteria above. The proposal is in compliance with the Comprehensive Plan and is compatible with existing uses in the area. The site is located in the "B-2" Highway Commercial District.

Staff Recommendation:

The staff finds that the criteria have been met, and recommend approval of the request.

Planning Commission Motion Alternatives:

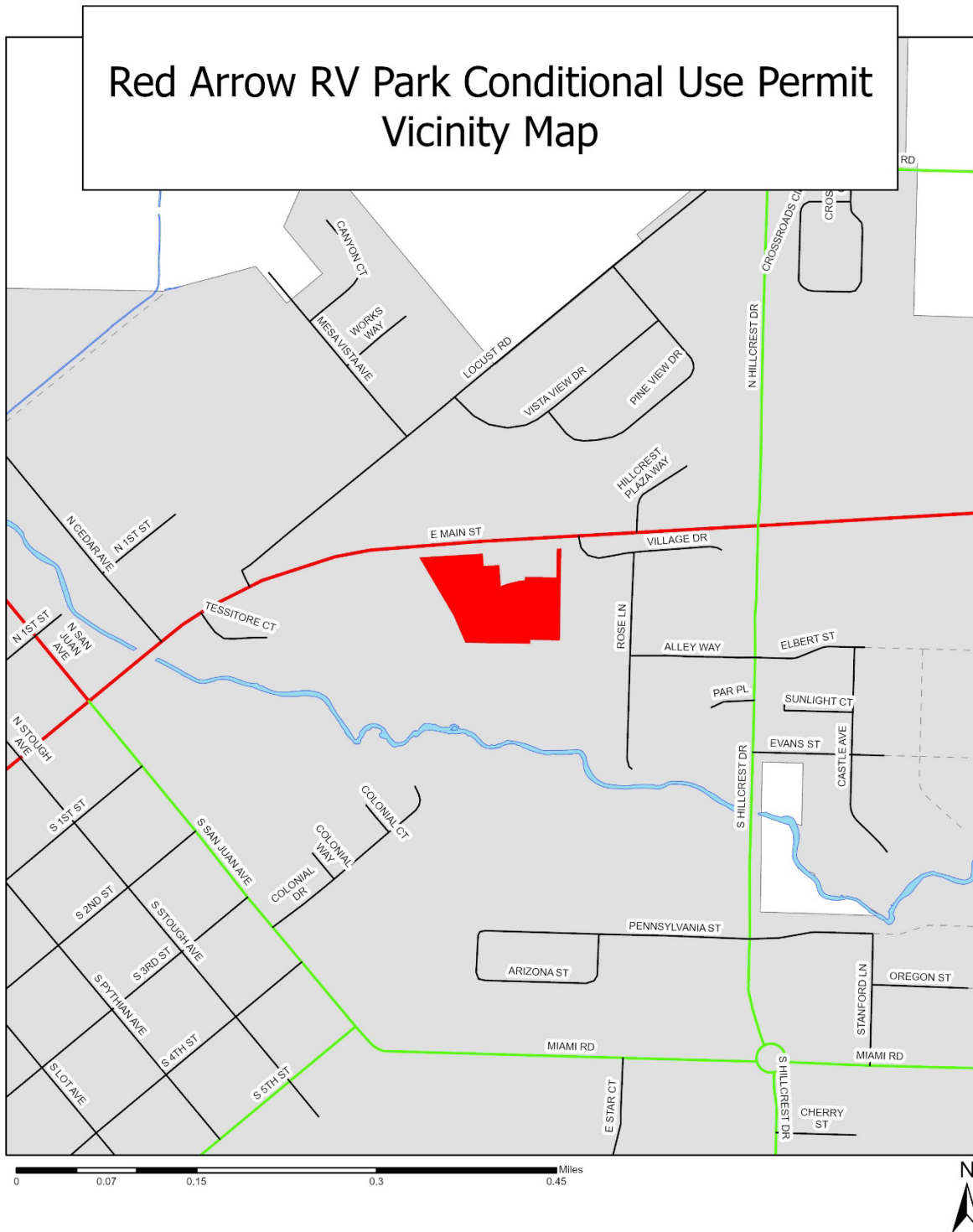
Approval Motion Recommendation:

"I hereby make a motion to approve the request to allow the conditional use of a travel home park within the "B-2" Highway Commercial District, located at 1702 E Main St. The request meets the Code criteria based on the evidence and testimony presented at this hearing and as outlined in the staff report"

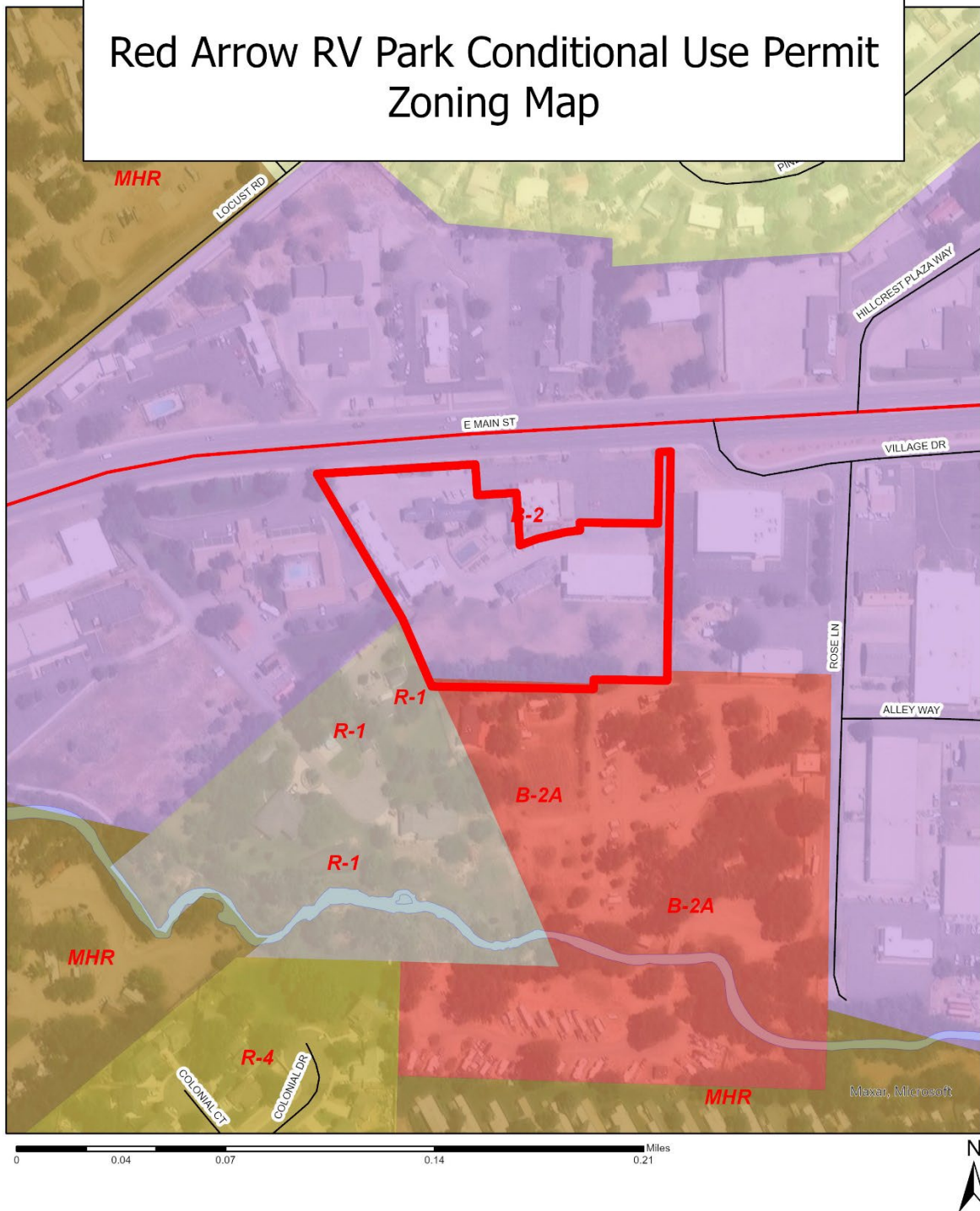
Denial Motion Recommendation:

“I hereby make a motion to deny the request. The request does not meet the Code criteria based on the evidence and testimony presented at this hearing and in the staff report.”

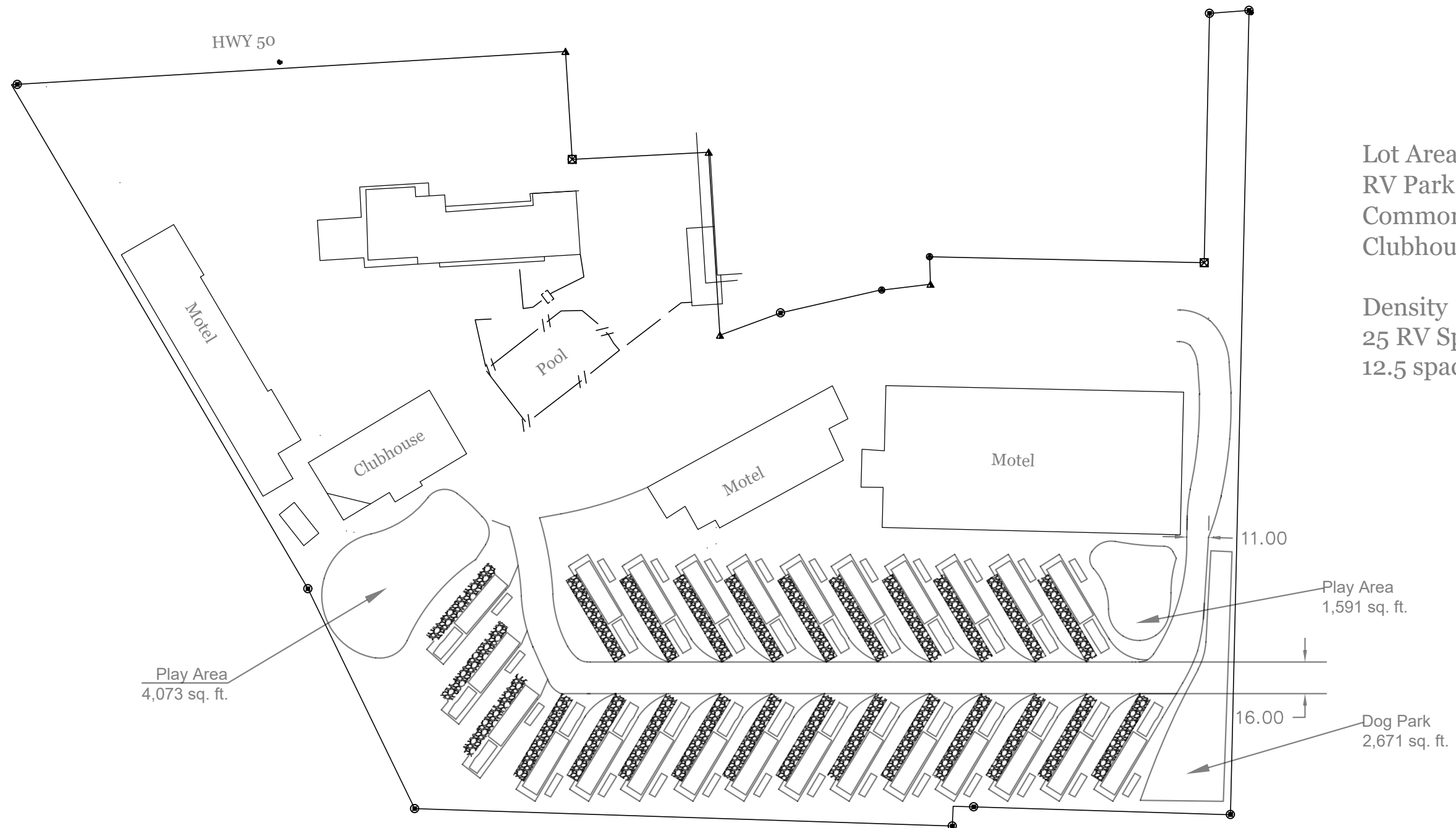
EXHIBIT A: Maps



Red Arrow RV Park Conditional Use Permit Zoning Map



Red Arrow RV Park Site Plan



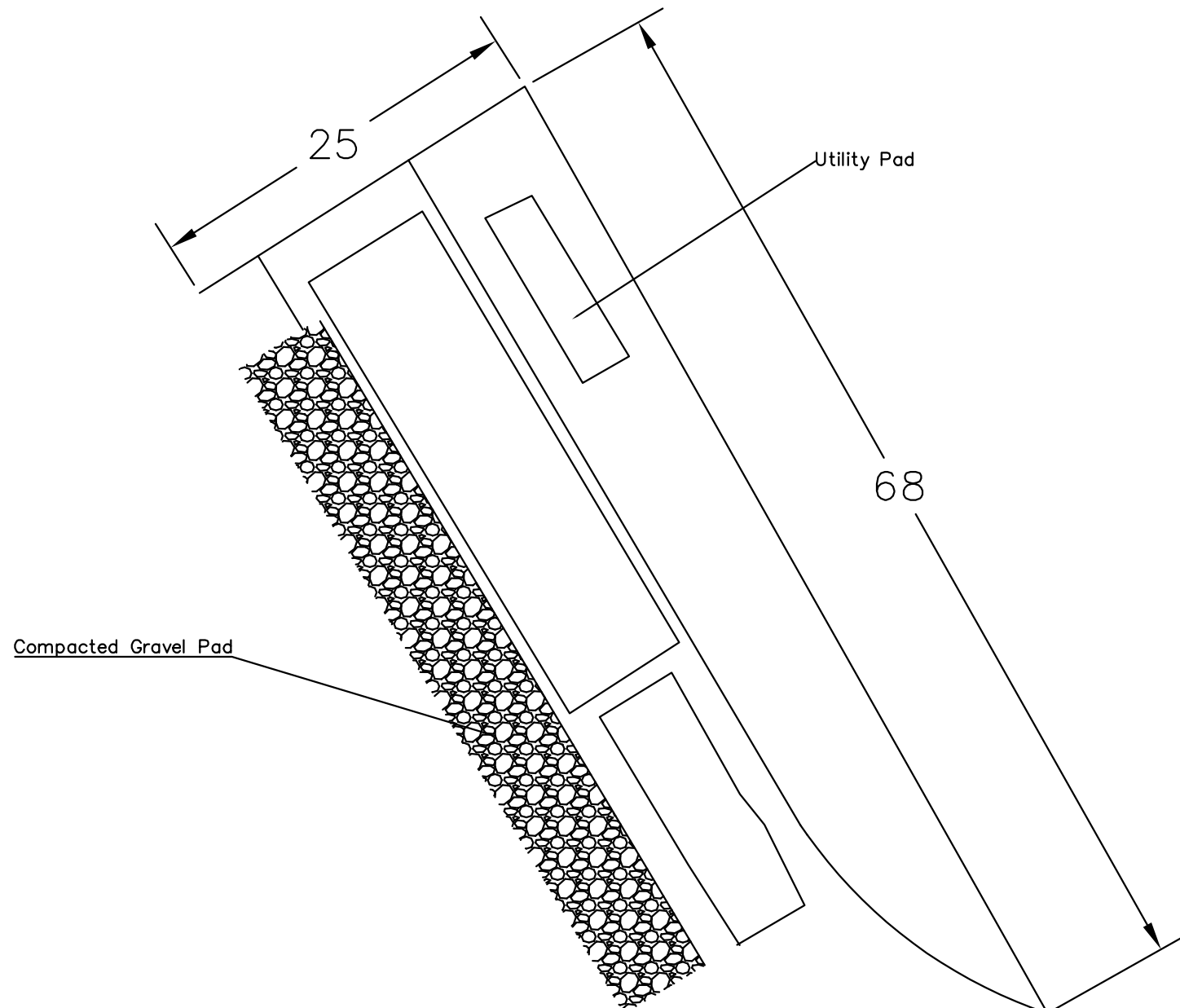
Lot Area Table

RV Park Total Area: 87,387 sq. ft.
Common Open Space: 8,335 sq. ft.
Clubhouse: 3,476 sq. ft.

Density

25 RV Spaces
12.5 spaces per acre

Typical RV Space



Red Arrow RV Park Conditional Use Permit

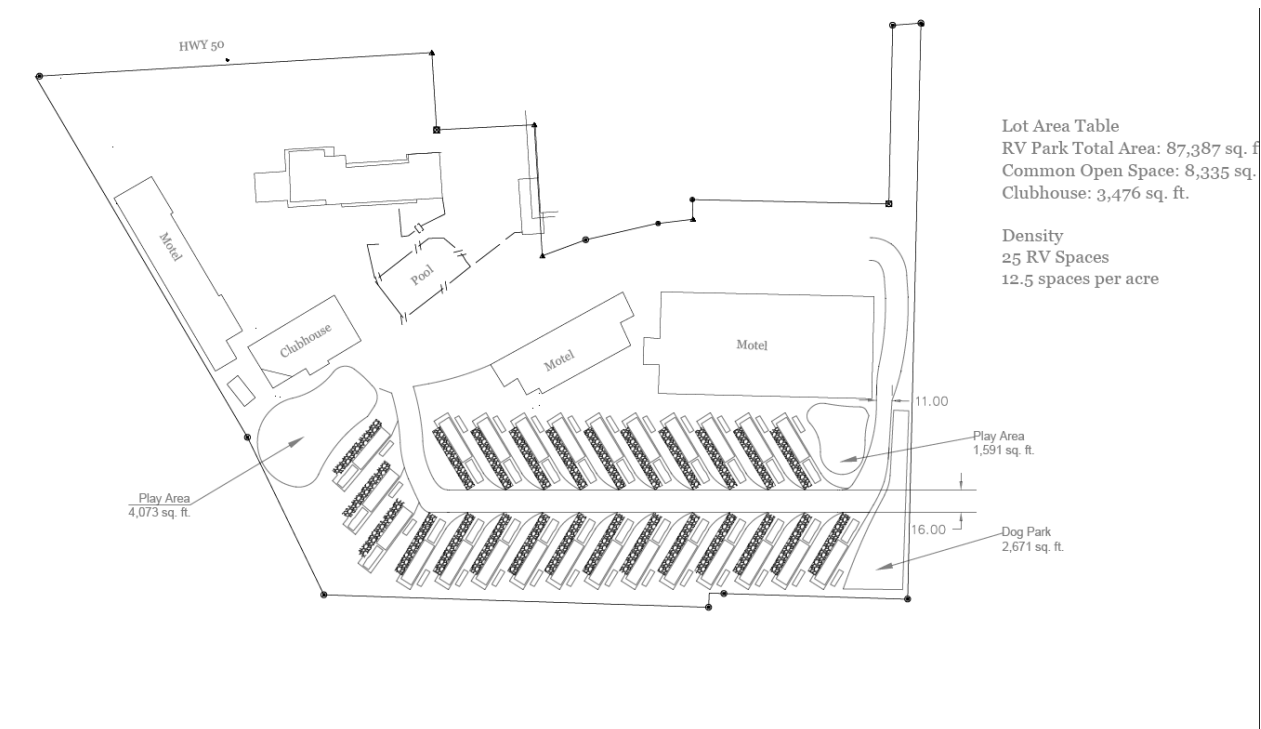
General Project Report

July 29, 2024

Ty Johnson, Mesa Planning

Project Description

Red Arrow RV park proposes an RV park at 1702 Main St. with 25 RV spaces, as depicted below. Each space will provide full RV hook ups including water, sewer, and electrical connections.



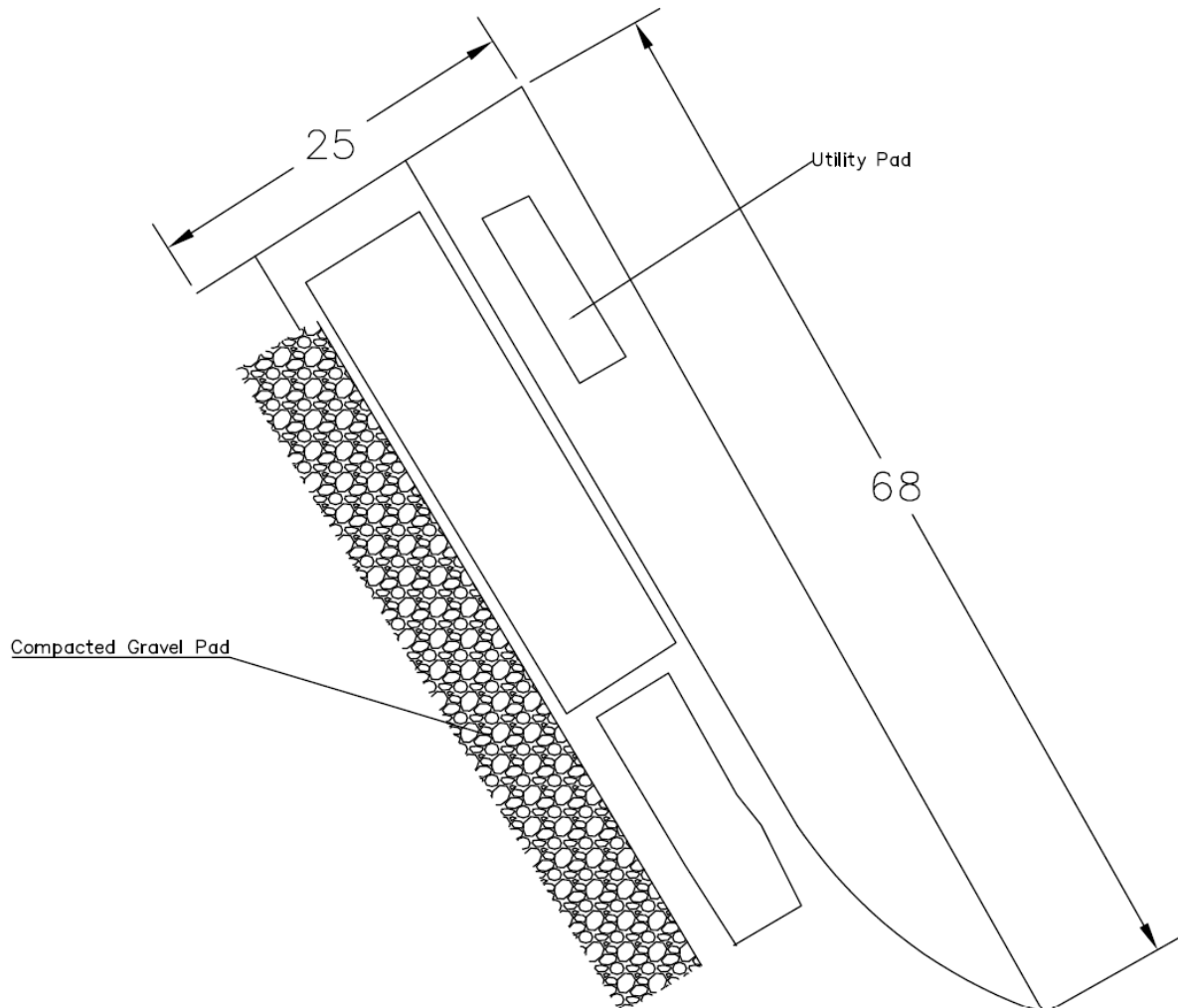
The clubhouse building is currently being used solely for the motel. It will be repurposed to serve as a both motel check-in and a clubhouse for visitors to the RV park. The clubhouse will contain showers, laundry, check-in, and a common area that will be available to all visitors to the RV park.

The drive aisle for the RV park is one-way and is 16' wide, with exception to one area with the drive aisle narrows to 11' on the eastern side of the RV park due to the presence of an existing electrical transformer. The first three spaces are pull-in spaces, while the remaining 22 spaces are back-in spaces.

The RV park measures 87,387 sq. ft. in total with 8,335 sq. ft. of common open space and a 3,476 sq. ft. clubhouse. The open space includes two areas that will host a combination of

playground equipment and common lawn area for playing/lawn games. There will be a fenced dog park and dog run on the east side of the RV park that will be 2,671 sq. ft.

Each RV space is approximately 1,700 sq. ft. (68' x 25') and will have full hook ups and a compacted gravel pad that will serve as a patio area. Below is a screenshot of a typical RV space in the park.



Approval Criteria

(A) Uses listed as conditional uses for the various zoning districts provided in this Chapter shall be allowed only if the Review Board determines, following review pursuant to Section 4-4-31, that the following criteria are substantially met with respect to the type of use and its dimensions:

(1) The use will not be contrary to the public health, safety, or welfare.

Response:

An RV park is not contrary to the public health, safety, or welfare. The use is supported by surrounding ROW and existing utilities. If the CUP is approved, the project will go through a full civil design process and review with the City of Montrose to ensure that all City standards are met.

(2) The use is not materially adverse to the City's master plan.

Response:

The site is zoned B-2 and has been used as a motel for years. An RV park in this area is supported by the future land use map of the Comp Plan which designates this area as general commercial. The general commercial land use designation prioritizes auto-oriented development. Additionally, the Comp Plan designates this as a growth 1 area, prioritizing infill development due to the presence of existing infrastructure and utilities.

(3) Streets, pedestrian facilities, and bikeways in the area are adequate to handle traffic generated by the use with safety and convenience.

Response:

This property has frontage on HWY 50 which is built to accommodate all forms of transportation.

(4) The use is compatible with existing uses in the area and other allowed uses in the district.

Response:

An RV park is compatible with existing uses in the area, as there is an RV park directly to the south and other motels and restaurants adjacent to the property which have served traveling visitors and residents alike for years.

(5) The use will not have an adverse effect upon other property values.

Response:

The use will not have adverse effects on other property values. This project will be designed and built to the all existing standards and requirements of the City of Montrose Land Use Code.

(6) Adequate off-street parking will be provided for the use.

Response:

Each RV space will have the ability to accommodate at least 1 vehicle. RV spaces have been designed with adequate length to accommodate a full length RV in tow by a 3/4-1 ton truck.

(7) The location of curb cuts and access to the premises will not create traffic hazards.

Response:

The existing access for the motel on HWY 50 will be used for the RV park. This access has been in place for years and functions well.

(8) The use will not generate light, noise, odor, vibration, or other effects which would unreasonably interfere with the reasonable enjoyment of adjacent property.

Response:

Standard camping and RV park quiet hours will be enforced at the property. Auto-oriented development dominates this area, making an RV park an appropriate use that will fit in with surrounding properties.

(9) Landscaping of the grounds and the architecture of any buildings will be reasonably compatible with that existing in the neighborhood.

Response:

The clubhouse is an existing structure on the property that has been historically used by the motel. Landscaping in the common play areas and dog park will be well maintained by ownership to serve patrons of the RV park.

EXHIBIT C: Zoning Code Excerpt

Sec. 11-7-6. District uses.

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

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

(F) *Uses Not Listed.*

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

(H) *Schedule of Mixed Use, Commercial and Industrial Zone District Uses.*

Land Use	OR	P	B-1	B-2	B-2A	B-3	B-4	I-1	I-2
COMMERCIAL USES									
Automobile and vehicle sales, repair or service establishments			C	C	P	P			
Automobile body shops			C	C	P	P			
Bed and breakfast (See Sec. 11-11-1)	P								
Building materials businesses			C	P	P	P			
Car washes				P	P	P	C		
Commercial businesses		C							
Commercial uses other than the uses by right in this zone district which comply with the performance standards of Chapter 11-11-4 and are consistent with Sec. 11-7-5(D)(1).								C	
Farm implement sales or service establishments					P	P			

Fueling stations or other retail uses having fuel pumps 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.			P	P	P	P	C		
Funeral homes			C	C	C	C			
Hotels and motels			P	P	P	P			
Laundry facilities, self-service				P	P	P	P		
Mobile and travel home sales or service establishments					P	P			
Offices for medically related and professional service providers including doctors, dentists, chiropractors, lawyers, engineers, surveyors, accountants, bookkeepers, secretarial services, title companies, social service providers and other similar professional service providers.	P								
Offices not allowed as a use by right.	C								
Travel home parks and campgrounds (See Sec. 11-13)				C	C	C			
Rental businesses					P	P			
Restaurants			P	P	P	P	P		P
Restaurants, drive-in or drive-through			C	C	C	C	C		
Retail sales and services establishments which cater to the general shopping public	C								
Retail stores, business and professional offices, and service establishments which cater to the general shopping public.			P	P	P	P	P		P

Retail stores, business and service establishments serving the general public but which also involve limited manufacturing of the products supplied				C	C	C			
Sexually oriented business (See Sec. 11-12-1)									P
Short-term rentals	P		P	P	P	P	P	P	P
Taverns			P	P	P	P	C		
Theaters			P	P	P	P			
Veterinary clinics or hospitals for small animals				P	P	P			
Veterinary clinics or hospitals for large animals					P	P			
INDUSTRIAL USES									
Above ground storage facilities for hazardous fuels						P			P
Aircraft support services, including, but not limited to, aircraft maintenance and passenger and crew services.								P	P
Construction and contractor's office and equipment storage facilities						P			P
Feed storage and sales establishments						P			P
Manufacturing and non-manufacturing uses including: food processing; metal finishing and fabrication; paper, plastic and wood manufacturing (excluding processing of any raw materials), fabric manufacturing and similar activities. (See Sec. 11-11-4)					C	C		P	P
Other industrial uses									P
Storage facilities, indoor			C	P	P	P	C		P
Storage facilities, outdoor					C	P		P	P
Warehouse and wholesale distribution operations			C	C	C	C		P	P
INSTITUTIONAL USES									
Airport								P	P
Assisted living facilities	C			P	P	P			
Childcare facilities	P	C	P	P	P	P	P	P	P

College or other place of adult education			P	P	P	P			
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.			P	P	P	P			
Family child care home	P	C	P	P	P	P	P	P	P
Government buildings and facilities	P	P	P	P	P	P	P	P	P
Hospitals	P								
Libraries		P	P	P	P	P			
Museums and visitor centers		P	P	P	P	P			
Parking facilities	P	P	P	P	P	P			
Private and fraternal clubs			P	P	P	P	C		
Public transportation facilities			P	P	P	P			
Religious assembly	P	P	P	P	P	P	P		
Schools	C	P	C	C	C	C	C		
RECREATIONAL USES									
Golf courses		C							
Parks, open space and recreation facilities	P	P	P	P	P	P	P	P	P
Private recreation facilities		P							
RESIDENTIAL USES									
Duplex	P		P	P	P	P	P	P	P

Group homes— handicapped/disabled 8 persons or less (see Sec. 11- 11-2)	P		P	P	P	P	P	P	P
Group homes— handicapped/disabled > 8 persons (see Sec. 11-11-2)	C		C	C	C	C	C	C	C
Group homes, other (See Sec. 11-11-2)	C		C	C	C	C	C	C	C
Home occupation (See Sec. 11-11-3)	A		A	A	A	A	A	A	A
Multifamily dwelling	C	C	P	P	P	P	P	P	P
Single-family dwelling	P	C	P	P	P	P	P	P	P
Supportive housing	C					C		C	
UTILITIES AND TELECOMMUNICATION FACILITIES									
Antennas (See Sec. 11-14-6)	C	C	C	C	C	C	C	C	C
Public utility service facilities	P	P	P	P	P	P	P	P	P
Towers (See Sec. 11-14-5)	C	C	C	C	C	C	C	C	C
OTHER USES									
Accessory uses (See Sec. 11-7-6(D))	A	A	A	A	A	A	A	A	A
Temporary use (See Sec. 11- 7-6(E)(1—3))	T	T	T	T	T	T	T	T	T
Temporary Construction or Sales Office (See Sec. 11-7- 6(E)(4))	T	T	T	T	T	T	T	T	T
Travel home (See Sec. 11- 13-6(2))	T		T	T	T	T	T	T	T

Legend: Use Type

P: Permitted Use

C: Conditional Use

A: Accessory Use

T: Temporary Use

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