



REGULAR CITY COUNCIL MEETING AGENDA
Tuesday, November 5, 2024 - 6:00 PM
City Council Chambers, Elks Civic Building - 107 S. Cascade Ave.

The Montrose City Council is pleased to have residents of the community take time to attend City Council meetings. We encourage your attendance and participation. Individuals wishing to be heard during public hearing proceedings are encouraged to be prepared and will generally be limited to three minutes to allow everyone the opportunity to be heard. Additional written comments are welcome and will be received at any time. The 11:00 p.m. rule will be enforced in accordance with City of Montrose Regulations (Sec. 7-15-2).

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

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

- 1) City Council meeting called to order by Mayor J. David Reed
- 2) The Pledge of Allegiance
- 3) Roll call by the City Clerk
- 4) Changes to the agenda including additions and deletions
- 5) Hospice and Palliative Care Month Proclamation
- 6) You Make a Difference Award Presentation



7) CALL FOR PUBLIC COMMENT FOR NON-AGENDA ITEMS

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

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

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

8) APPROVAL OF MINUTES (5 minutes)

City Council consideration of the minutes of the October 15, 2024, regular City Council meeting. *Staff: City Clerk Lisa DelPiccolo*

Action: Consider making a motion to approve the minutes of the October 15, 2024, regular City Council meeting as presented.

9) ORDINANCE 2670 - SECOND READING (15 minutes)

City Council consideration of Ordinance 2670 on second reading, an Ordinance of the City of Montrose, Colorado, updating Title 6 Chapter 1 of the Official Code of the City of Montrose, Colorado: repealing and replacing Title 6 Chapter 1 Section 10 (6-1-10), regarding unauthorized camping; repealing and replacing Title 6 Chapter 1 Section 12 (6-1-12), regarding sleeping on sidewalks, streets, curbs, parking spaces, alleys, public right of way or within doorways prohibited; and amending Title 9 Chapter 10 Section 1 (9-10-1), regarding park hours. *Staff: Assistant City Attorney Matt Magliaro*

Action: Accept public comment. Consider making a motion to adopt Ordinance 2670 on second reading as presented.

10) ORDINANCE 2674 - FIRST READING (15 minutes)

City Council consideration of Ordinance 2674 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, 2025. *Staff: Finance Director Shani Wittenberg*



Action: Hold a hearing. Consider making a motion to pass Ordinance 2674 on first reading as presented.

11) RESOLUTION 2024-19 (10 minutes)

City Council consideration of Resolution 2024-19, repealing and replacing Chapters 3-1-1, 3-1-2, and 3-1-3 of the City of Montrose Regulations Manual and adopting the 2025 fee schedule. *Staff: City Clerk Lisa DelPiccolo*

Action: Accept public comment. Consider making a motion to adopt Resolution 2024-19 as presented.

12) FUNDING FOR REGION 10 MEALS PROGRAMS (10 minutes)

City Council consideration of additional funding for Region 10 meals programs. *Staff: Deputy City Manager Ann Morgenthaler*

Action: Accept public comment. Consider making a motion to approve \$18,000 in funding towards Region 10 Area Agency on Aging Delivered Meals Programs.

13) RESOLUTION 2024-21 (10 minutes)

City council consideration of Resolution 2024-21 authorizing the filing of a United States Environmental Protection Agency Brownfield Cleanup Grant Application in the amount of \$2,000,000. *Staff: Community Development Specialist Christopher Ottinger*

Action: Accept public comment. Consider making a motion to adopt Resolution 2024-21 as presented.

14) LEONARD FARM ADDITION ANNEXATION (15 minutes)

A hearing will be held on the annexation of the Leonard Farm Addition. *Staff: Planner II William Reis*

A) Resolution 2024-20: City Council consideration of Resolution 2024-20, findings of fact for the Leonard Farm Addition annexation.

Action: Accept public comment. Consider making a motion to adopt Resolution 2024-20 as presented.



- B) Ordinance 2675 - First Reading: City Council consideration of Ordinance 2675 on first reading, an Ordinance of the City of Montrose, Colorado, for the annexation of the Leonard Farm Addition.

Action: Hold a hearing. Consider making a motion to pass Ordinance 2675 on first reading as presented.

15) ORDINANCE 2676 - FIRST READING (5 minutes)

City Council consideration of Ordinance 2676 on first reading, an Ordinance of the City of Montrose, Colorado, providing for the zoning of the Leonard Farm Addition as an "R-3A," medium high density district. *Staff: Planner II William Reis*

Action: Hold a hearing. Consider making a motion to pass Ordinance 2676 on first reading as presented.

16) SEASONS SUBDIVISION FILING NO. 2 AMENDED PRELIMINARY PLAT (15 minutes)

City Council considered the Seasons Subdivision Filing No. 2 Amended Preliminary Plat. *Staff: Planner II William Reis*

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

17) STAFF REPORTS

18) YOUTH CITY COUNCIL COMMENTS

19) CITY COUNCIL COMMENTS

20) MOTION TO ADJOURN



Hospice and Palliative Care Month

November 2024

WHEREAS, For more than 30 years, HopeWest has been Montrose's community-owned, nonprofit organization where people turn when facing life's most difficult times; and

WHEREAS, As a nationally recognized hospice, palliative care, and adult bereavement, and children's bereavement program, HopeWest provided care to more than 3,838 in 2023. With every year, the need for HopeWest services is growing; and

WHEREAS, Every citizen can play a role in helping your neighbors by supporting the mission of HopeWest through volunteer service and gifts; and

WHEREAS, This public declaration celebrates our community's unique spirit of helping each other every day and honors the compassion of the many nursing assistants, social workers, chaplains, physicians, counselors, registered nurses, and volunteers at HopeWest; and

WHEREAS, Hospice and Palliative Care Month presents a unique opportunity to increase awareness of these programs and honor all who make them possible;

NOW, THEREFORE, I, Mayor J. David Reed, and the City Council of the City of Montrose, Colorado, do hereby proclaim the month of November 2024 as

HOSPICE AND PALLIATIVE CARE MONTH

in the City of Montrose, and encourage the support and participation of friends, neighbors, colleagues and fellow citizens in hospice activities and programs now and through the year.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Montrose, this 5th day of November, 2024.

J. David Reed, Mayor
City of Montrose



MONTROSE CITY COUNCIL

October 15, 2024

A regular meeting of the Montrose City Council was held on Tuesday, October 15, 2024, at 6:00 p.m. in the City Council Chambers of the Elks Civic Building at 107 S. Cascade Avenue. Said meeting was posted in accordance with the Sunshine Law.

PRESENT

J. David Reed, Dave Frank, Judy Ann Files, Doug Glaspell, Ed Ulibarri, Bill Bell, Ann Morgenthaller, Chris Dowsey, Greg Story, Lisa DelPiccolo, Blaine Hall, Tim Cox, David Bries, Matt Magliaro, Scott Murphy, William Reis, Jim Scheid, Cameron Pensyl, Thomas Morgan, Brett Suppes, Chris Velasquez, Chris Ottinger, Jace Hochwalt, Leeanne Whittaker

GUESTS

Melanie Bell, Tom Cheney, John Brown, Jim Renfrow, Abbie Brewer, Susan Platzer, Neal Platzer, Sandra Renfrow, Christopher Gallegos, Patrick Crane, Jan Chastain, Jamie Carl, Laura Amaro, Evan B. Howard, Richard Rogers, Chris Koch, James Stetson, Stephen Fessler, William Hewitt, Preston Gordon, Brad Young, Samuel Eckman, Clay Goldberg, Stephanie Seitz, Clare House, Megan Moore, Jennifer Jones, Paul Stockwell, Kimberly Freeman, Miriam Cardenas, Cindi Olinghouse, Lexie Farkash, Kori Zapletal, Anya Van Soestbergen, Aleta Swallow, Valentina Atencio, Addie Robinson

CALL TO ORDER

Mayor J. David Reed called the meeting to order at 6:04 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

John Brown and Cindi Olinghouse spoke in favor of a non-sanctuary city declaration by City Council.

Tom Cheney spoke regarding the cost of living in Montrose and questioned the impacts on recruitment of new businesses.

APPROVAL OF MINUTES

City Council considered the minutes of the September 30, 2024, special City Council meeting and the October 1, 2024 regular City Council meeting.

A motion was made by Dave Frank, seconded by Judy Ann Files, to approve the minutes of the September 30, 2024, special City Council meeting and the October 1, 2024, regular City Council meeting as presented. All voted yes. Motion passed.

PLANNING COMMISSION ALTERNATE APPOINTMENT

City Council considered the appointment of Bryce Gaber as an alternate member of the City of Montrose Planning Commission for a term that expires on December 31, 2026.

A motion was made by Dave Frank, seconded by Judy Ann Files, to appoint Bryce Gaber as an alternate member of the City of Montrose Planning Commission for a term that expires on December 31, 2026. All voted yes. Motion passed.

HISTORIC PRESERVATION COMMISSION APPOINTMENTS

City Council considered the reappointments of Jon Horn and Danielle Godt to the City of Montrose Historic Preservation Commission for terms that end on October 16, 2027.

A motion was made by Dave Frank, seconded by Judy Ann Files, to reappoint Jon Horn and Danielle Godt to the City of Montrose Historic Preservation Commission for terms that end on October 16, 2027. All voted yes. Motion passed.

ORDINANCE 2670 – FIRST READING

City Council considered of Ordinance 2670 on first reading, an Ordinance of the City of Montrose, Colorado, updating Title 6 Chapter 1 of the Official Code of the City of Montrose, Colorado: repealing and replacing Title 6 Chapter 1 Section 10 (6-1-10), regarding unauthorized camping; repealing and replacing Title 6 Chapter 1 Section 12 (6-1-12), regarding sleeping on sidewalks, streets, curbs, parking spaces, alleys, public right of way or within doorways prohibited; and amending Title 9 Chapter 10 Section 1 (9-10-1), regarding park hours. A hearing was held.

City Manager Bill Bell stated that unauthorized overnight camping in City parks has been unlawful for many years, and that Ordinance 2670 addresses the cost and staff time currently invested in cleanup efforts.

Mr. Bell said this proposal is community driven and based upon results of statistically valid surveys conducted by third-party vendors. Mr. Bell said that the City conducted community surveys in 2016 and 2023 and a significant increase was documented in citizens who reported feeling unsafe in City parks. The recent development of the Baldridge Regional Park Master Plan also included a survey, and safety was listed as a top concern for Riverbottom and Cerise Parks as well as the river corridor. Mr. Bell said that the Montrose Recreation District conducted a survey as part of its master plan process, and respondents reported that the condition of parks has deteriorated, and they do not enjoy using the parks as they once did. Mr. Bell Stated that this Ordinance addresses the activity of camping and building encampments and not a particular group of people.

Assistant City Attorney Matt Magliaro reported that this Ordinance was discussed at the August 5 work session and was tabled during the August 20 City Council meeting for further work session discussions on September 3 and September 16. Mr. Magliaro stated that many Colorado municipalities prohibit unauthorized camping on public property including Grand Junction, Delta, Durango, Gunnison, Fruita, Rifle, Arvada, Fort Collins, Aurora, and Colorado Springs.

Mr. Magliaro stated that Ordinance 2670 creates two Municipal Code sections that address unauthorized camping and sleeping on sidewalks, streets, curbs, parking spaces, alleys, public rights of way, and within doorways. The unauthorized camping ordinance includes camping on public and private property without authorization and prohibits construction of structures on public property without authorization.

Mr. Magliaro reviewed the definitions, exclusions, and penalties for violations stating that the intent is to punish conduct and not status.

Mr. Magliaro presented photos depicting temporary shelters and encampments at various locations throughout the city as well as fires at encampment sites. Mr. Magliaro stated that three tons of trash was removed during a cleanup on September 11 that involved 11 Public Works employees and 3 police officers. Mr. Magliaro stated this is wanton destruction of the City's public lands and said that current enforcement tools within the Municipal Code do not address the conduct that is being experienced.

Police Chief Blaine Hall reported that the Police Department is impacted not only during the cleanups but also by proactive and reactive operations when reports are received from citizens. Individuals are given 72 hours to mitigate and clean up the site. Chief Hall stated that year to date, 69 hours of staff time and approximately \$4,000.00 can be attributed to this issue.

Public Works Director Jim Scheid reported that each cleanup effort requires 5 to 20 employees depending on the size of the encampment, totaling 700 to 1,000 staff hours per year. Mr. Scheid said safety is a concern and \$3,500.00 is spent on safety equipment annually.

Mayor J. David Reed opened the hearing.

Public comment was accepted.

Samuel Eckman, Jennifer Jones, Neal Platzer, Jan Chastain, Stephen Fessler, Jamie Carl, Stephanie Seitz, Megan Moore, Patrick Crane, Anya Van Soestbergen, Alita Swallow, Kori Zapletal, Clare House, Paul Stockwell, Kimberly Freeman, Valentina Atencio, Addie Robinson, Miriam Cardenas, James Stetson, Sam (no last name provided), Lexie Farkash, Preston Gordon, Evan Howard, Clay Goldberg, Jim Renfrow, Richard Rogers, and one person who did not provide a name spoke in opposition to Ordinance 2670 and in support of providing resources for the unhoused population.

A motion was made by Doug Glaspell, seconded by Ed Ulibarri, to pass Ordinance 2670 on first reading as presented. All voted yes. Motion passed.

BRIEF RECESS

At 7:51 p.m., a brief recess was taken. The meeting resumed at 7:58 p.m.

BEAR CREEK TOWNHOMES FINAL PLAT

City Council considered the Bear Creek Townhomes Final Plat to create 48 townhome lots, 5 single-family residential lots, and associated easements, rights-of-way, and open space.

Planner II William Reis reviewed the location of the 5.65 acres within the Bear Creek Subdivision. Mr. Reis stated that the proposal consists of 48 new townhome lots within the R-3A, Medium High Density District, and 5 single family residential lots within the R-5, Low Density/Manufactured Housing District. The Preliminary Plat was approved by City Council on April 1, 2024. Mr. Reis said that Bear Creek Planned Development Plan #3, approved in 2004, permits 0 foot side setbacks that allow individual conveyance of townhome units and allows up to 60 units within the area.

Mr. Reis recommended conditional approval stating that the Final Plat is in compliance with subdivision regulations and the Comprehensive Plan, and the proposal meets the intent of Bear Creek Planned Development Plan Amendment 3.

City Engineer Scott Murphy reported that water service for the development will be provided by a waterline extension project scheduled for construction next summer.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by Doug Glaspell, to approve the Bear Creek Townhomes 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.

BROOKSIDE MEADOWS SUBDIVISION PRELIMINARY PLAT

City Council considered the Brookside Meadows Subdivision Preliminary Plat.

Planner II William Reis reviewed the location of the 20.49 acres on the northwest corner of the intersection of Miami and 6700 Roads. Mr. Reis reported that the proposal is for 62 single-family residential lots within the R-2, Low Density District, and the lots meet minimum lot size for the R-2 zoning.

Mr. Reis recommended conditional approval stating that the Preliminary Plat is in compliance with subdivision regulations and the Comprehensive Plan and the proposal meets the intent of the R-2 zoning district.

Mr. Reis stated that a rezone application was denied recently. The proposal being considered is not related to the rezone request and falls within use by right.

City Engineer Scott Murphy reported that an associated recreation trail will be open for public use but will ultimately be the responsibility of the developer and the HOA.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by Ed Ulibarri, to approve the Brookside Meadows Subdivision Preliminary Plat expressly conditioned upon City staff ensuring that all policies, regulations, ordinance and Municipal Code provisions are met and that the Applicant adequately addresses all of staff's concerns prior to execution of the Final Plat. The City staff is not authorized by this approval to execute the Final Plat prior to all conditions being satisfied. All voted yes. Motion passed.

CERISE PARK COMMAND CENTER EXPENSE AUTHORIZATION

City Council considered the authorization of \$75,000.00 for the renovation of a storage building in Cerise Park to be dual utilized as a command center for Police Department operations.

Police Chief Blaine Hall reviewed the need to renovate the current storage shed in Cerise Park which currently stores Police Department equipment and event supplies. Chief Hall stated that increasing amphitheater use is contributing to the need to establish a command post for emergency personnel. Chief Hall said work on the project will begin in November. The project is included in the 2025 budget but the timeline was accelerated in preparation for the 2025 event season.

Public comment was accepted. No comments were received.

A motion was made by Judy Ann Files, seconded by Dave Frank, to authorize \$75,000.00 to establish a police command center in Cerise Park as presented. All voted yes. Motion passed.

WOODGATE-EAST OAK GROVE ROUNDABOUT AND BACKAGE ROAD CONSTRUCTION CONTRACT

City Council considered \$3,287,515.03 in expenditures for construction of the Woodgate-East Oak Grove Roundabout and Backage Road Construction Project. This includes the award of a construction contract to K&D Construction in the amount of \$3,084,315.03, a survey and engineering support contract to Del-Mont Consultants in the amount of \$111,000.00, and up to \$92,200.00 in expenditures to Delta-Montrose Electric Association for street lighting and power reconfiguration within the project.

City Engineer Scott Murphy reported that since the work session discussion, the DMEA expenditure was determined to be \$92,200.00. Mr. Murphy stated that the project includes construction of a roundabout at Woodgate and E. Oak Grove and the first phase of a backage road that will eventually connect E. Oak Grove to Encanto.

Mr. Murphy reviewed the bid process and recommended awarding a construction contract to K&D Construction along with a contract to Del-Mont Consultants for survey stakeout. Mr. Murphy reviewed planned detour routes and stated that the project is anticipated to begin in March with completion in September. A total of \$4.05 million was budgeted for the project.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by Judy Ann Files, to approve \$3,287,515.03 in expenditures for construction of the Woodgate-East Oak Grove Roundabout and Backage Road Construction Project as presented. All voted yes. Motion passed.

STAFF REPORTS

Sales, Use, and Excise Tax Report

Sales Tax Manager Leeanne Whittaker provided a sales, use, and excise tax report for the month of August 2024. Ms. Whittaker reported that total sales and use collections were up 2.3 percent as compared to August 2023 with a positive budget variance of 4.3 percent. Year-to-date collections were up 3.3 percent with a positive budget variance of 5.5 percent.

YOUTH CITY COUNCIL COMMENTS

Youth City Council Mayor Sydney Bell reported that the Youth City Council has scheduled a street cleanup within the next few weeks, and several Youth Councilors will attend the National League of Cities Conference in Tampa Bay, Florida, in November.

CITY COUNCIL COMMENTS

City Councilor Ed Ulibarri raised questions regarding the decline in hotel and restaurant excise tax collections. City Manager Bill Bell said that tax collections for the new hotel and restaurants within the Urban Renewal Authority remain with the URA and are not remitted to the City. Mr. Bell said that Holiday Inn Express is under renovation and has had decreased capacity, and a few restaurants have closed for multiple reasons.

Mayor Pro Tem Dave Frank invited the community to an open house for the proposed 2025 budget on Thursday, October 17, at 5 pm in the City Council Chambers.

Judy Ann Files thanked staff members involved with the completion of a new trail as part of the Connecting Links Project.

ADJOURNMENT

At 8:31 p.m., the meeting adjourned with no further action taken.

ATTEST:

J. David Reed, Mayor

Lisa DelPiccolo, City Clerk

MEMORANDUM



TO: Honorable Mayor and Members of the City Council
FROM: Matthew Magliaro, Assistant City Attorney Public Safety
DATE: October 15, 2024
RE: Proposed Ordinance Change Adding Unauthorized Camping, Sleeping in Public Right-of-Ways, and Amending Park Hours
CC: William Bell, Chris Dowsey, Dan Payne, Blaine Hall

Action

The consideration of two new ordinances in Title 6, Chapter 1, and the amendment of one existing ordinance in Title 9, Chapter 10 of the Official Code of the City of Montrose, Colorado. The purpose of the latter code amendment is to clarify the current code's allowance of camping in designated areas, as well as to specify other circumstances where the City may allow camping on its property. The purpose of these proposed code changes is to strengthen the City's tools to discourage unauthorized camping without permit upon public property, to discourage unlawfully remaining after notice for sleeping in public rights-of-way, and to declare both activities a nuisance.

Background

The City of Montrose as a property owner has a governmental interest in the maintenance and preservation of its property, including to but not limited to the city parks, for the general health, welfare, and benefit of all members of the public. At the beginning of 2024, the City's legal department was asked to research camping ordinances around the state and country. Park safety was raised by members of the public on the 2023 community-wide survey as an item of concern, and has been raised by citizens as a concern to various city departments. The size and impact on the land of some of the encampments the police department have encountered this year in areas such as Cerise Park, under the West Main trailhead bridge, and on private property at Colorado Outdoors informed this research. The legal department examined municipal ordinances from cities throughout the State of Colorado, including but not limited to the City of Grand Junction; City of Delta; Durango; Fort Collins; Arvada; Aurora; and Colorado Springs. We also examined prohibitions for persons camping in state park land or state recreational areas outside of designated camping areas in Colorado Revised Statute.

In a decision reached on June 28th, 2024, at the end of its most recent term, the United States Supreme Court held that municipalities may pass and enforce generally applicable legislation prohibiting camping on public property. *City of Grants Pass, Oregon v. Johnson*, 603 U.S. ___, 144 S.Ct. 2202 (2024). This decision overruled a circuit decision from the 9th Circuit Court of Appeals, *Martin v City of Boise*, 920 F.3d 584 (9th Cir. 2019), that while not binding in Colorado

was looked at persuasively in this topic area by federal trial courts around the country. The United States Supreme Court held that generally applicable laws may be enforced without violating the constitutional prohibition on cruel and unusual punishment, with the majority opinion of the Court recognizing that civil and criminal penalties for unauthorized camping are a necessary tool for local governments. Governments may not criminalize mere status under the law, but government may permissibly impose fines and incarceration as sanctions for conduct. The majority opinion from Justice Gorsuch discussed the distinction: “Rather than criminalize mere status, Grants Pass forbids actions like ‘occupy[ing] a campsite’ on public property ‘for the purpose of maintaining a temporary place to live.’ Under the city’s laws, it makes no difference whether the charged defendant is homeless, a backpacker on vacation passing through town, or a student who abandons his dorm room to camp out in protest on the lawn of a municipal building. In that respect, the city’s laws parallel those found in countless jurisdictions across the country. And because laws like these do not criminalize mere status, [an earlier 8th Amendment case *Robinson v California*, 370 US. 660 (1962)] is not implicated.” *City of Grants Pass*, at *13 (internal citation omitted).

Like the ordinances in Grants Pass, staff’s proposal here is for the adoption of generally applicable ordinances to the conduct of unauthorized camping and remaining after notice of a cease and desist order for sleeping in public rights-of-way or in pedestrian or vehicular entrances to property. The proposed ordinances do not apply a penalty for mere status. The City’s intent is added in express legislative finding language to both ordinances, as proposed.

Executive Summary

One part of the Official Code of the City of Montrose currently addresses park hours and camping in the parks, MC § 9-10-1. This section declares it to be unlawful for persons to enter upon or remain upon any of the municipal parks outside the hours of 11:00 p.m. and 5:00 a.m. unless other hours are posted, with four separate carve-out exceptions. This Section sets forth an ordinance citable into the Montrose Municipal Court, carrying the penalties under MC § 1-2-3 upon conviction. The proposed ordinance change leaves the section on hours as is, but builds out the exceptions to provide more detail and clarity. It also takes the prohibition within MC § 9-10-1(B) and moves it into Title 6 of the Code, where most of the ordinances commonly cited into the Montrose Municipal Court are located. The proposal strikes the placeholder title ‘Reserved’ in both MC § 6-1-10 and MC § 6-1-12 and creates two new sections: Unauthorized Camping and Sleeping on Sidewalks, Streets, Curbs, Parking Spaces, Alleys, Public Rights-of-Way or Within Doorways.

The unauthorized camping ordinance proposal covers both camping on public property without the authorizations in MC § 9-10-1, as well as for private property when done without the express consent of the property owner or agent of owner. It is separately prohibited conduct to construct or erect structures on municipal property without authorization to do so. Thorough definitions of

camping, shelter and public property are included to specify the conduct at issue. The penalty structure of a first offense of a fine only is congruent with the treatment of this conduct passed on favorably by the United States Supreme Court in *City of Grants Pass* decision, as well as with how the state treats like offenses on state-owned land within statute, C.R.S. § 33-15-107; C.R.S. § 25-13-110, C.R.S. § 25-13-114. Second or successive violations are subject to the possibility of a ten (10) day jail sentencing, which represents a capped limitation on the typical sentencing range available for ordinance violations of three hundred sixty-four (364) days in jail under MC § 1-2-3 General Penalty. A citation to the general sentencing factors in Colorado Revised Statute, C.R.S. § 18-1-102.5 (2024), as well as a factor of whether or not the defendant immediately removed all personal property and litter, including, but not limited to, bottles, cans and garbage, from the encampment after being informed the camping was in violation of the law. This can function as either an aggravator or mitigator for the sentencing court depending on the circumstances. Third or subsequent offenses are to be punished upon conviction by a mandatory minimum ten (10) days jail up to the maximum allowable sentence authorized by ordinance, MC § 1-2-3. The imposition of jail is again consistent with the municipal ordinance structure in the *City of Grants Pass* decision. There is a declaration that unauthorized camping is a nuisance that may be abated. Separate offenses proven beyond a reasonable doubt for nuisance cited under MC § 6-4-1 may also be addressed by the municipal court with separate orders abating the nuisance condition. The code enforcement officer with the Montrose Police Department may issue citations for this offense, in addition to officers on patrol.

The sleeping on sidewalks, streets, curbs, parking spaces, alleys, public rights-of-way or within doorways ordinance proposal in MC § 6-1-12 has seven sections. Subsections (B) and (C) are the citable provisions constituting the ordinance violation, but both are modified by subsection (D) that requires before citation is issued that a police officer, firefighter or property owner or owner's agent to issue a cease and desist warning, and that the person nonetheless remains. These are prerequisite conditions for the issuance of a citation and elements to both theories of offense. The penalty section likewise sets out a civil infraction for a first offense, with second or subsequent violations proven beyond a reasonable doubt subject to the full range of penalties in the Code, as well as abatement as nuisance.

Additional Considerations

None.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, UPDATING TITLE 6 CHAPTER 1, OF THE OFFICIAL CODE OF THE CITY OF MONTROSE, COLORADO: REPEALING AND REPLACING TITLE 6 CHAPTER 1 SECTION 10 (6-1-10), REGARDING UNAUTHORIZED CAMPING; REPEALING AND REPLACING TITLE 6 CHAPTER 1 SECTION 12 (6-1-12), REGARDING SLEEPING ON SIDEWALKS, STREETS, CURBS, PARKING SPACES, ALLEYS, PUBLIC RIGHT-OF-WAY OR WITHIN DOORWAYS PROHIBITED; AND AMENDING TITLE 9 CHAPTER 10 SECTION 1 (9-10-1), REGARDING PARK HOURS

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

WHEREAS, under the Constitution of the State of Colorado home rule municipal governments have “all other powers necessary, requisite or proper for the government and administration of its local and municipal matters, including power to legislate upon, provide, regulate, conduct and control: . . . The imposition, enforcement and collection of fines and penalties for the violation of any of the provisions of the charter, or of any ordinance adopted in pursuance of the charter” pursuant § 6(h) of Article XX of the Colorado Constitution; and

WHEREAS, the State of Colorado has recognized the authority of municipal governments, in relation to their general police powers enumerated in C.R.S. § 31-15-401(1)(a)-(q), to “do all acts and make all regulations which may be necessary or expedient for the promotion of health” as well as to declare what is a nuisance, to set punishments and abate declared nuisances; and

WHEREAS, the City of Montrose as property owner has a governmental interest in the preservation of its public property, including but not limited to its parks, for the general health, welfare, and benefit of all of its citizens, and recognizes the need to have a clear system of regulation to allow for authorized, permitted camping while establishing rules to ensure safe access to the general public of its rights-of-ways on public property; and

WHEREAS, the conduct of unlawful camping on municipal-owned land raises health, welfare and safety concerns as well as negatively impacts the public land as a use; and

WHEREAS, the conduct of unlawfully remaining after notice to cease and desist sleeping in public and private rights-of-way used for pedestrian and vehicular traffic raises health, welfare and safety concerns as well as impacts the safety of all users of those spaces; and

WHEREAS the United States Supreme Court recently held the enforcement by municipal governments of generally applicable laws prohibiting camping on public property does not constitute cruel and unusual punishment proscribed by the Eighth Amendment of the Constitution of the United States, *City of Grants Pass, Oregon v Johnson*, 603 U.S. ___, 144 S.Ct. 2202 (2024); and

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

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

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

SECTION 1:

Title 6, Chapter 1 Section 10. (6-1-10) (Reserved.) of the Official Code of the City of Montrose, Colorado, is hereby repealed and replaced to read in its entirety as follows:

6-1-10. - ~~Reserved.~~ Unauthorized camping.

- (A) It shall be unlawful for any person to camp on any public property within the municipal limits of the City of Montrose, except in a location where camping has been expressly authorized as a permitted activity in compliance with Title 9 of the Official Code of the City of Montrose.
- (B) It shall be unlawful for any person to camp on private property without the express consent of the property owner or the owner's agent.
- (C) It is unlawful for any person to construct or erect any building or structure, whether permanent or temporary, on any public property owned by the City of Montrose without express permission from the City to do so.
- (D) For purposes of this section, the following definitions are applicable:
 - (1) *Camp or camping* means the use of property for the purpose of unauthorized overnight occupancy, or to reside or dwell on public property with shelter overnight, or the use of public property for the purpose of overnight occupancy or longer occupancy. The term "shelter" as used in this definition includes, without limitation, any tent, tarpaulin, lean-to, sleeping bag, bedroll, blankets, or any form

of cover or protection from the elements other than clothing. The term "reside or dwell" includes, without limitation, conducting such activities as eating, sleeping, or the storage of personal possessions. Evidence of unauthorized camps includes, but is not limited to, sleeping, or making preparations to sleep by laying out personal belongings, bedding, bedroll(s), blanket(s), sleeping pad(s), sleeping bag(s), erecting or occupying a tent, makeshift shelter, lean-to, tarpaulin, enclosure, or other structure used for overnight living purposes, or any form of cover or protection from the elements other than clothing, or making preparations for a fire or making a fire except for fires at sites specifically designated or authorized for a fire by the City of Montrose's Parks Department, setting up or using a camp stove, cooking device, or other type of heating source except for grills and personal grills permitted in designated areas by Parks Department. Camp or camping can include using a vehicle for overnight occupancy where overnight occupancy or overnight camping violates City Code or regulation or is not otherwise authorized by the City. Camping does not include napping during the day or picnicking. The City does not prohibit the ordinary use of the parks such as resting or sleeping in a park during normal park hours as defined in Section 9-10-1 of the Official Code of the City of Montrose, picnicking on a blanket or using parks or other public property for lawful uses.

(2) *Public property* means, by way of illustration, but not limited to, a highway, highway median, any street, street median, road, road median, alley, sidewalk, strips of land between streets and sidewalks, lanes, catch basins, pedestrian or transit mall, bike path, greenway, public parking lot, or any other structure or area encompassed within the public right-of-way; any park, parkway, mountain park, open space, natural area, all City owned or managed trails or hard surface trails and areas adjacent to those areas, beach, playground, or other publicly owned recreation facility; a municipal watercourse, bodies of water, watercourses, stormwater infrastructure such as, but not limited to, bridges, pipes, inlets and culverts; or any other grounds, buildings, or other facilities owned or leased by the City or by any other public entity, regardless of whether such public property is vacant or occupied and actively used for any public purpose.

(E) *Penalty.*

(1) For a first violation of this Section, the Court shall impose a fine of \$100.00 only. A first violation of this Section shall constitute a civil infraction.

(2) For a second offense in violation of this Section, an adult defendant upon conviction shall be punished by imprisonment in the county jail limited to not more than 10 days, with the amount imposed left to the discretion of the Montrose Municipal Court. In imposing a sentence for a second offense, the court may consider, in addition to sentencing factors

in C.R.S. § 18-1-102.5 (2024), whether or not the defendant immediately removed all personal property and litter, including, but not limited to, bottles, cans and garbage, from the encampment after being informed the camping was in violation of the law.

(3) For a third or subsequent offense in violation of this Section, an adult defendant upon conviction shall be punished by imprisonment for at least 10 days but no more than the penalties in accordance with Section 1-2-3 of the Official Code of the City of Montrose, Colorado. The Court does not have discretion to suspend imposition of the mandatory minimum period of incarceration for a third or subsequent conviction under this Section.

- (F) Unauthorized camping in violation of this Section is declared a nuisance under Section 6-4-1 of the Official Code of the City of Montrose. If the unauthorized camping occurred in a City park, the Court shall issue, for a first offense, an order of abatement limited to a written exclusion order from the City of Montrose's parks for a period of thirty (30) days. The Court has authority under this Section to issue any other orders for abatement of nuisance under Section 6-4-2 of the Official Code of the City of Montrose for second or subsequent violations. Nothing in this Section limits the discretion of the Municipal Court to enter separate orders it deems appropriate for a separate conviction for Nuisance under Chapter 4 of this Title.
- (G) A separate offense shall be deemed committed each day on which a violation of this Section continues. The Montrose Municipal Court may impose consecutive sentences for multiple violations proven beyond a reasonable doubt.
- (H) The affirmative defense of necessity, as codified in C.R.S. § 18-1-702 (2024), may be raised to a prosecution under this Section should sufficient evidence justify the defense.
- (I) The Code Enforcement Officer of the City shall be deemed a peace officer, as defined in Rule 203 of the Colorado Municipal Court Rules of Procedure, for the limited purpose of enforcing the provisions of this Section under the direction of the City Manager or their designee. The Code Enforcement Officer may exercise the authority of a peace officer in the enforcement of these provisions, including the power to issue summons and complaints and initiate prosecution of violations thereof.
- (J) By enacting this Section, it is not the City's intent to criminalize homelessness, apply a penalty for mere status, nor to violate a homeless persons' constitutional rights. Enforcement of this Section shall be undertaken to avoid such results and

substantially in conformance with the procedures of the Montrose Police Department related to cleanups of unauthorized camps.

SECTION 2:

Title 6, Chapter 1 Section 12. (6-1-12) (Reserved.) of the Official Code of the City of Montrose, Colorado, is hereby repealed and replaced to read in its entirety as follows:

6-1-12. - ~~Reserved. Sleeping on sidewalks, streets, curbs, parking spaces, alleys, public right-of-way or within doorways prohibited.~~

- (A) ~~Sleeping on a public sidewalk, street, curb, parking space, alley, lane, breezeway, public right-of-way or in a space within a doorway or entryway abutting a public sidewalk is prohibited as unsafe, as this conduct may obstruct pedestrian and/or vehicular traffic, may inhibit the use of these spaces by the disabled in violation of federal and state law, and may place the person sleeping and/or the public in danger of harm. By enacting this Section, it is not the City's intent to criminalize homelessness, apply a penalty for mere status, nor to violate a homeless persons' constitutional rights. Enforcement of this Section shall be undertaken to avoid such results.~~
- (B) ~~No person may sleep on a public sidewalk, street, curb, parking space, alley, lane, breezeway or public right-of-way.~~
- (C) ~~No person may sleep in any pedestrian or vehicular entrance to public or private property abutting a public sidewalk, to include spaces within a doorway or entryway on either public or private property.~~
- (D) ~~No law enforcement officer shall issue a citation, make an arrest, or otherwise enforce this Section against any person unless a request to cease and desist is first made either verbally or in writing by any police officer or firefighter displaying or presenting indicia of acting under the color of their official authority, or by the property owner or their authorized agent, and the person unlawfully remains in violation of this Section.~~
- (E) ~~For a first violation of this Section, the Court shall impose a fine of \$100.00 only. A first violation of this Section shall constitute a civil infraction. Second or subsequent offenses in violation of this Section may be punished in accordance with Section 1-2-3 of the Official Code of the City of Montrose, Colorado.~~

- (F) Any violation of this Section is hereby declared to be a nuisance which may be abated, pursuant to Chapter 4 of this Title of the Official Code of the City of Montrose.
- (G) Notwithstanding any other provision of law, any person found in violation of this Section may be immediately removed from the premises.

SECTION 3:

Title 9, Chapter 10 Section 1. (9-10-1.(A), (B)) (Park hours.) of the Official Code of the City of Montrose, Colorado, are hereby amended to read in their entirety as follows:

9-10-1. Park hours, permitted camping authorized.

- (A) All parks shall be closed between the hours of 11:00 p.m. and 5:00 a.m., unless other hours of closure are posted, in which case the posted hours shall control.
- (B) It shall be unlawful for any person to enter upon or remain upon any of said parks or City property during hours which they are closed pursuant to this Section, and such violation(s) may be cited under Title 6 of the Official Code of the City of Montrose or other applicable law. The official operations of the City of Montrose, persons acting under the direction of the City, and contractors or agents acting with the authorization of the City of Montrose are exempt from this Section. ~~except for authorized overnight campers at Lions Park, persons on authorized City business, persons attending events allowed pursuant to a special permit, or persons traveling the bike paths.~~

SECTION 4:

New subsections (C), (D), (E), and (F) are hereby added to Title 9, Chapter 10 Section 1. (9-10-1.(C), (D), (E), (F)) (Park hours.) of the Official Code of the City of Montrose, Colorado, to read in their entirety as follows:

- (C) Camping may be authorized on public property for persons attending events held at the City parks allowed pursuant to an events use permit or festival event permit obtained in advance from the City Clerk's Office and with the approval of the City Manager's Office.
- (D) Camping may be authorized by the City Manager or designee for those persons on authorized business for the City of Montrose.

- (E) Camping is authorized and no person shall be cited under this Section if a formal declaration of an emergency in accordance with City Charter or a declaration of the Governor of the State of Colorado requires the use of temporary shelter space.
- (F) The City Manager or designee is authorized to make such additional regulations as are necessary and convenient for the administration and enforcement of this Section, including the development of required forms.

SECTION 5:

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

SECTION 6:

The City Council hereby finds, determines and declares that this Ordinance is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the order, comfort and convenience of the City of Montrose and the inhabitants thereof by clarifying the current code's allowance of camping in designated areas and circumstances, and to codify generally applicable laws prohibiting unauthorized camping upon public property as well as remaining after notice for sleeping in public rights-of-way or in pedestrian or vehicular entrances to property.

SECTION 7:

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

SECTION 8:

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

SECTION 9:

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

SECTION 10:

This Ordinance shall become effective as set forth in the City of Montrose Charter. You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and on the question of its passage on first reading on Tuesday, the _____ day of _____, 2024, at the hour of 6:00 p.m. at the Elks' Civic Building in Montrose, Colorado.

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

J. David Reed, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

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

J. David Reed, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

ORDINANCE NO. 2670

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, UPDATING TITLE 6 CHAPTER 1, OF THE OFFICIAL CODE OF THE CITY OF MONTROSE, COLORADO: REPEALING AND REPLACING TITLE 6 CHAPTER 1 SECTION 10 (6-1-10), REGARDING UNAUTHORIZED CAMPING; REPEALING AND REPLACING TITLE 6 CHAPTER 1 SECTION 12 (6-1-12), REGARDING SLEEPING ON SIDEWALKS, STREETS, CURBS, PARKING SPACES, ALLEYS, PUBLIC RIGHT-OF-WAY OR WITHIN DOORWAYS PROHIBITED; AND AMENDING TITLE 9 CHAPTER 10 SECTION 1 (9-10-1), REGARDING PARK HOURS

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

WHEREAS, under the Constitution of the State of Colorado home rule municipal governments have “all other powers necessary, requisite or proper for the government and administration of its local and municipal matters, including power to legislate upon, provide, regulate, conduct and control: . . . The imposition, enforcement and collection of fines and penalties for the violation of any of the provisions of the charter, or of any ordinance adopted in pursuance of the charter” pursuant § 6(h) of Article XX of the Colorado Constitution; and

WHEREAS, the State of Colorado has recognized the authority of municipal governments, in relation to their general police powers enumerated in C.R.S. § 31-15-401(1)(a)-(q), to “do all acts and make all regulations which may be necessary or expedient for the promotion of health” as well as to declare what is a nuisance, to set punishments and abate declared nuisances; and

WHEREAS, the City of Montrose as property owner has a governmental interest in the preservation of its public property, including but not limited to its parks, for the general health, welfare, and benefit of all of its citizens, and recognizes the need to have a clear system of regulation to allow for authorized, permitted camping while establishing rules to ensure safe access to the general public of its rights-of-ways on public property; and

WHEREAS, the conduct of unlawful camping on municipal-owned land raises health, welfare and safety concerns as well as negatively impacts the public land as a use; and

WHEREAS, the conduct of unlawfully remaining after notice to cease and desist sleeping in public and private rights-of-way used for pedestrian and vehicular traffic raises health, welfare and safety concerns as well as impacts the safety of all users of those spaces; and

WHEREAS the United States Supreme Court recently held the enforcement by municipal governments of generally applicable laws prohibiting camping on public property does not constitute cruel and unusual punishment proscribed by the Eighth Amendment of the Constitution of the United States, *City of Grants Pass, Oregon v Johnson*, 603 U.S. ___, 144 S.Ct. 2202 (2024); and

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

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

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

SECTION 1:

Title 6, Chapter 1 Section 10. (6-1-10) (Reserved.) of the Official Code of the City of Montrose, Colorado, is hereby repealed and replaced to read in its entirety as follows:

6-1-10. - Unauthorized camping.

- (A) It shall be unlawful for any person to camp on any public property within the municipal limits of the City of Montrose, except in a location where camping has been expressly authorized as a permitted activity in compliance with Title 9 of the Official Code of the City of Montrose.
- (B) It shall be unlawful for any person to camp on private property without the express consent of the property owner or the owner's agent.
- (C) It is unlawful for any person to construct or erect any building or structure, whether permanent or temporary, on any public property owned by the City of Montrose without express permission from the City to do so.
- (D) For purposes of this section, the following definitions are applicable:
 - (1) *Camp or camping* means the use of property for the purpose of unauthorized overnight occupancy, or to reside or dwell on public property with shelter overnight, or the use of public property for the purpose of overnight occupancy or longer occupancy. The term "shelter" as used in this definition includes, without limitation, any tent, tarpaulin, lean-to, sleeping bag, bedroll, blankets, or any form

of cover or protection from the elements other than clothing. The term "reside or dwell" includes, without limitation, conducting such activities as eating, sleeping, or the storage of personal possessions. Evidence of unauthorized camps includes, but is not limited to, sleeping, or making preparations to sleep by laying out personal belongings, bedding, bedroll(s), blanket(s), sleeping pad(s), sleeping bag(s), erecting or occupying a tent, makeshift shelter, lean-to, tarpaulin, enclosure, or other structure used for overnight living purposes, or any form of cover or protection from the elements other than clothing, or making preparations for a fire or making a fire except for fires at sites specifically designated or authorized for a fire by the City of Montrose's Parks Department, setting up or using a camp stove, cooking device, or other type of heating source except for grills and personal grills permitted in designated areas by Parks Department. Camp or camping can include using a vehicle for overnight occupancy where overnight occupancy or overnight camping violates City Code or regulation or is not otherwise authorized by the City. Camping does not include napping during the day or picnicking. The City does not prohibit the ordinary use of the parks such as resting or sleeping in a park during normal park hours as defined in Section 9-10-1 of the Official Code of the City of Montrose, picnicking on a blanket or using parks or other public property for lawful uses.

(2) *Public property* means, by way of illustration, but not limited to, a highway, highway median, any street, street median, road, road median, alley, sidewalk, strips of land between streets and sidewalks, lanes, catch basins, pedestrian or transit mall, bike path, greenway, public parking lot, or any other structure or area encompassed within the public right-of-way; any park, parkway, mountain park, open space, natural area, all City owned or managed trails or hard surface trails and areas adjacent to those areas, beach, playground, or other publicly owned recreation facility; a municipal watercourse, bodies of water, watercourses, stormwater infrastructure such as, but not limited to, bridges, pipes, inlets and culverts; or any other grounds, buildings, or other facilities owned or leased by the City or by any other public entity, regardless of whether such public property is vacant or occupied and actively used for any public purpose.

(E) *Penalty.*

(1) For a first violation of this Section, the Court shall impose a fine of \$100.00 only. A first violation of this Section shall constitute a civil infraction.

(2) For a second offense in violation of this Section, an adult defendant upon conviction shall be punished by imprisonment in the county jail limited to not more than 10 days, with the amount imposed left to the discretion of the Montrose Municipal Court. In imposing a sentence for a second offense, the court may consider, in addition to sentencing factors

in C.R.S. § 18-1-102.5 (2024), whether or not the defendant immediately removed all personal property and litter, including, but not limited to, bottles, cans and garbage, from the encampment after being informed the camping was in violation of the law.

(3) For a third or subsequent offense in violation of this Section, an adult defendant upon conviction shall be punished by imprisonment for at least 10 days but no more than the penalties in accordance with Section 1-2-3 of the Official Code of the City of Montrose, Colorado. The Court does not have discretion to suspend imposition of the mandatory minimum period of incarceration for a third or subsequent conviction under this Section.

- (F) Unauthorized camping in violation of this Section is declared a nuisance under Section 6-4-1 of the Official Code of the City of Montrose. If the unauthorized camping occurred in a City park, the Court shall issue, for a first offense, an order of abatement limited to a written exclusion order from the City of Montrose's parks for a period of thirty (30) days. The Court has authority under this Section to issue any other orders for abatement of nuisance under Section 6-4-2 of the Official Code of the City of Montrose for second or subsequent violations. Nothing in this Section limits the discretion of the Municipal Court to enter separate orders it deems appropriate for a separate conviction for Nuisance under Chapter 4 of this Title.
- (G) A separate offense shall be deemed committed each day on which a violation of this Section continues. The Montrose Municipal Court may impose consecutive sentences for multiple violations proven beyond a reasonable doubt.
- (H) The affirmative defense of necessity, as codified in C.R.S. § 18-1-702 (2024), may be raised to a prosecution under this Section should sufficient evidence justify the defense.
- (I) The Code Enforcement Officer of the City shall be deemed a peace officer, as defined in Rule 203 of the Colorado Municipal Court Rules of Procedure, for the limited purpose of enforcing the provisions of this Section under the direction of the City Manager or their designee. The Code Enforcement Officer may exercise the authority of a peace officer in the enforcement of these provisions, including the power to issue summons and complaints and initiate prosecution of violations thereof.
- (J) By enacting this Section, it is not the City's intent to criminalize homelessness, apply a penalty for mere status, nor to violate a homeless persons' constitutional rights. Enforcement of this Section shall be undertaken to avoid such results and

substantially in conformance with the procedures of the Montrose Police Department related to cleanups of unauthorized camps.

SECTION 2:

Title 6, Chapter 1 Section 12. (6-1-12) (Reserved.) of the Official Code of the City of Montrose, Colorado, is hereby repealed and replaced to read in its entirety as follows:

6-1-12. - Sleeping on sidewalks, streets, curbs, parking spaces, alleys, public right-of-way or within doorways prohibited.

- (A) Sleeping on a public sidewalk, street, curb, parking space, alley, lane, breezeway, public right-of-way or in a space within a doorway or entryway abutting a public sidewalk is prohibited as unsafe, as this conduct may obstruct pedestrian and/or vehicular traffic, may inhibit the use of these spaces by the disabled in violation of federal and state law, and may place the person sleeping and/or the public in danger of harm. By enacting this Section, it is not the City's intent to criminalize homelessness, apply a penalty for mere status, nor to violate a homeless persons' constitutional rights. Enforcement of this Section shall be undertaken to avoid such results.
- (B) No person may sleep on a public sidewalk, street, curb, parking space, alley, lane, breezeway or public right-of-way.
- (C) No person may sleep in any pedestrian or vehicular entrance to public or private property abutting a public sidewalk, to include spaces within a doorway or entryway on either public or private property.
- (D) No law enforcement officer shall issue a citation, make an arrest, or otherwise enforce this Section against any person unless a request to cease and desist is first made either verbally or in writing by any police officer or firefighter displaying or presenting indicia of acting under the color of their official authority, or by the property owner or their authorized agent, and the person unlawfully remains in violation of this Section.
- (E) For a first violation of this Section, the Court shall impose a fine of \$100.00 only. A first violation of this Section shall constitute a civil infraction. Second or subsequent offenses in violation of this Section may be punished in accordance with Section 1-2-3 of the Official Code of the City of Montrose, Colorado.

- (F) Any violation of this Section is hereby declared to be a nuisance which may be abated, pursuant to Chapter 4 of this Title of the Official Code of the City of Montrose.
- (G) Notwithstanding any other provision of law, any person found in violation of this Section may be immediately removed from the premises.

SECTION 3:

Title 9, Chapter 10 Section 1. (9-10-1.(A), (B)) (Park hours.) of the Official Code of the City of Montrose, Colorado, are hereby amended to read in their entirety as follows:

9-10-1. Park hours, permitted camping authorized.

- (A) All parks shall be closed between the hours of 11:00 p.m. and 5:00 a.m., unless other hours of closure are posted, in which case the posted hours shall control.
- (B) It shall be unlawful for any person to enter upon or remain upon any of said parks or City property during hours which they are closed pursuant to this Section, and such violation(s) may be cited under Title 6 of the Official Code of the City of Montrose or other applicable law. The official operations of the City of Montrose, persons acting under the direction of the City, and contractors or agents acting with the authorization of the City of Montrose are exempt from this Section.

SECTION 4:

New subsections (C), (D), (E), and (F) are hereby added to Title 9, Chapter 10 Section 1. (9-10-1.(C), (D), (E), (F)) (Park hours.) of the Official Code of the City of Montrose, Colorado, to read in their entirety as follows:

- (C) Camping may be authorized on public property for persons attending events held at the City parks allowed pursuant to an events use permit or festival event permit obtained in advance from the City Clerk's Office and with the approval of the City Manager's Office.
- (D) Camping may be authorized by the City Manager or designee for those persons on authorized business for the City of Montrose.
- (E) Camping is authorized and no person shall be cited under this Section if a formal declaration of an emergency in accordance with City Charter or a declaration of the Governor of the State of Colorado requires the use of temporary shelter space.

(F) The City Manager or designee is authorized to make such additional regulations as are necessary and convenient for the administration and enforcement of this Section, including the development of required forms.

SECTION 5:

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

SECTION 6:

The City Council hereby finds, determines and declares that this Ordinance is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the order, comfort and convenience of the City of Montrose and the inhabitants thereof by clarifying the current code's allowance of camping in designated areas and circumstances, and to codify generally applicable laws prohibiting unauthorized camping upon public property as well as remaining after notice for sleeping in public rights-of-way or in pedestrian or vehicular entrances to property.

SECTION 7:

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

SECTION 8:

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

SECTION 9:

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

SECTION 10:

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

You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and on the question of its passage on first reading on Tuesday, the 15th day of October, 2024, at the hour of 6:00 p.m. at the Elks' Civic Building in Montrose, Colorado.

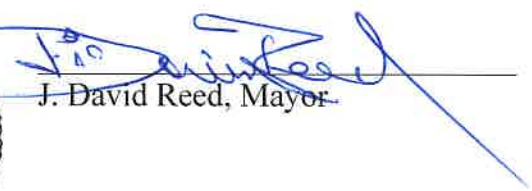
INTRODUCED, READ and PASSED on first reading this 15th day of October, 2024.

ATTEST:



Lisa DelPiccolo, City Clerk




J. David Reed, Mayor

INTRODUCED, READ and ADOPTED on second reading this 5th day of November, 2024.

J. David Reed, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

ORDINANCE NO. 2674

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, 2025

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, 2025, there is hereby appropriated the following amounts from the various funds:

Fund	Fund Title	Fund Appropriation
100	GENERAL FUND	\$38,638,083
150	PUBLIC SAFETY FUND	\$17,505,720
200	RETAIL SALES ENHANCEMENT	\$782,978
290	TOURISM PROMOTIONAL FUND	\$910,293
225	PUBLIC/EDUCATION/GOVERNMENT	\$5,964
250	CONSERVATION TRUST FUND	\$200,000
270	SPECIAL BENEFIT FUND	\$143,100
370	GOVERNMENTAL DEBT PAYMENTS	\$1,531,251
420	CEMETERY PERPETUAL CARE	\$2,700
465	CAPITAL INFRASTRUCTURE/FACILITY IMPROVEMENT FUNDS	\$13,900,000
500	WATER FUND	\$9,913,522
510	SEWER FUND	\$7,891,444
550	TRASH & RECYCLING FUND	\$3,211,731
580	BLACK CANYON GOLF COURSE	\$1,656,451
600	INTERNAL SERVICE FUNDS	\$9,287,643
610	HEALTH, DENTAL, VISION, LIFE SELF INSURANCE FUND	\$3,388,761
700	MONTROSE RECREATION DISTRICT AGENCY FUND	\$2,778,136
	TOTAL APPROPRIATIONS	\$111,747,777

SECTION 2:

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, November 5, 2024, 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 5th day of November 2024.

J David Reed, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

INTRODUCED, READ, AND ADOPTED on second reading this 19th day of November 2024.

ATTEST:

J David Reed, Mayor

Lisa DelPiccolo, City Clerk



City of Montrose
2025 Proposed Budget

October 15, 2024



Honorable Mayor, Members of the City Council and Montrose Citizens:

The administrative team of the City of Montrose respectfully submits the 2025 municipal budget for all funds of the City in the amount of \$111,747,777. The 2025 municipal budget is the result of a comprehensive and collaborative effort by the City staff, elected officials, and members of the Montrose citizenry to establish a budget designed to meet the current and long-term needs of the City organization as well as those of the Montrose community.

The City of Montrose is in a very strong financial position, and we are optimistic that our economic situation will remain steady throughout 2025. City sales tax collections have risen steadily over the past several years due to an increase in consumer spending, regional growth, and the overall economic health of the Montrose area. We do, however, expect this to level off a bit during 2025. The general public's spending related to retail shopping, restaurants and lodging has continued to increase over the past several years and is projected to generate approximately \$782,978 for the Retail Sales Enhancement Fund and \$910,293 for the Tourism & Promotion Fund in 2025. It is important to know that these funds are designated to be used toward various activities, programs, services, and infrastructure related to tourism, marketing, and business development, as required by the voters upon the establishment of the funds.

Municipal Operations: Our local job market remains very competitive and challenging, with extremely low unemployment. Therefore, it is important to be a responsible employer to recruit and retain a highly productive and impactful workforce. We are proud to say that we have built an amazing team of highly educated and experienced employees by offering a competitive Wage and Compensation System based on both Individual Performance and the city's comparable market of organizations with similar budgets, number of employees, community population, etc. As part of this process, every position description at the city is reviewed in detail on an annual basis and updated to make sure that all our employees fully understand what is expected of them regarding performance and productivity. The City of Montrose is currently budgeting for 208 full-time employees, which has increased primarily due to the new public safety positions funded by the citizen supported Public Safety Sales Tax a few years ago. We also employ a handful of continuous part-time and seasonal positions here at the city. As is the case in most local governments today, we are being asked to do more with less, and to work more efficiently to provide the best possible public service at the lowest cost. We are proud to say that we are providing better quality services and a wider variety of services to the Montrose public than ever before, and we are doing it more effectively and efficiently using a combination of innovative technologies, best practices and a dedicated workforce who are committed to our citizens and to the betterment of their community.

Collaboration and Partnerships: The City of Montrose continues with its commitment to partnering with outside agencies and non-profit organizations to increase the quality of life of our

residents. In 2024, the City of Montrose was able to assist in the efforts of many such organizations such as: Region 10, Colorado Flights Alliance, Montrose County, Montrose Economic Development Corporation (MEDC), Montrose University (formerly Uncompahgre Valley Leadership Program), Montrose Hospice & Palliative Care, Montrose School District, Colorado Mesa University (CMU), Montrose Recreation District, CASA, Montrose Rotary Clubs, Welcome Home Alliance for Veterans, All Points Transit, Montrose Community Foundation, Montrose Boys & Girls Club, Montrose Junior Golf Alliance and American Junior Golf Alliance, Avalanche Soccer, Lighthouse Ministries/Homeless Coalition, the State of Colorado Department of Local Affairs, State Historic Preservation Office and the Colorado Department of Transportation.

Financial Condition: Sales Tax, Use Tax and Franchise Fees are a prominent revenue source for the City's General Fund at just over 90.0% of total revenues. Over the last few years, sales tax revenue has steadily increased on an annual basis; therefore 2025 sales tax revenue is budgeted at a modest 4.0% increase from the 2023 actual collections. The remaining revenues were calculated using various forecasting methods and historical trends data. The General Fund Operating budget for 2025 is projected to be approximately \$15.1 million (does not include the Rec District's Recreation Center sales tax collections, capital expenses, or internal service funds).

The General Undesignated Fund Balance as of December 31, 2025, is estimated to be \$11.8. million. Per the City's Regulations Manual, the City shall strive to maintain reserves of at least 50% of the City's budgeted General Fund Operating expenditures. An adequate minimum reserve would be approximately \$7.6 million.

Each year the City transfers funds from the General Fund into the Capital Improvement Fund. The transfer amount is always contingent upon revenue projections and the past three years have resulted in an annual increase to the transfer amount to complete a variety of capital projects including sidewalk and street reconstruction, traffic flow improvements, and other necessary infrastructure improvements. The city's streets, sidewalks, curbs, and gutter systems are aging and our recent efforts to put millions of dollars into rehabilitation and major maintenance is starting to make a difference throughout our community. The City Council and Staff are trying to be responsive to concerns brought up in the most recent Citizen Survey related to street maintenance and traffic congestion. We are pleased with the 2025 estimated Capital transfer of just over \$11.6 million.

In addition to the General Fund, the 2025 budget is also made up of Special Revenue Funds, Capital Improvement Funds, Debt Service Funds, Permanent Funds and Enterprise Funds. Additional details for these funds are given below.

Public Safety Fund - \$17,505,720 has been budgeted to fund public safety in 2025. In 2019, the voters of Montrose approved an increase to the sales and use tax of .58% to fund public safety and is estimated to generate \$5.5 million in revenue. The new revenue from sales and use tax along with a transfer from the General Fund's operating budget of \$8.3 million which is more than the 43% required by the voters, grant revenue and charges for services along with \$3.3M of fund balance will be used to improve public safety and implement intelligence led policing in

our community by funding new positions, new equipment and new technologies for our public safety employees.

Fee Changes: The Water, Sewer, and Trash & Recycling Funds of the City are Enterprise Funds that are funded by user charges rather than taxes. The anticipated inflationary increase for 2025 is 5% which will be applied to monthly revenues for water and sewer, as well as an increase to the cost of treated water of 50 cents per 1,000 gallons, which is the result of a pass-through assessment by Project 7 Water Authority for the construction of a second water treatment facility south of Montrose and inflationary increases in the general cost of their operations. The fees for Trash and Recycling services will increase by 20% to continue to provide the level of service that the community expects and to keep up anticipated population growth.

Capital & Enterprise Fund Highlights of 2025 Budget

The following is a summary list of the proposed capital projects for the 2025 construction season. We are pleased to again exceed the minimum annual required contributions to the City's Capital Infrastructure Fund to provide many long-term improvements to our community's infrastructure.

- **West Main Street Revitalization design balance and easement acquisitions \$3,000,000**
- **Woodgate/East Oak Grove Roundabout and backage road Year One \$3,500,000**
- **Main Street Stormwater line replacement \$650,000**
- **Street Maintenance Major Improvements \$5,250,000**
- **Sunset Mesa Road Drainage/Grading Improvements \$200,000**
- **Ogden Road Loutsenhizer Canal Bridge Replacement & Sidewalk Ext. – Yr 2 \$500,000**
- **N Park Reconstruction & Utility replacement design \$100,000**
- **Sidewalk Replacement Cost Share Program and \$50,000**
- **Flashing Crosswalk or Speed Radar Signs \$25,000**
- **ADA Accessible Intersections and Ramp Installation Program \$50,000**
- **Rainbow Meadows Park Missing Link Sidewalk \$20,000**
- **Demoret Park Rebuild/Redevelopment \$200,000**
- **Morada Site Historic Preservation \$65,000**
- **Rotary Park Irrigation Replacement Year 1 \$500,000**
- **Cemetery Bridge Replacement \$150,000**
- **Main Street and Townsend Avenue Banner Poles \$100,000**
- **North 9th Roundabout Landscaping \$75,000**
- **10 Year Parks Capital Improvement Plan Development \$50,000**
- **Infrastructure improvements to S 9th property for childcare facility \$600,000**

Water Fund - **\$9,913,522** has been budgeted in 2025 for ongoing operations and capital improvements such as: 6600 Waterline Extension/Tri-County Interconnect \$900,000; East Main (San Juan to Townsend) \$1,500,000; Woodgate/East Oak Grove Roundabout waterline \$225,000; Ogden Road Loutsenhizer Bridge Replacement \$100,000

Sewer Fund - **\$7,891,444** has been budgeted in 2025 for ongoing operations in sewer collection and at the Wastewater Treatment Plant as well as for capital improvements related to both. Capital

improvements for sewer collection include Woodgate/East Oak Grove Roundabout waterline \$325,000; Ogden Road Loutsenhizer Bridge Replacement \$50,000; CIP3 Sanitary Sewer Trunk Upsizing (Park to 6700) design \$250,000; Sewer rehabilitation \$150,000; MoveMo sewer replacements \$15,000; CIP 3 sewer (design NE trunkline) \$250,000. Capital improvements for the Wastewater Treatment Plant include design of system upgrades.

Trash & Recycling - \$3,211,731 has been budgeted in 2025 for ongoing operations and an additional Trash Collection Truck based upon community population and customer growth.

Black Canyon Golf Course - \$1,656,451 has been budgeted in 2025 for ongoing operations of the golf course which includes the Rusty Putter Restaurant.

Fleet Management ISF - \$4,012,713 has been budgeted in 2025 for ongoing maintenance operations and equipment/vehicle replacement for Streets, Public Safety, General Admin, Code Enforcement, Water, Wastewater, Engineering, Parks, and Black Canyon Golf Course.

Information Services ISF - \$2,857,238 has been budgeted in 2025 for ongoing operations and the replacement of necessary PCs, Laptops, Monitors, Police Mobile Data Computers, 800mhz Radios, Network Switches, Phone Systems, Copiers and Servers.

Facility Management ISF - \$2,417,692 has been budgeted in 2025 for ongoing maintenance and improvements to city owned facilities.

Conclusion

The Montrose community continued to shine this past year and we should all be proud of what has been accomplished by working together. We responded to the challenges of our continued growth with many major infrastructure improvement projects and lots of new construction, including additional housing options, new and improved street networks, and utility system upgrades. We prepared for the future by completing our Baldrige Regional Park Master Plan and updating our Planning & Zoning Code, by purchasing land and beginning design of a replacement Public Works Facility, and by remodeling the former Wells Fargo building and turning it into an attractive and very functional City Hall right on Main Street in the heart of downtown. I would encourage all of us to continue collaborating to find more ways to make Montrose an even better community. Montrose is a very desirable place in which to live, work and raise a family!

After a thorough and thoughtful analysis of the organization's needs, and a critical review of each budgeted line item with the assistance of staff, elected officials and citizen volunteers, I am confident that this 2025 budget reflects our commitment to responsible financial management and to maintaining an excellent Quality of Life for Montrose area residents.

Sincerely,

A handwritten signature in black ink, appearing to read 'W. Bell', with a long, sweeping underline that extends towards the bottom right of the signature area.

William E. Bell
City Manager

2025 Combined Debt Summary

The City of Montrose Charter establishes a legal debt limitation of 5% of the assessed valuation of taxable property in the City, as shown by the last preceding assessment. The assessed valuation of taxable property in the City as of December 14, 2023, was \$468,775,428. The legal debt limit of 5% is \$23,438,771. Certain debt is excluded from the calculation for water, storm sewer, sanitary sewer, sewage disposal, short-term notes (< 3 years), and local improvement securities. This limitation does not apply to revenue bonds as addressed in Article VI, Section 5 of the City of Montrose Charter.

Assessed Taxable Property Valuation	\$468,775,428
5% General Obligation Debt Limitation	\$23,438,771
Lease Purchase, Series 2017A & 2017B	\$7,060,392
2020 Public Safety Certificate of Participation	<u>\$14,945,000</u>
Total Non-General Obligation Debt	<u>\$22,005,392</u>

General Fund Certificates of Participation, Series 2017A & 2017B

In 2017, the City paid off the General Fund Excise Tax Revenue Bonds, Series 2010. Due to aging infrastructure and deferred maintenance projects as well as the creation of the Montrose Urban Renewal Authority, the City issued series 2017A & 2017B certificate of participation to Vectra Bank, borrowing \$10,000,000. DA Davidson & Co. provided underwriter/placement services for the City with a net interest cost 2.7248% payable semi-annually.

Date	Principal	Interest	Debt Service Payment	Annual Debt Service
4/1/2025	229,978	83,950	313,929	
10/1/2025	233,106	80,823	313,929	627,857
4/1/2026	236,276	77,652	313,929	
10/1/2026	239,490	74,439	313,929	627,857
4/1/2027	242,747	71,182	313,929	
10/1/2027	246,048	67,881	313,929	627,857
4/1/2028	249,394	64,534	313,929	
10/1/2028	252,786	61,143	313,929	627,857
4/1/2029	256,224	57,705	313,929	
10/1/2029	259,709	54,220	313,929	627,857
4/1/2030	263,241	50,688	313,929	
10/1/2030	266,821	47,108	313,929	627,857
4/1/2031	270,450	43,479	313,929	
10/1/2031	274,128	39,801	313,929	627,857
4/1/2032	277,856	36,073	313,929	
10/1/2032	281,635	32,294	313,929	627,857
4/1/2033	285,465	28,464	313,929	
10/1/2033	288,191	25,738	313,929	627,857
4/1/2034	290,943	22,985	313,929	
10/1/2034	293,722	20,207	313,929	627,857
4/1/2035	296,527	17,402	313,929	
10/1/2035	299,359	14,570	313,929	627,857
4/1/2036	302,218	11,711	313,929	
10/1/2036	305,104	8,825	313,929	627,857
4/1/2037	308,017	5,911	313,929	
10/1/2037	310,959	2,970	313,929	627,857
			\$8,162,145	\$8,162,145

Public Safety Facilities Project, Series 2020

With voter approval on November 5, 2019, .58% sales and use tax increase along with funding from the General Fund allowed the City to issue debt in the form of Certificate of Participation to UMB Bank in the amount of \$15,980,000 to construct a new public safety facility. DA Davidson & Co. provided underwriter/placement services for the City with a net interest cost 3.3156 payable semi-annually on June 1 and December 1.

Date	Principal	Interest	Annual Debt Payment
6/1/2025		262,197	
12/1/2024	375,000	262,197	899,394
6/1/2026		254,697	
12/1/2026	390,000	254,697	899,394
6/1/2027		246,897	
12/1/2027	405,000	246,897	898,794
6/1/2028		238,797	
12/1/2028	420,000	238,797	897,594
6/1/2029		230,397	
12/1/2029	435,000	230,397	895,794
6/1/2030		221,697	
12/1/2030	455,000	221,697	898,394
6/1/2031		212,597	
12/1/2031	470,000	212,597	895,194
6/1/2032		203,197	
12/1/2032	490,000	203,197	896,394
6/1/2033		193,397	
12/1/2033	510,000	193,397	896,794
6/1/2034		183,197	
12/1/2034	530,000	183,197	896,394
6/1/2035		172,597	
12/1/2035	550,000	172,597	895,194
6/1/2036		161,597	
12/1/2036	575,000	161,597	898,194
6/1/2037		152,972	
12/1/2037	590,000	152,972	895,944
6/1/2038		144,122	
12/1/2038	610,000	144,122	898,244
6/1/2039		134,972	
12/1/2039	630,000	134,972	899,944
6/1/2040		125,522	
12/1/2040	645,000	125,522	896,043
			Continued...

6/1/2041		115,847	
12/1/2041	665,000	115,847	896,693
6/1/2042		104,625	
12/1/2042	690,000	104,625	899,250
6/1/2043		92,981	
12/1/2043	710,000	92,981	895,962
6/1/2044		81,000	
12/1/2044	735,000	81,000	897,000
6/1/2045		68,597	
12/1/2045	760,000	68,597	897,193
6/1/2046		55,772	
12/1/2046	785,000	55,772	896,543
6/1/2047		42,525	
12/1/2047	810,000	42,525	895,050
6/1/2048		28,856	
12/1/2048	840,000	28,856	897,712
6/1/2049		14,681	
12/1/2049	870,000	14,681	899,362
Total	14,945,000	7,487,468	22,432,468

City of Montrose Revenues, Expenditures and Fund Balance

		Actual Projected			
	2023 Audited	2024 Actual through June	through 12/31/2024	2024 Original Budget	2025 Budget
GENERAL FUND					
UNASSIGNED FUND BALANCE 1/1	19,875,608		22,634,082		17,305,557
REVENUES					
SALES, USE AND FRANCHISE TAXES	28,698,679	14,020,093	28,157,365	27,765,110	29,666,753
LICENSES & PERMITS	487,168	263,298	641,537	641,947	613,353
INTERGOVERNMENTAL REV	5,244,219	597,504	1,228,287	1,308,277	1,296,093
PAVILION REVENUE	144,107	38,081	115,203	100,600	135,600
COMPETITIVE SPORTS REVENUE	17,016	23,574	29,421	18,600	19,700
CHARGES FOR SERVICES	42,266	17,182	30,749	64,796	47,571
FINES & FORFEITURES	90,376	38,668	71,378	106,513	101,500
OTHER REVENUES	204,151	55,647	85,112	140,460	83,560
TRANSFER FROM FUND BALANCE					5,701,884
TOTAL REVENUES	37,643,966	15,576,427	31,404,151	31,118,167	38,638,083
EXPENDITURES					
CITY COUNCIL	170,133	95,672	170,198	176,914	183,392
YOUTH COUNCIL	4,512	993	10,800	12,300	13,000
ECONOMIC DEV & COMMUNITY SUPPORT	2,642,172	292,632	794,486	406,500	410,500
CITY ATTORNEY	557,732	258,318	475,615	544,548	514,540
CITY MANAGER	424,452	220,385	447,885	417,748	462,524
COMMUNICATIONS	147,901	82,663	174,712	175,933	188,029
COMPETITIVE SPORTS	39,084	32,762	61,745	52,708	70,296
HUMAN RESOURCES	498,443	318,930	612,298	581,634	617,900
PAVILION	626,526	348,708	726,916	740,085	757,388
GEOGRAPHIC INFORMTION SYSTEMS	405,481	220,723	440,003	483,989	474,952
FINANCE	802,906	408,483	857,044	901,249	997,469
MUNICIPAL COURT	279,094	149,577	393,758	381,033	390,338
TEEN COURT	2,100	410	414	6,736	5,300
PLANNING SERVICES	472,706	237,696	547,688	549,178	505,337
COMMUNITY ENGAGEMENT	1,145,603	39,561	53,680	26,212	53,733
CITY CLERK	321,662	182,135	354,369	377,577	397,872
BUILDING SERVICES	412,985	189,502	431,103	445,443	496,620
ENGINEER	391,440	186,355	403,336	411,872	455,532
PUBLIC WORKS ADMINISTRATION	480,099	276,885	576,597	563,596	651,586
STREET MAINTENANCE	2,751,062	1,576,835	3,612,544	3,805,711	4,265,412
STREET CLEANING	335,966	446,824	841,995	972,505	698,180
PARKS	2,227,726	1,351,266	2,649,851	2,358,242	3,017,839
URBAN FORESTRY PROGRAM	99,769	45,702	99,000	99,000	100,000
SUNSET MESA MAINTENANCE	165,359	63,509	118,880	173,063	287,032
CEMETERY	72,005	33,304	298,816	416,538	442,258
TRANSFERS	19,252,335	10,570,043	21,140,085	21,140,085	21,907,016
INSURANCE AND FLEET VEHICLES	156,238	336,876	438,858	256,487	274,038
TOTAL EXPENDITURES	34,885,492	17,966,745	36,732,676	36,476,886	38,638,083
REVENUES OVER (UNDER) EXPENDITURES	2,758,474	(2,390,318)	(5,328,525)	(5,358,719)	-
USE OF FUND BALANCE			-		(5,701,884)
UNASSIGNED FUND BALANCE 12/31	22,634,082		17,305,557		11,603,673

	2023 Audited	2024 Actual through June	Actual Projected through 12/31/2024	2024 Original Budget	2025 Budget
PUBLIC SAFETY FUND					
FUND BALANCE 1/1	3,849,724	-	5,010,427	-	4,754,352
PUBLIC SAFETY FUND - SALES AND USE TAX	5,405,783	2,625,094	5,227,169	5,205,779	5,510,962
PUBLIC SAFETY FUND - BIKE LICENSES	4	2	4	-	-
PUBLIC SAFETY FUND - GRANTS	96,076	32,936	119,920	103,003	160,661
PUBLIC SAFETY FUND - CHARGES FOR SERVICE	115,138	59,563	136,676	119,405	113,712
PUBLIC SAFETY FUND - OTHER INCOME	52,694	22,316	71,415	46,868	55,005
INTEREST AND TRANSFERS	8,508,625	4,251,102	8,380,950	8,377,285	8,373,785
TRANSFER FROM FUND BALANCE					3,291,595
PUBLIC SAFETY FUND - TOTAL REVENUES	14,178,320	6,991,012	13,936,134	13,852,340	17,505,720
EXPENDITURES					
PATROL	8,526,699	4,473,281	8,783,236	9,408,168	11,090,815
PUBLIC SAFETY ADMINISTRATION	3,095,246	1,869,617	3,730,827	4,181,140	4,554,200
DRUG TASKFORCE	490,878	373,685	713,884	593,910	626,858
CODE ENFORCEMENT	105,019	27,185	63,736	142,188	142,308
CMU ACADEMY	201,470	128,770	278,167	218,428	249,529
ANIMAL SERVICES	598,306	296,317	622,359	704,383	842,010
TOTAL EXPENDITURES	13,017,617	7,168,855	14,192,209	15,248,217	17,505,720
REVENUES OVER (UNDER) EXPENDITURES	1,160,703	(177,843)	(256,075)	(1,395,877)	-
USE OF FUND BALANCE					(3,291,595)
FUND BALANCE 12/31	5,010,427		4,754,352		1,462,757
RETAIL SALES ENHANCEMENT					
FUND BALANCE 1/1	609,909		747,531		840,872
REVENUES					
RETAIL SALES ENHANCEMENT	658,291	324,953	628,072	654,000	684,700
OTHER RSE REVENUES	137,480	40,845	92,644	91,800	94,209
TRANSFER FROM FUND BALANCE					4,069
TOTAL REVENUES	795,771	365,798	720,716	745,800	782,978
EXPENDITURES					
DART/BUSINESS OPERATIONS EXPENDITURES	638,315	205,445	627,375	721,257	746,878
MONTROSE UNIVERSITY EXPENDITURES	19,835	15,160	33,050	33,100	36,100
TOTAL EXPENDITURES	658,150	220,605	660,425	754,357	782,978
REVENUES OVER (UNDER) EXPENDITURES	137,622	160,352	93,341	24,543	-
USE OF FUND BALANCE					(4,069)
FUND BALANCE 12/31	747,531		840,872		836,803
TOURISM PROMOTIONAL FUND					
FUND BALANCE 1/1	414,132		459,168		289,432
REVENUES					
EXCISE TAX REVENUES	861,545	407,591	776,303	817,500	911,500
OTHER REVENUES	6,570	6,654	15,973	13,000	13,900
TRANSFER FROM FUND BALANCE				82,632	
REVENUES - EXCISE TAX	868,114	414,246	792,276	913,132	925,400
TOURISM PROMOTIONAL FUND - MARKETING					
MARKETING EXPENDITURES	450,274	145,932	463,021	482,621	416,873
TOURISM PROMOTIONAL FUND - GUEST SERVICES OPERATIONS					
GUEST SERVICES OPERATIONS EXPENDITURES	122,551	83,206	158,231	141,700	149,010
COMMUNITY EVENTS	237,146	140,574	328,540	276,561	333,160
SPORTS TOURISM	7,974	4,532	12,220	12,250	11,250
TOTAL EXPENDITURES	817,945	374,244	962,012	913,132	910,293
REVENUES OVER (UNDER) EXPENDITURES	50,169	40,002	(169,736)	-	15,107
USE OF FUND BALANCE					-
FUND BALANCE 12/31	459,168		289,432		304,539

	2023 Audited	2024 Actual through June	Actual Projected through 12/31/2024	2024 Original Budget	2025 Budget
DOWNTOWN IMPROVEMENTS					
FUND BALANCE 1/1	169,157		175,140		175,140
REVENUES					
TRANSFER FROM FUND BALANCE					
TOTAL REVENUES	5,983	2,471	-	1,650	-
MONTROSE OPPORTUNITY EXPENDITURES	-	-	-	40,000	-
REVENUES OVER (UNDER) EXPENDITURES	5,983	2,471	-	(38,350)	-
USE OF FUND BALANCE			-		-
FUND BALANCE 12/31	175,140		175,140		175,140
PUBLIC/EDUCATION/GOVERNMENT					
FUND BALANCE 1/1	25,904		36,904		34,842
REVENUES					
TRANSFER FROM FUND BALANCE					-
TOTAL REVENUES	17,024	2,085	4,787	17,932	18,203
EXPENDITURES	6,024	3,133	6,849	6,849	5,964
REVENUES OVER (UNDER) EXPENDITURES	11,000	(1,049)	(2,062)	11,083	12,239
USE OF FUND BALANCE					-
FUND BALANCE 12/31	36,904		34,842		47,081
SURPLUS & DEFICIENCY					
FUND BALANCE 1/1	63,066		65,256		65,256
REVENUES					
TOTAL REVENUES	2,190	-	-	-	300
EXPENDITURES	-	-	-	-	-
REVENUES OVER (UNDER) EXPENDITURES	2,190	-	-	-	300
FUND BALANCE 12/31	65,256		65,256		65,556
CONSERVATION TRUST FUND					
FUND BALANCE 1/1	346,719		287,908		232,659
REVENUES					
LOTTERY FUNDS	145,279	70,463	140,926	125,600	134,100
TRANSFERS FROM OTHERS	-	-	-	-	-
INTEREST INCOME	35,935	22,416	53,825	12,600	16,600
TRANSFER FROM FUND BALANCE					49,300
TOTAL REVENUES	181,214	92,879	194,751	138,200	200,000
EXPENDITURES					
TOTAL EXPENDITURES	240,025	90,907	250,000	250,000	200,000
REVENUES OVER (UNDER) EXPENDITURES	(58,811)	1,972	(55,249)	(111,800)	-
USE OF FUND BALANCE					(49,300)
FUND BALANCE 12/31	287,908		232,659		183,359
PAVILION IMPROVEMENT FUND					
FUND BALANCE 1/1	16,481		17,048		17,048
REVENUES					
TOTAL REVENUES	567	299	-	-	-
EXPENDITURES					
TOTAL EXPENDITURES	-	-	-	-	-
REVENUES OVER (UNDER) EXPENDITURES	567	299	-	-	-
FUND BALANCE 12/31	17,048		17,048		17,048
MONTROSE URBAN RENEWAL AUTHORITY					
FUND BALANCE	(13,390,510)		(16,272,541)		(16,061,934)
TOTAL REVENUES	437,809	610,774	730,607	680,000	740,000
EXPENDITURES					
TOTAL EXPENDITURES	3,319,840	166,120	520,000	350,000	-
REVENUES OVER (UNDER) EXPENDITURES	(2,882,031)	444,654	210,607	330,000	740,000
FUND BALANCE 12/31	(16,272,541)		(16,061,934)		(15,321,934)

	2023 Audited	2024 Actual through June	Actual Projected through 12/31/2024	2024 Original Budget	2025 Budget
SPECIAL BENEFIT FUND					
FUND BALANCE 1/1	235,308		314,632		375,106
REVENUES					
DONATIONS	135,967	69,882	167,716	68,300	20,000
INTEREST INCOME	2,837	1,495	3,607	300	100
TRANSFER FROM FUND BALANCE					45,407
ANIMAL BENEFIT REVENUES	138,803	71,377	171,323	68,600	65,507
ANIMAL BENEFIT EXPENDITURES	59,479	29,156	110,849	114,007	143,100
REVENUE OVER (UNDER) EXPENDITURES	79,324	42,221	60,474	(45,407)	(77,593)
USE OF FUND BALANCE					
ENDING FUND BALANCE 12/31	314,632		375,106		297,513
RESTRICTED FUND BALANCE 1/1	150,387		227,562		295,602
PARKS DEVELOPMENT REVENUE	39,375	28,350	68,040	37,000	39,000
PARKS DEVELOPMENT EXPENDITURES	-	-	-	-	-
REVENUES OVER (UNDER) EXPENDITURES	39,375	28,350	68,040	37,000	39,000
FUND BALANCE 12/31	227,562		295,602		334,602
LOAN FOR STREET INFRASTRUCTION and CERTIFICATE OF PARTICIPATION FOR NEW PUBLIC SAFETY BUILDING					
FUND BALANCE 1/1	660,220		541,490		283,048
REVENUES					
TRANSFERS FROM OTHERS	1,470,541	763,326	1,272,209	1,526,651	1,531,251
TRANSFER FROM FUND BALANCE					
TOTAL REVENUES	1,470,541	763,326	1,272,209	1,526,651	1,531,251
EXPENDITURES	1,589,271	616,919	1,530,651	1,526,651	1,531,251
REVENUES OVER (UNDER) EXPENDITURES	(118,730)	146,407	(258,442)	-	-
USE OF FUND BALANCE					-
FUND BALANCE 12/31	541,490		283,048		283,048
DEMORET TRUST FUND					
FUND BALANCE 1/1	8,448		9,978		11,490
REVENUES	1,530	752	1,512	3,600	3,600
EXPENDITURES	-	-	-	-	-
RESERVED PRINCIPAL BALANCE	321,381		321,381		321,381
FUND BALANCE 12/31	9,978		11,490		15,090
CEMETERY PERPETUAL CARE					
FUND BALANCE 1/1	129,955		136,792		142,434
REVENUES					
TOTAL REVENUES	8,837	5,463	10,042	4,400	5,100
EXPENDITURES	2,000	2,200	4,400	4,400	2,700
FUND BALANCE 12/31	136,792		142,434		144,834
SPECIAL IMPROVEMENTS REVOLVING					
FUND BALANCE 1/1	236,210		261,969		99
REVENUES					
TOTAL REVENUES	25,953	457,259	529,319	61,900	71,100
EXPENDITURES	193	790,196	791,189	1,200	-
FUND BALANCE 12/31	261,969		99		71,199
WEST SIDE ARTERIAL PROJECT					
FUND BALANCE 1/1	1,458,344		1,534,716		1,356,868
REVENUES					
TRANSFER FROM FUND BALANCE					
TOTAL REVENUES	76,372	35,906	72,152	26,684	27,776
EXPENDITURES	-	-	250,000	250,000	-
REVENUES OVER (UNDER) EXPENDITURES	76,372	35,906	(177,848)	(223,316)	27,776
USE OF FUND BALANCE					
FUND BALANCE 12/31	1,534,716		1,356,868		1,384,644

	2023 Audited	2024 Actual through June	Actual Projected through 12/31/2024	2024 Original Budget	2025 Budget
CAPITAL IMPROVEMENT FUND					
FUND BALANCE 1/1	537,133		(834,965)		(481,918)
RESERVED FUND BALANCE	880,602				871,602
REVENUES					
TRANSFER FROM FUND BALANCE	-				389,102
TOTAL REVENUES	10,288,809	6,209,585	12,419,753	12,775,145	13,900,000
EXPENDITURES	11,660,907	4,837,253	12,066,706	12,950,000	13,900,000
REVENUES OVER (UNDER) EXPENDITURES	(1,372,098)	1,372,332	353,047	(174,855)	-
USE OF FUND BALANCE	-				(389,102)
FUND BALANCE 12/31	(834,965)		(481,918)		(871,020)
WATER FUND					
CASH & CASH EQUIVALENTS 1/1	4,112,927		5,599,661		6,353,539
REVENUES					
INTERGOVERNMENTAL REV	-	-	14,000	9,368	9,368
CHARGES FOR WATER	7,005,471	3,568,835	7,980,616	8,214,525	9,047,113
OTHER WATER REVENUES	867,679	239,641	619,088	357,123	618,914
TRANSFER FROM RESERVES					238,127
TOTAL REVENUES	7,873,151	3,808,476	8,613,704	8,581,016	9,913,522
WATER FUND - BILLING & COLLECTION					
BILLING & COLLECTION	261,623	121,223	263,183	274,114	292,100
WATER DIST & ADMIN	5,930,847	2,949,816	7,403,477	8,280,663	9,621,422
WATER DEBT SERVICE	193,947	1,708	193,166	193,166	-
TOTAL EXPENDITURES	6,386,417	3,072,747	7,859,826	8,747,943	9,913,522
REVENUES OVER (UNDER) EXPENDITURES	1,486,734	735,729	753,878	(166,927)	-
USE OF RESERVES					(238,127)
CASH & CASH EQUIVALENTS 12/31	5,599,661		6,353,539		6,115,412
SEWER FUND					
CASH & CASH EQUIVALENTS 1/1	3,214,269		3,493,600		2,652,407
REVENUES					
SEWER REVENUES	3,563,822	1,841,673	3,697,475	3,641,031	4,389,019
OTHER SEWER REVENUES	1,388,720	348,711	837,400	933,724	1,330,918
TRANSFER FROM RESERVES	-	-		-	2,171,507
TOTAL REVENUES	4,952,542	2,190,384	4,534,875	4,574,755	7,891,444
BILLING & COLLECTIONS	46,269	23,619	47,814	52,570	54,363
SEWER LINE MAINT & ADMIN	2,984,234	1,229,305	3,767,656	3,378,245	3,289,675
SEWER TREATMENT	1,477,075	701,864	1,382,634	2,472,936	4,521,981
INDUSTRIAL PRETREATMENT	7,084	8,683	19,650	19,650	25,425
SEWER DEBT SERVICE	158,549	1,397	158,314	158,314	-
TOTAL EXPENDITURES	4,673,211	1,964,868	5,376,068	6,081,715	7,891,444
REVENUES OVER (UNDER) EXPENDITURES	279,331	225,516	(841,193)	(1,506,960)	-
USE OF RESERVES					(2,171,507)
CASH & CASH EQUIVALENTS 12/31	3,493,600		2,652,407		480,900
TRASH/RECYCLING FUND					
CASH & CASH EQUIVALENTS 1/1	576,719		913,721		1,454,867
REVENUES					
TRANSFER FROM RESERVES					
TOTAL REVENUES	2,359,048	1,434,530	2,883,389	2,776,993	3,394,809
TRASH & RECYCLING - BILLING & COLLECTIONS					
BILLING & COLLECTIONS	45,810	27,018	55,873	62,043	66,944
TRASH & RECYCLING - TRASH & RECYCLING O&M					
TRASH & RECYCLING	1,976,236	995,951	2,286,370	2,720,008	3,144,787
TOTAL EXPENDITURES	2,022,046	1,022,969	2,342,243	2,782,051	3,211,731
REVENUES OVER (UNDER) EXPENDITURES	337,002	411,561	541,146	(5,058)	183,078
USE OF RESERVES					-
CASH & CASH EQUIVALENTS 12/31	913,721		1,454,867		1,637,945

	2023 Audited	2024 Actual through June	Actual Projected through 12/31/2024	2024 Original Budget	2025 Budget
BLACK CANYON GOLF COURSE					
CASH & CASH EQUIVALENTS 1/1	499,062		779,100		395,516
REVENUES					
TRANSFER FROM RESERVES					105,377
TOTAL REVENUES	1,699,204	748,013	1,168,436	1,142,972	1,656,451
TOTAL BCGC - TURF MAINTNEANCE OPER.	551,226	267,721	648,861	714,295	692,360
TOTAL BCGC - BUSINESS OPER (CLUBHOUSE)	601,518	254,631	568,961	578,379	655,635
TOTAL BCGC - RUSTY PUTTER	266,422	152,530	334,198	268,369	308,456
TOTAL EXPENDITURES	1,419,166	674,882	1,552,020	1,561,043	1,656,451
REVENUES OVER (UNDER) EXPENDITURES	280,038	73,130	(383,584)	(418,071)	-
USE OF RESERVES					(105,377)
CASH & CASH EQUIVALENTS 12/31	779,100		395,516		290,139
INTERNAL SERVICE FUNDS					
FLEET CASH & CASH EQUIVALENTS 1/1	2,893,601		2,793,996		2,526,953
TRANSFER FROM FLEET RESERVES					-
TOTAL FLEET MGMT REVENUES	3,533,518	1,823,290	3,293,250	4,590,140	5,555,028
TOTAL FLEET EXPENDITURES	3,633,123	1,592,118	3,560,293	3,899,608	4,012,713
REVENUES OVER (UNDER) EXPENDITURES	(99,605)	231,172	(267,043)	690,532	1,542,315
USE OF FLEET RESERVES					-
FLEET CASH & CASH EQUIVALENTS 12/31	2,793,996		2,526,953	-	2,526,953
IS CASH & CASH EQUIVALENTS 1/1	788,901		857,998		1,451,300
TOTAL INFORMATION SERVICES REVENUES	2,230,413	1,318,254	3,159,213	2,657,075	3,070,484
TOTAL INFORMATION SERVICES EXP.	2,161,316	1,200,383	2,565,911	2,622,540	2,857,238
REVENUES OVER (UNDER) EXPENDITURES	69,097	117,871	593,302	34,535	213,246
IS CASH & CASH EQUIVALENTS 12/31	857,998		1,451,300		1,664,546
FACILITIES CASH & CASH EQUIVALENTS 1/1	414,980		719,650		1,140,128
TRANFER FROM FACILITIES RESERVES					15,194
TOTAL FACILITIES MGMT REVENUES	2,078,791	1,117,132	2,676,388	2,221,018	2,417,692
TOTAL FACILITIES MGMT EXPENDITURES	1,774,120	839,892	2,255,910	2,419,109	2,417,692
REVENUES OVER (UNDER) EXPENDITURES	304,671	277,240	420,478	(198,091)	-
USE OF FACILITIES RESERVES					(15,194)
FACILITIES CASH & CASH EQUIVALENTS 12/31	719,650		1,140,128		1,124,934
HEALTH/DENTAL INSURANCE					
CASH & CASH EQUIVALENTS	3,056,059		2,690,111		2,819,435
REVENUES					
TRANSFER FROM RESERVES	-	-	-	-	443,975
TOTAL REVENUES	3,096,741	1,582,876	3,166,441	2,971,205	3,388,761
TOTAL EXPENDITURES	3,462,689	1,513,925	3,037,117	3,317,500	3,388,761
REVENUES OVER (UNDER) EXPENDITURES	(365,948)	68,951	129,324	(346,295)	-
USE OF RESERVES					(443,975)
CASH & CASH EQUIVALENTS 12/31	2,690,111		2,819,435		2,375,460
MRD TAX CUSTODIAL FUND					
FUND BALANCE	-		(17,005)		(148,865)
REVENUE	2,796,229	1,292,765	2,584,330	2,778,136	2,778,136
EXPENDITURES	2,813,234	877,850	2,716,190	2,778,136	2,778,136
REVENUES OVER (UNDER) EXPENDITURES	(17,005)	414,915	(131,860)	-	-
FUND BALANCE 12/31	(17,005)		(148,865)		(148,865)
TOTAL REVENUES - ALL FUNDS	92,492,224	44,508,341	88,572,197	89,386,418	114,481,345
TOTAL EXPENSES - ALL FUNDS	90,686,447	42,985,693	94,521,723	98,053,695	111,747,777



CITY OF MONTROSE
CITY CLERK

MEMO

DATE: October 31, 2024
TO: City Council
RE: Proposed Fee Schedule Revisions

Listed below is a summary of proposed revisions to the fee schedule effective January 1, 2025.

3-1-1 (B) Animal Control Fees

The Dog Variance Application Fee was removed.

3-1-1 (D) Land Use Fees

Land Dedication Fees in Lieu were added for parks (\$1,575.00/residential unit) and schools (\$679.00/residential unit).

3-1-1 (F) Parks/Private Use of Public Property

Wording for Events Use Permits was added to clarify that the fee is per event day.

The rental fee for the Lions Community building was changed to \$40.00 for five hours which includes use of the kitchen. The separate fee for kitchen use was removed.

3-1-1 (I) Municipal Court Fees

Court costs were increased to \$50.00.

The Useful Public Serve Fee was removed.

3-1-2 Pavilion Fee Schedule

The fee for a portable bar with a bartender was increased to \$20.00 per hour.

Use fee for additional hours of scheduled event time was increased to \$100.00 per hour.

3-1-3 Fee Schedule for Water, Sewer and Trash

Water and sewer connection fees were increased by 5 percent.

Water usage fees per 1,000 gallons were increased by 5 percent plus \$.50 that is passed through from Project 7.

Sewer connection and non-residential usage fees were increased by 5 percent.

Trash and Recycling fees were increased by 20 percent.



Sec. 3-1-1. Fee schedule.

A - Administrative Fees.

Carnival License	\$250.00 per day
Commercial Rafting Permit	\$200.00 per year
Commercial Solicitation Permit	\$50.00 permit fee
	\$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
Firearms/Agricultural Use	\$30.00
Fireworks Display	\$50.00
Fireworks Stands	\$50.00
Gas Fitter License	\$60.00
	\$60.00 for Gas Fitter test
Home Occupation	\$25.00
Mobile Food Vendor Permit	
Private property only	\$50.00 per year
City right of way and parks	\$20.00 per month for the months the permit is active
Private property, city right of way and parks.	\$20.00 per month for the months the permit is active
Use of electricity in Demoret Park, Centennial Plaza and designated Main Street vending locations.	\$50.00 per year
Nuisance Abatement	\$50.00 administrative fee plus actual cost of abatement.
Pawnbroker License	\$200.00
Pellet Gun Permit	\$25.00
Plumber License	\$40.00
Records Request	City fees shall equal the maximum allowed under 24-72-205 C.R.S. and as posted on the website of the general assembly.
	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
Sales Tax License	\$35.00
	\$15.00 renewal
	\$10.00 paper filing fee
Sign Installation (no trespass)	\$25.00 for each sign
	\$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.
	\$20.00 Freon disposal fee (in addition to any applicable collection fee)
	\$50.00 for 350-gallon trash container—includes delivery and one empty. \$45.00 for each additional empty.

	\$25.00 for 90-gallon trash container—includes delivery and one empty. \$25.00 for each additional empty.
Transient Vendor's License	\$75.00
Trash collection and water service "Lock and Leave" fee	\$30.00 to discontinue and reinstate service.
Tree Trimming License	\$50.00
Water & Sewer Service Deposit	\$50.00; interest thereon is earned and payable per § 3-5-2(D) of the City of Montrose Municipal Code
Water & Sewer Delinquency Fee	\$50.00

(B) *Animal Control Fees.*

Application Permit/License	Fee
Dog Variance Application	\$50.00 fee for Home Inspection and database administration.
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. 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.
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)
Pet Dog and Cat Adoption Fees	
Dogs 8 weeks to 1 year of age	\$100.00 per dog adopted
Dogs over 1 year of age	\$75.00 per dog adopted
Cats 8 weeks to 1 year of age	\$50.00 per cat adopted
Cats over 1 year of age	\$30.00 per cat adopted

(C) *Cemetery Fees.*

Application Permit/License	Fee
Cemetery	\$600.00 lot sale *40 percent of lot cost is perpetual care
	\$650.00 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 (\$325.00—\$375.00)
	Date Scroll—actual cost (\$105.00—\$125.00)
	\$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	
Administrative Planned Development	\$100.00	
Administrative Review Hearing	\$50.00	
Annexations	\$900.00	
Conditional Use Permit	\$300.00	
De Novo Hearing (Review Hearing Before City Council)	\$100.00	
Fence Permit	\$10.00	
Floodplain Development Permit	No Fee	
Historic Preservation	Historic Property Designation—No fee	
	Historic Property Alteration—No fee	
	Historic Property Relocation—No fee	
	Historic Structure Demolition—No fee	
Land Dedication Fee in Lieu	Parks Fee - \$1,575.00/Residential Unit	
	School Fee - \$679.00/Residential Unit	
Large Retail Site Development	\$1,000.00	
Major Subdivision (Including Major Subdivision Amendments)	Sketch Plan - \$300.00	
	Preliminary Plat - \$300.00	
	Final Plat - \$300.00	
Minor Subdivision	\$150.00	
Mobile Home Park Permit	\$300.00	
Mobile Home Set Up Permit	\$30.00	
Planned Development (Includes all steps of the process including Sketch Plan, Preliminary Plat/Plat, & Final Plan/Plat)	\$100.00	
REDO Overlay Zone Administrative Review	\$50.00	
Revocable Right-of-Way Encroachment	\$50.00	
Rezone	\$300.00	
Sign Permit	Primary Sign - \$30.00 per sign	
	Secondary Sign - \$15.00 per sign	
Site Development	\$100.00	
Street Excavation Permit		
Application deposit	\$200.00	
Excavation inspection fee	\$70.00 / 500 Sq. Ft., \$70 minimum	
Boring inspection fee	\$0.40 / LF, \$50.00 minimum	
Utility locate potholing fee	\$25.00 per pothole	
Surface impact fee *boring exempt	\$_____	
	Surface Type x Cost/Sq. Ft.	
	*Asphalt	\$3.25
	Concrete	\$3.75
	Gravel/Road Base	\$0.45
	Earth	\$0.25
	*Impact fee will be tripled if pavement is less than 5 years old	
Street Name Change	\$100.00	

Telecommunication Tower Siting (And Antenna Replacement)	\$150.00
Temporary Permit for Structure	\$50.00
Temporary Use Permit	No fee
Travel Home Park Permit (RV Park)	\$300.00
Travel Home Set Up Permit	\$50.00
Variance	\$100.00

(E) *Liquor Fees.*

Application Permit/License	Fee
Liquor Licensing	City fees shall equal the maximum fee allowed by Colorado State Statute or regulation, as amended from time to time.

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

Application Permit/License	Fee
Alcohol Consumption Permit	\$50.00 \$100.00 deposit
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.
Entertainment Permit	No Fee
Events Use Permit	\$100.00 Events Use Permit Fee <u>per event day</u> For all facilities/venues, including street closures and parades. \$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.
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 <u>for each additional hour</u> \$100.00 deposit required
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.
Memorial Bench	\$2,000.00 downtown and park locations, includes bench, plaque, and installation
Montrose Rotary Amphitheater	
Stage Only	\$100.00/24 hr. booking window
Stage, Wings and Backstage Area	\$600.00 /24 hr. booking window
Full Facility Including Vendor Area	\$1,200.00 /24 hr. booking window
Deposit	50% of total rental fees
Overhead Main Street Banner Installation	\$200.00 for one banner \$380.00 for two banners
Park Shelter Reservation	\$25.00 per day - (includes electricity)
Parks Use Permit (for private use for areas excluding the shelters)	No fee
Right-of-Way Use Permit	No Fee

Stage Rental	\$50.00 for stage without canopy.
	\$100.00 for stage with canopy.
	\$100.00 deposit required.
Street Closure	\$100.00 \$100.00 deposit. Insurance certificate required
Tree Legacy Program Plaque	Actual Cost (\$270.00-\$350.00)

(G) *Police Department Administrative Fees.*

Application Permit/License	Fee
Administrative Fees—Copies	\$10.00 for each police report
	\$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
Administrative Fees—Sex Offender Registration	\$40.00 initial registration fee \$20.00 annual registration fee
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
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	
Building Permit Fees	Total Valuation	Fee
	\$1.00 to \$500.00	\$23.50
	\$501.00 to \$2,000.00	\$23.50 for the first \$500.00 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 \$1,000.00, 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 \$1,000.00, 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 \$1,000.00, 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 \$1,000.00, or fraction thereof

Plan Review Fees	Commercial—65 percent of building permit fee
	Residential—50 percent of building permit fee
Investigation Fees: Work without a permit	Equal to building permit fee
Plumbing Permit Fee	\$50.00
Gas Permit Fee	\$50.00
Mechanical Permit Fee	\$50.00
Solar Permit Fee	\$50.00
Re-Roof Permit Fee	\$50.00
Demolition Permit Fee	\$50.00
	*Fire Protection District Fees are included in Exhibit A

(I) *Municipal Court Fees.*

Service	Fee
Court Costs	\$25.00 \$50.00 Court Costs will be assessed in each case following a conviction except in those cases in which a written waiver and guilty plea is entered and a fine paid at the Office of the Court Clerk or on CitePay USA
Useful Public Service Fee	A \$100.00 Useful Public Service Fee shall be assessed in each case in which Useful Public Service is ordered
Bench Warrant Fee	A \$30.00 Bench Warrant Fee shall be assessed in each case in which a bench warrant is issued.
Teen Court Fee	A \$100.00 fee shall be assessed in all Teen Court cases
Bad Check Fee	A \$25.00 bad check fee shall be assessed for all checks returned for insufficient funds or written on a closed account.

The foregoing fees are in addition to any fees imposed by statute and may be waived by the Court for good cause or the indigency of the defendant.

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

(A) *Pavilion Fee Schedule.*

Service	Fee
<i>AV Equipment</i>	
CD Player	No charge
Full Sound System	\$400.00
Small Sound System (8 ch)	\$90.00
Cordless Microphone Receiver	\$15.00
DVD Player	No charge
Phone Connection	\$125.00 each
Electric Plug Connections	No Charge
Laser Pointer	No Charge
Audio Recording of Concerts (auditorium only)	\$45.00
<i>Furniture</i>	
Marley Dance Floor (auditorium only)	\$250.00
Pitt Cover Removal	\$1,200.00
Podium with Wired Microphone	\$15.00
Portable Bar	\$50.00
Portable Dance Floor	\$125.00
Portable Stage	\$15.00
Pipe and Drape Section (8' x 9'5")	\$20.00

Screen 12 x 12	\$20.00
Chairs	No charge
Tables	No charge
Use of Pianos	Tuning fee plus 50%
<i>Linens</i>	
Napkins	\$1.00 per each
Tablecloth	\$10.00 per each
<i>Administrative Services</i>	
Copies (black and white)	\$0.20 per each
Internet Connection	\$10.00
Flipchart and Paper	\$15.00
<i>Beverages</i>	
Alcohol	20% increase, Call for quote
Coffee Service for approx. 30	\$15.00
Hot Tea Service for approx. 30	\$15.00
Hot Cocoa Service for approx. 30	\$15.00
Hot Cider Service for approx. 30	\$15.00
Iced Tea Service for approx. 30	\$15.00
Lemonade Service for approx. 30	\$20.00
Fruit Punch for approx. 30	\$20.00
Soda Pop assorted	\$2.00 per each
Bottled Water	\$2.00 per each
<i>Bars</i>	
Portable Bar with Bartender	\$17.00 <u>\$20.00</u> per hour
<i>Catering Fees</i>	
Catering Fee	Full Service - \$3.50 per person
	Buffet Service - \$2.50 per person
	Drop Off Service - \$1.50 per person
<i>Room Rentals</i>	
Fee for first 8-hour period, additional fees apply for additional hours.	
Auditorium with Technician	\$726.00
Commons/Front Lawn	\$264.00
"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	\$275.00
Courtyard/Patio	\$275.00
Exhibit Gallery/Lobby	\$275.00
Full Conference	\$896.00
North Room	\$412.00
North to Center	\$687.00
Ballroom with Full Conference	\$1,182.00
Ballroom with Lobby	\$891.00
Ballroom	\$682.00
South Room	\$275.00
South to Center	\$577.00

- (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 ~~\$75.00~~ \$100.00 U.S. Dollars per hour.

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

(A) *Water Rates and Fees.*

Service	Fee			
Deposit	\$50.00			
Maintenance to the City's facilities as a convenience to the customer	\$25.00 minimum fee			
"REDO" Overlay Zone water distribution tap fee for accessory dwelling units	\$330.75			
Water connection fees	Size of tap	Tap fee	Capacity fee	Total Charge
	¾"	\$873.00 <u>917.00</u>	\$2,179.00 <u>2,288.00</u>	\$3,052.00 <u>3,205.00</u>
	1"	\$1,162.00 <u>1,220.00</u>	\$3,631.00 <u>3,813.00</u>	\$4,793.00 <u>5,033.00</u>
	1½"	\$1,452.00 <u>1,525.00</u>	\$7,261.00 <u>7,624.00</u>	\$8,713.00 <u>9,149.00</u>
	2"	\$2,179.00 <u>2,288.00</u>	\$11,617.00 <u>12,198.00</u>	\$13,796.00 <u>14,486.00</u>
	3"	\$2,904.00 <u>3,049.00</u>	\$21,782.00 <u>22,871.00</u>	\$24,686.00 <u>25,920.00</u>
	4"	\$3,921.00 <u>4,117.00</u>	\$43,565.00 <u>45,743.00</u>	\$47,486.00 <u>49,860.00</u>
	6"	\$7,261.00 <u>7,624.00</u>	\$76,962.00 <u>80,810.00</u>	\$84,223.00 <u>88,434.00</u>
Connection charges per unit or a private fire system	\$4,016.40 <u>1,067.00</u>			
Private water distribution additional unit charge	\$1,016.40 <u>1,067.00</u>			
Monthly water rates—Residential	Base Charge \$ 20.94 <u>21.99</u> Per 1,000 gallons of usage \$ 4.40 <u>5.12</u>			
Monthly water rates—Residential—outside	Base Charge \$ 31.42 <u>32.99</u> Per 1,000 gallons of usage \$ 6.60 <u>7.43</u>			
Monthly water rates—Nonresidential	Meter Size, Inches	Amount		
	⅝	\$37.00 <u>38.85</u>		
	¾	\$49.00 <u>51.45</u>		
	1	\$75.00 <u>78.75</u>		
	1 ½	\$140.00 <u>147.00</u>		
	2	\$266.00 <u>279.00</u>		
	3	\$619.00 <u>649.95</u>		
	4	\$963.00 <u>1,011.00</u>		
	Customer type	\$ per 1,000 gallons		
	Nonresidential	\$2.86 <u>3.51</u>		
	Water Company	\$4.42 <u>5.14</u>		
	<u>Landscape</u> Meter Base Charge	\$20.94 <u>21.99</u>		
	Per 1,000 gallons	\$4.40 <u>5.12</u>		
Private fire system	\$20.00 <u>21.00</u>			

New construction for each separate building	Minimum fee of \$65.00
Buildings with more than three units shall pay additional	\$20.00 each additional unit <u>Propose to remove construction water and bill monthly rates from meter install</u>
Delinquent fee	\$50.00
Hydrant meter deposit	\$500.00

(B) *Sanitary Sewer Rates and Fees.*

Service	Fee			
Sanitary Sewer connection fees	Tap Fee	Meter Size	Capacity Fee	Total Charge
	\$320.00 <u>336.00</u>	$\frac{3}{8}$ "	\$4,501.00 <u>4,726.00</u>	\$4,821.00 <u>5,062.00</u>
	\$320.00 <u>336.00</u>	$\frac{1}{4}$ "	\$6,826.00 <u>7,167.00</u>	\$7,146.00 <u>7,503.00</u>
	\$320.00 <u>336.00</u>	1"	\$11,326.00 <u>11,892.00</u>	\$11,646.00 <u>12,228.00</u>
	\$320.00 <u>336.00</u>	1 $\frac{1}{2}$ "	\$22,508.00 <u>23,633.00</u>	\$22,828.00 <u>23,969.00</u>
	\$320.00 <u>336.00</u>	2"	\$36,012.00 <u>37,813.00</u>	\$36,332.00 <u>38,149.00</u>
	\$320.00 <u>336.00</u>	3"	\$67,524.00 <u>70,900.00</u>	\$67,844.00 <u>71,236.00</u>
	\$320.00 <u>336.00</u>	4"	\$135,048.00 <u>141,800</u>	\$135,368.00 <u>142,136.00</u>
	\$320.00 <u>336.00</u>	6"	\$281,422.00 <u>295,493</u>	\$281,742.00 <u>295,829.00</u>
	\$320.00 <u>336.00</u>	8"	\$405,144.00 <u>425,401</u>	\$405,464.00 <u>425,737.00</u>
Sanitary sewer charges per unit	\$3,195 <u>3,355.00</u>			
Sanitary sewer monthly charges	Base Charge			Amount
	Residential			\$25.86 <u>27.15</u>
	Nonresidential			\$19.51 <u>20.48</u>
	Volume Charge per 1,000 gallons			\$2.48 <u>2.60</u>
	Extra strength charge per 1,000 gallons			
	Rate Code			
	900			\$0.68 <u>0.72</u>
	901			\$0.94 <u>0.98</u>
	902			\$1.30 <u>1.37</u>
	903			\$1.85 <u>1.94</u>
	904			\$2.39 <u>2.51</u>
	905			\$2.77 <u>2.91</u>
	906			\$3.51 <u>3.68</u>
	907			\$4.62 <u>4.85</u>
	908			\$5.93 <u>6.23</u>
	909			\$0.68 <u>0.72</u>
	910			\$2.39 <u>2.51</u>
	920 (\$ per bill)			\$72.65 <u>76.29</u>
E-One Pump Maintenance				\$5.00 <u>5.25</u> per month

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

Service	Fee	
Rates for Residential customers	Number of 90 gallon containers	Amount for one (1) pickup per week
	1	\$21.95 <u>26.35</u>

Rates for Commercial/Multi-Family customers	\$ 0.03 <u>0.04</u> per gallon	
Rates for Misc. Recycling Items	Vehicle Tires	\$4.50 each
	Large tires	\$9.00 each
	Monitor/TV with glass screen	\$30.00 each
	Fluorescent light bulb, intact, any length and CFLs	No cost for City of Montrose residential trash customers. \$1.00/bulb for all others
Return trip or Additional Pick Up for Trash or Recycle 90 Gallon Can	\$35.00	

EXHIBIT A

Montrose Fire Protection District Permit and Service Fee Schedule

Effective February 1, 2020

Automatic Fire Suppression Systems

New Installation (13 & 13R)	\$225+\$2.25/Head Includes 4 site visits
New Installation (13D)	\$125+\$2.25/Head Includes 3 site visits
Tenant Finish or Remodel	\$125+\$2.25/Head Includes 3 site visits
Small Project/Remodel	\$100<20 heads Includes 2 site visits
Underground Fire Line	\$200 Includes 3 site visits
Standpipe Systems	\$200/Riser
Additional Required Site Visits:	\$50/visit

Fire Alarm Systems

New Installation (Commercial)	\$200+\$2.25/device Includes 3 site visits
New Installation (Residential)	\$125+\$2.25/device Includes 2 site visits
Tenant Finish or Remodel	\$125+\$2.25/device Includes 2 site visits
Small Project/Remodel	\$100< 5 devices Includes 2 site visits
Additional Required Site Visits:	\$50/visit

Other Extinguishing Systems

Commercial Hood/Duct Suppression Systems	\$200 Includes 2 site visits
Food Vendor Hood Suppression Systems	\$100 Includes 1 site visit
Alt. Suppression Systems (Clean Agent, etc.)	\$225 Includes 2 site visits
Additional Required Site Visits:	\$50/visit

Miscellaneous Permits

Propane Exchange	\$125 Includes 1 site visit
Installation/Removal of Tank (ABST, UGST)	\$150 + \$50/tank after initial
Fireworks Sales	\$125/Stand/Occasion
Fireworks Public Display	\$200/Event
Explosives/Blasting Agents Use	\$200 annual or single blast
Circus/Carnival Permit	\$100
Indoor Pyrotechnics	\$200
Radio Amplification	\$200 Includes 2 site visits
Additional Required Site Visits:	\$50/visit

Miscellaneous Fees

Re-Inspection Fee	\$100
Misc./Special Inspection	\$50
Out of District Inspections	\$50/Hour (includes travel time)
Work performed without permit	Double regular fee
Fire Watch	Current OT Rate (min. 2 hours)
Apparatus Standby & out of district Fire Suppression	Current CRFF Rate+ OT/Staff

RESOLUTION NO. 2024-19

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 effective January 1, 2025.
- The Fee Schedule attached as Exhibit A is hereby adopted and is effective January 1, 2025.

ADOPTED this 5th day of November, 2024, by the Montrose City Council.

CITY OF MONTROSE, COLORADO

BY: _____
J. David Reed, Mayor

ATTEST

Lisa DelPiccolo, City Clerk

EXHIBIT A

Sec. 3-1-1. Fee schedule.

A. Administrative Fees

Carnival License	\$250.00 per day
Commercial Rafting Permit	\$200.00 per year
Commercial Solicitation Permit	\$50.00 permit fee
Commercial Solicitation Permit Badge	\$10.00 fee per badge
Commercial Solicitation Permit Deposit 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
Firearms/Agricultural Use	\$30.00
Fireworks Display	\$50.00
Fireworks Stands	\$50.00
Gas Fitter License	\$60.00
Gas Fitter Test	\$60.00
Home Occupation	\$25.00
Mobile Food Vendor Permit - Private Property Only	\$50.00 per year
Mobile Food Vendor Permit - City Right of Way and Parks	\$20.00 per month for the months the permit is active
Mobile Food Vendor Permit - Private Property, City Right of Way and Parks	\$20.00 per month for the months the permit is active
Mobile Food Vendor Use of Electricity in Demoret Park, Centennial Plaza and designated Main Street Vending Locations.	\$50.00 per year
Nuisance Abatement	\$50.00 administrative fee plus actual cost of abatement.
Pawnbroker License	\$200.00
Pellet Gun Permit	\$25.00
Plumber License	\$40.00
Records Request	City fees shall equal the maximum allowed under 24-72-205 C.R.S. and as posted on the website of the general assembly.
Records Request Legal Review	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
Sales Tax License	\$35.00
Sales Tax License Renewal	\$15.00
Sales Tax License Paper Filing Fee	\$10.00
Sign Installation (no trespass) Cost for Each Sign	\$25.00
Sign Installation (no trespass) Cost for Installation	\$35.00
Sign Installation (no trespass) Cost of Each Post	\$35.00
Special Waste Collection	Non-scheduled residential and commercial collections will be billed the actual costs for time, equipment and landfill fees where applicable.
Special Waste Collection Freon Disposal Fee	\$20.00 (in addition to any applicable collection fee)
Special Waste Collection 350-Gallon Trash Container	\$50.00 - includes delivery and one empty. \$45.00 for each additional empty.
Special Waste Collection 90-Gallon Trash Container	\$25.00 - includes delivery and one empty. \$25.00 for each additional empty.

Carnival License	\$250.00 per day
Commercial Rafting Permit	\$200.00 per year
Commercial Solicitation Permit	\$50.00 permit fee
Commercial Solicitation Permit Badge	\$10.00 fee per badge
Commercial Solicitation Permit Deposit 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
Firearms/Agricultural Use	\$30.00
Fireworks Display	\$50.00
Fireworks Stands	\$50.00
Gas Fitter License	\$60.00
Gas Fitter Test	\$60.00
Home Occupation	\$25.00
Mobile Food Vendor Permit - Private Property Only	\$50.00 per year
Transient Vendor's License	\$75.00
Trash Collection and Water Service "Lock and Leave" Fee	\$30.00 to discontinue and reinstate service.
Tree Trimming License	\$50.00
Water & Sewer Service Deposit	\$50.00; interest thereon is earned and payable per § 3-5-2(D) of the City of Montrose Municipal Code
Water & Sewer Delinquency Fee	\$50.00

B. Animal Control Fees

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.
Other Impounds	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.
Relinquishment Fees for Personal Cats	\$20.00 per cat (over 1 year of age)
Relinquishment Fees for Personal Kittens	\$10.00 per kitten (under 1 year of age)
Relinquishment Fees for Personal Dogs	\$35.00 per dogs (over 1 year of age)
Relinquishment Fees for Personal Puppies	\$25.00 per puppy (under 1 year of age)
Adoption Fee for Dogs 8 Weeks to 1 Year of Age	\$100.00 per dog
Adoption Fee for Dogs Over 1 Year of Age	\$75.00 per dog
Adoption Fee for Cats 8 Weeks to 1 Year of Age	\$50.00 per cat
Adoption Fee for Cats Over 1 Year of Age	\$30.00 per cat

C. Cemetery Fees

Cemetery Lot Sale	\$600.00 - 40 percent of lot cost is perpetual care
Cemetery Open/Close	\$650.00
Cemetery Open/Close for Cremains	\$200.00
Cemetery Open/Close for Two Sets of Cremains	\$300.00, simultaneous, same lot
Cemetery Full Burial Overtime Fee	\$175.00 for Saturdays or weekdays after 4:00 p.m.
Cemetery Burial of Cremains Overtime Fee	\$100.00 for Saturday or weekdays after 4:00 p.m.
Cemetery Disinterment	\$2,000.00
Cemetery Disinterment of Cremains	\$500.00

Columbarium Niche Space	\$350.00
Columbarium Niche Plate	Actual cost (\$325.00—\$375.00)
Columbarium Date Scroll	Actual cost (\$105.00—\$125.00)
Columbarium Open/Close	\$100.00 for each open/close including disinterment
Columbarium Overtime Fee	\$100.00 for Saturdays or weekdays after 4:00 p.m.

D. Land Use Fees

Administrative Planned Development	\$100.00
Administrative Review Hearing	\$50.00
Annexations	\$900.00
Conditional Use Permit	\$300.00
De Novo Hearing (Review Hearing Before City Council)	\$100.00
Fence Permit	\$10.00
Floodplain Development Permit	No Fee
Historic Preservation Property Designation	No fee
Historic Preservation Property Alteration	No fee
Historic Preservation Property Relocation	No fee
Historic Preservation Structure Demolition	No fee
Land Dedication Fee in Lieu - Parks Fee	\$1,575.00 per residential unit
Land Dedication Fee in Lieu - School Fee	\$679.00 per residential unit
Large Retail Site Development	\$1,000.00
Major Subdivision (Including Major Subdivision Amendments) Sketch Plan	\$300.00
Major Subdivision (Including Major Subdivision Amendments) Preliminary Plat	\$300.00
Major Subdivision (Including Major Subdivision Amendments) Final Plat	\$300.00
Minor Subdivision	\$150.00
Mobile Home Park Permit	\$300.00
Mobile Home Set Up Permit	\$30.00
Planned Development (Includes all steps of the process including Sketch Plan, Preliminary Plat/Plat, & Final Plan/Plat)	\$100.00
REDO Overlay Zone Administrative Review	\$50.00
Revocable Right-of-Way Encroachment	\$50.00
Rezone	\$300.00
Sign Permit - Primary Sign	\$30.00 per sign
Sign Permit - Secondary Sign	\$15.00 per sign
Site Development	\$100.00
Street Excavation Permit	
Application deposit	\$200.00
Excavation inspection fee	\$70.00 / 500 Sq. Ft., \$70 minimum
Boring inspection fee	\$0.40 / LF, \$50.00 minimum
Utility locate potholing fee	\$25.00 per pothole
Surface Impact Fee - Asphalt	\$3.25 per square foot
Surface Impact Fee - Concrete	\$3.75 per square foot
Surface Impact Fee - Gravel/Road Base	0.45 per square foot
Surface Impact Fee - Earth	0.25 per square foot
Surface Impact Fee - If Pavement is Less than 5 Years Old	The impact fee will be tripled.
Street Name Change	\$100.00
Telecommunication Tower Siting (And Antenna Replacement)	\$150.00
Temporary Permit for Structure	\$50.00
Temporary Use Permit	No fee

Administrative Planned Development	\$100.00
Administrative Review Hearing	\$50.00
Annexations	\$900.00
Conditional Use Permit	\$300.00
De Novo Hearing (Review Hearing Before City Council)	\$100.00
Fence Permit	\$10.00
Floodplain Development Permit	No Fee
Historic Preservation Property Designation	No fee
Historic Preservation Property Alteration	No fee
Historic Preservation Property Relocation	No fee
Historic Preservation Structure Demolition	No fee
Land Dedication Fee in Lieu - Parks Fee	\$1,575.00 per residential unit
Land Dedication Fee in Lieu - School Fee	\$679.00 per residential unit
Large Retail Site Development	\$1,000.00
Major Subdivision (Including Major Subdivision Amendments) Sketch Plan	\$300.00
Major Subdivision (Including Major Subdivision Amendments) Preliminary Plat	\$300.00
Travel Home Park Permit (RV Park)	\$300.00
Travel Home Set Up Permit	\$50.00
Variance	\$100.00

E. Liquor Fees

Liquor Licensing	City fees shall equal the maximum fee allowed by Colorado State Statute or regulation, as amended from time to time.
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F. Parks/Private Use of Public Property

Alcohol Consumption Permit	\$50.00
Alcohol Consumption Permit Deposit	\$100.00
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.
Entertainment Permit	No Fee
Events Use Permit	\$100.00 Events Use Permit fee per event day for all facilities/venues, including street closures and parades.
Events Use Permit Deposit	\$100.00 deposit required for all events
Events Use Permit Additional Fees	Additional fees are required if alcohol permits are issued.
Events Use Permit Insurance Certificate	Actual cost of insurance certificate through the City's insurance provider, added to permit fee.
Lion's Community Building Rental Fees	\$40.00 for five hours, \$5.00 per hour for each additional hour
Lions Community Building Deposit	\$100.00
Main Street Closure Permit	\$250.00 for a maximum of ten hours. City Council may approve additional hours for additional fees.
Main Street Closure Deposit	\$100.00. Surety bond and/or insurance certificate required.
Memorial Bench	\$2,000.00 downtown and park locations, includes bench, plaque, and installation
Montrose Rotary Amphitheater	
Stage Only	\$100.00/24 hr. booking window
Stage, Wings and Backstage Area	\$600.00 /24 hr. booking window
Full Facility Including Vendor Area	\$1,200.00 /24 hr. booking window
Deposit	50% of total rental fees

Overhead Main Street Banner - One Banner	\$200.00
Overhead Main Street Banner - Two Banners	\$380.00
Park Shelter Reservation	\$25.00 per day (includes electricity)
Parks Use Permit (for private use for areas excluding the shelters)	No Fee
Right-of-Way Use Permit	No Fee
Stage Rental - Stage Without Canopy	\$50.00
Stage Rental - Stage With Canopy	\$100.00
Stage Rental Deposit	\$100.00
Street Closure Permit	\$100.00
Street Closure Permit Deposit	\$100.00
Tree Legacy Program Plaque	Actual Cost (\$270.00-\$350.00)

G. Police Department Administrative Fees

Police Report	\$10.00 for each police report
Criminal History Report	\$10.00 for each criminal history report
Hard Copies	\$0.25 per page for hard copies of documents
Impound Fees	\$4.00 per day for vehicles impounded in the City lot
Sex Offender Registration - Initial	\$40.00 initial registration fee
Sex Offender Registration - Annual	\$20.00 annual registration fee
Staff Time (Research, Redaction, etc.)	\$10.00 per hour for first hour, \$30.00 per hour after the first hour
Specialized document production or specialized skills required to fully comply with requests (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.
Towing	Varies based on City contract
VIN Inspections at Police Dept.	\$10.00 per VIN Inspection
VIN Inspections at residence within City limits set by C.R.S Certified VIN Inspection	\$15.00 per VIN Inspection

H. Building Code Fees

Building Permit Fees \$1.00 to \$500.00 valuation	\$23.50
Building Permit Fees \$501.00 to \$2,000.00 valuation	\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100, or fraction thereof, to and including \$2,000.00
Building Permit Fees \$2001.00 to \$25,000.00 valuation	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
Building Permit Fees \$25,001.00 to \$50,000.00 valuation	\$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
Building Permit Fees \$50,001.00 to \$100,000.00 valuation	\$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
Building Permit Fees \$100,001.00 to \$500,000.00 valuation	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
Building Permit Fees \$500,001.00 to \$1,000,000.00 valuation	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
Building Permit Fees \$1,000,000.00 valuation and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.65 for each additional \$1,000.00, or fraction thereof
Plan Review Fees – Commercial	65 percent of building permit fee

Plan Review Fees - Residential	50 percent of building permit fee
Investigation Fees: Work without a permit	Equal to building permit fee
Plumbing Permit Fee	\$50.00
Gas Permit Fee	\$50.00
Mechanical Permit Fee	\$50.00
Solar Permit Fee	\$50.00
Re-Roof Permit Fee	\$50.00
Demolition Permit Fee	\$50.00
	*Fire Protection District Fees are included in Exhibit A

I. Municipal Court Fees

Service	Fee
Court Costs	\$50.00 Court Costs will be assessed in each case following a conviction except in those cases in which a written waiver and guilty plea is entered and a fine paid at the Office of the Court Clerk or on CitePay USA
Bench Warrant Fee	A \$30.00 Bench Warrant Fee shall be assessed in each case in which a bench warrant is issued.
Teen Court Fee	A \$100.00 fee shall be assessed in all Teen Court cases
Bad Check Fee	A \$25.00 bad check fee shall be assessed for all checks returned for insufficient funds or written on a closed account.

The foregoing fees are in addition to any fees imposed by statute and may be waived by the Court for good cause or the indigency of the defendant.

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

A. Pavilion Fee Schedule

<i>AV Equipment</i>	
CD Player	No charge
Full Sound System	\$400.00
Small Sound System (8 ch)	\$90.00
Cordless Microphone Receiver	\$15.00
DVD Player	No charge
Phone Connection	\$125.00 each
Electric Plug Connections	No Charge
Laser Pointer	No Charge
Audio Recording of Concerts (auditorium only)	\$45.00
<i>Furniture</i>	
Marley Dance Floor (auditorium only)	\$250.00
Pitt Cover Removal	\$1,200.00
Podium with Wired Microphone	\$15.00
Portable Bar	\$50.00
Portable Dance Floor	\$125.00
Portable Stage	\$15.00
Pipe and Drape Section (8' x 9'5")	\$20.00
Screen 12 x 12	\$20.00
Chairs	No charge
Tables	No charge
Use of Pianos	Tuning fee plus 50%
<i>Linens</i>	
Napkins	\$1.00 per each
Tablecloth	\$10.00 per each
<i>Administrative Services</i>	
Copies (black and white)	\$0.20 per each
Internet Connection	\$10.00
Flipchart and Paper	\$15.00
<i>Beverages</i>	
Alcohol	20% increase, Call for quote
Coffee Service for approx. 30	\$15.00
Hot Tea Service for approx. 30	\$15.00
Hot Cocoa Service for approx. 30	\$15.00
Hot Cider Service for approx. 30	\$15.00
Iced Tea Service for approx. 30	\$15.00
Lemonade Service for approx. 30	\$20.00
Fruit Punch for approx. 30	\$20.00
Soda Pop assorted	\$2.00 per each
Bottled Water	\$2.00 per each
<i>Bars</i>	
Portable Bar with Bartender	\$20.00 per hour

<i>Catering Fees</i>	
Catering Fee – Full Service	\$3.50 per person
Catering Fee – Buffet Service	\$2.50 per person
Catering Fee – Drop Off Service	\$1.50 per person
<i>Room Rentals</i>	
Fee for first 8-hour period, additional fees apply for additional hours.	
Auditorium with Technician	\$726.00
Commons/Front Lawn	\$264.00
"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	\$275.00
Courtyard/Patio	\$275.00
Exhibit Gallery/Lobby	\$275.00
Full Conference	\$896.00
North Room	\$412.00
North to Center	\$687.00
Ballroom with Full Conference	\$1,182.00
Ballroom with Lobby	\$891.00
Ballroom	\$682.00
South Room	\$275.00
South to Center	\$577.00

- 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 \$100.00 U.S. Dollars per hour.

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

A. Water Rates and Fees

Deposit	\$50.00
Maintenance to the City's facilities as a convenience to the customer	\$25.00 minimum fee
"REDO" Overlay Zone water distribution tap fee for accessory dwelling units	\$330.75
Water Connection Fees	
¾" Tap - Tap Fee	\$917.00
¾" Tap - Capacity Fee	\$2,288.00
¾" Tap - Total Charge	\$3,205.00
1" Tap - Tap Fee	\$1,220.00
1" Tap - Capacity Fee	\$3,813.00
1" Tap - Total Charge	\$5,033.00
1 ½" Tap - Tap Fee	\$1,525.00
1 ½" Tap - Capacity Fee	\$7,624.00
½" Tap - Total Charge	\$9,149.00
2" Tap - Tap Fee	\$2,288.00
2" Tap - Capacity Fee	\$12,198.00
2" Tap - Total Charge	\$14,486.00
3" Tap - Tap Fee	\$3,049.00
3" Tap - Capacity Fee	\$22,871.00
3" Tap - Total Charge	\$25,920.00
4" Tap - Tap Fee	\$4,117.00
4" Tap - Capacity Fee	\$45,743.00
4" Tap - Total Charge	\$49,860.00
6" Tap - Tap Fee	\$7,624.00
6" Tap - Capacity Fee	\$80,810.00
6" Tap - Total Charge	\$88,434.00
Connection Charges Per Unit or a Private Fire System	\$1,067.00
Private Water Distribution Additional Unit Charge	\$1,067.00
Monthly Water Rates—Residential Base Charge	\$21.99
Monthly Water Rates—Residential Per 1,000 gallons of usage	\$5.12
Monthly Water Rates - Residential- Outside Base Charge	\$32.99
Monthly Water Rates - Residential - Outside Per 1,000 gallons of usage	\$7.43
Monthly Water Rates - Nonresidential	
Nonresidential 5/8" Meter	\$38.85
Nonresidential 3/4" Meter	\$51.45
Nonresidential 1" Meter	\$78.75
Nonresidential 1 1/2" Meter	\$147.00
Nonresidential 2" Meter	\$279.00
Nonresidential 3" Meter	\$649.95
Nonresidential 4" Meter	\$1,011.00
Nonresidential per 1,000 Gallons	\$3.51

Water Company per 1,000 Gallons	\$5.14
Landscape Meter Base Charge	\$21.99
Landscape Meter Per 1,000 Gallons	\$5.12
Private fire system	\$21.00
Delinquent fee	\$50.00
Hydrant meter deposit	\$500.00

B. Sanitary Sewer Rates and Fees

Sanitary Sewer Connection Fees	
½" Meter - Tap Fee	\$336.00
½" Meter - Capacity Fee	\$4,726.00
½" Meter - Total Charge	\$5,062.00
¾" Meter - Tap Fee	\$336.00
¾" Meter - Capacity Fee	\$7,167.00
¾" Meter - Total Charge	\$7,503.00
1" Meter - Tap Fee	\$336.00
1" Meter - Capacity Fee	\$11,892.00
1" Meter - Total Charge	\$12,228.00
1 ½" Meter - Tap Fee	\$336.00
1 ½" Meter - Capacity Fee	\$23,633.00
1 ½" Meter - Total Charge	\$23,969.00
2" Meter - Tap Fee	\$336.00
2" Meter - Capacity Fee	\$37,813.00
2" Meter - Total Charge	\$38,149.00
3" Meter - Tap Fee	\$336.00
3" Meter - Capacity Fee	\$70,900.00
3" Meter - Total Charge	\$71,236.00
4" Meter - Tap Fee	\$336.00
4" Meter - Capacity Fee	\$141,800.00
4" Meter - Total Charge	\$142,136.00
6" Meter - Tap Fee	\$336.00
6" Meter - Capacity Fee	\$295,493.00
6" Meter - Total Charge	\$295,829.00
8" Meter - Tap Fee	\$336.00
8" Meter - Capacity Fee	\$425,401.00
8" Meter - Total Charge	\$425,737.00
Sanitary Sewer Charges Per Unit	\$3,355.00
Sanitary Sewer Monthly Charges Base Charge - Residential	\$27.15
Sanitary Sewer Monthly Charges Base Charge - Nonresidential	\$20.48
Sanitary Sewer - Volume Charge per 1,000 Gallons	\$2.60
Sanitary Sewer - Extra Strength Charge per 1,000 Gallons	
Rate Code 900	\$0.72
Rate Code 901	\$0.98
Rate Code 902	\$1.37
Rate Code 903	\$1.94
Rate Code 904	\$2.51

Rate Code 905	\$2.91
Rate Code 906	\$3.68
Rate Code 907	\$4.85
Rate Code 908	\$6.23
Rate Code 909	\$0.72
Rate Code 910	\$2.51
Rate Code 920 (\$ per bill)	\$76.29
E-One Pump Maintenance	\$5.25 per month

C. Trash and Recycling Rates and Fees

Residential Customers 1 90-Gallon Container, 1 Pickup per Week	\$26.35
Commercial/Multi-Family Customers	\$.04 per gallon
Recycling - Vehicle Tires	\$4.50 each
Recycling - Large Tires	\$9.00 each
Recycling - Monitor/TV with Glass Screen	\$30.00 each
Recycling - Fluorescent Light Bulb, Intact, Any Length and CFLs	No cost for City of Montrose residential trash customers. \$1.00/bulb for all others
Return trip or Additional Pick Up for Trash or Recycle 90-Gallon Can	\$35.00

EXHIBIT A

Montrose Fire Protection District Permit and Service Fee Schedule

Effective February 1, 2020

Automatic Fire Suppression Systems

New Installation (13 & 13R)	\$225+\$2.25/Head Includes 4 site visits
New Installation (13D)	\$125+\$2.25/Head Includes 3 site visits
Tenant Finish or Remodel	\$125+\$2.25/Head Includes 3 site visits
Small Project/Remodel	\$100<20 heads Includes 2 site visits
Underground Fire Line	\$200 Includes 3 site visits
Standpipe Systems	\$200/Riser
Additional Required Site Visits:	\$50/visit

Fire Alarm Systems

New Installation (Commercial)	\$200+\$2.25/device Includes 3 site visits
New Installation (Residential)	\$125+\$2.25/device Includes 2 site visits
Tenant Finish or Remodel	\$125+\$2.25/device Includes 2 site visits
Small Project/Remodel	\$100< 5 devices Includes 2 site visits
Additional Required Site Visits:	\$50/visit

Other Extinguishing Systems

Commercial Hood/Duct Suppression Systems	\$200 Includes 2 site visits
Food Vendor Hood Suppression Systems	\$100 Includes 1 site visit
Alt. Suppression Systems (Clean Agent, etc.)	\$225 Includes 2 site visits
Additional Required Site Visits:	\$50/visit

Miscellaneous Permits

Propane Exchange	\$125 Includes 1 site visit
Installation/Removal of Tank (ABST, UGST)	\$150 + \$50/tank after initial
Fireworks Sales	\$125/Stand/Occasion
Fireworks Public Display	\$200/Event
Explosives/Blasting Agents Use	\$200 annual or single blast
Circus/Carnival Permit	\$100
Indoor Pyrotechnics	\$200
Radio Amplification	\$200 Includes 2 site visits
Additional Required Site Visits:	\$50/visit

Miscellaneous Fees

Re-Inspection Fee	\$100
Misc./Special Inspection	\$50
Out of District Inspections	\$50/Hour (includes travel time)
Work performed without permit	Double regular fee
Fire Watch	Current OT Rate (min. 2 hours)
Apparatus Standby & out of district Fire Suppression	Current CRFF Rate+ OT/Staff



CITY OF MONTROSE
City Manager's Office

MEMO

TO: Mayor J. David Reed and City Council
FROM: Ann Morgenthaler, Deputy City Manager
DATE: November 5, 2024
RE: Consideration of Additional Funding for Region 10 Meals Programs

At the October 1, 2024 regular City Council meeting, Brian Bowler from the Region 10 Area Agency on Aging presented information about a gap in funding for the delivered meals programs commonly referred to as Meals on Wheels and Mom's Meals. Council directed staff to learn more about the funding gap and to present options to City Council regarding possible additional funding assistance.

Region 10's current fiscal year started in July of 2024 and goes through June of 2025. In this fiscal year, due to decreased State of Colorado funding, Region 10 cut back to delivering only three meals a week from five meals a week for the Meals on Wheels program and still has a budget deficit of \$120,000 for the delivered meal programs. It is very unusual for Region 10 to budget a deficit in a program, but they did so in order to continue delivering at least three meals a week with the plan to secure funding to fill the gap throughout the fiscal year. Region 10 is applying for grants and pursuing all avenues to continue to provide 3 meals a week, including asking if member agencies would be able to contribute more to the program.

The number of meals delivered to City of Montrose residents fluctuates throughout the year. The City of Montrose comprises 15% of the population of the Region 10 service area. 15% of the \$120,000 funding gap equals \$18,000. City staff proposes that if the City Council would like to contribute additional funds to Region 10 for the meals programs, that a contribution of \$18,000 would be commensurate with our share of the Region 10 population and would be a significant support to Region 10. This contribution would help ensure that Region 10 is able to continue providing 3 meals a week throughout the fiscal year, and also provide meals to the most vulnerable individuals when the need arises. This contribution would not increase the number of meals Region 10 provides per week.

The City of Montrose's dues to Region 10 for the 2025 calendar year are \$23,977 and include an \$8,567 contribution to the Area Agency on Aging. This is a \$4,578 increase over the 2024 calendar year dues, all of which is dedicated to the Area Agency on Aging.



CITY OF MONTROSE

MEMO

TO: City Council
FROM: Christopher Ottinger - Community Development Specialist
DATE: November 5, 2024
RE: US-EPA Cleanup Grant for former Bullock Steam Power Plant

INTRODUCTION

The City of Montrose Community Development Department is seeking approval from City Council to apply for a United States Environment Protection Agency Brownfield Cleanup Grant. The purpose of the grant is to fund the remediation expenses associated with the hazardous waste and regulated building material that exists at the former Bullock Steam Electric Plant.

BACKGROUND

Located at 30 W. South Fourth St. (326 S. Water Avenue), the Montrose Steam Electric Plant, later named the James A Bullock Steam Electric SE, was a coal-fired plant that operated from 1952 to 1982. It was converted to natural gas power for 2 years but then went to “stand-by” status. A variety of ownership changes ensued, and the site eventually became a personal storage yard. After a number of years, the opportunity to purchase the property came in 2021. This was done as part of a cooperative agreement with Delta-Montrose Electric Association who were interested in the northern parcel for expansion planning.

Prior to its ownership, the City was able to conduct EPA funded environmental site assessments in 2014 and 2017 identifying much of the site’s hazards and potential impacts. Upon its ownership, the City was able to prevent unintentional exposure to the public by securing the site and the building and removing some of the items and vehicles left on the property.

In 2024, the City was awarded a service grant through the Colorado Department of Public Health and Environment (CDPHE) where further site characterization and structural assessments were completed to gain a fuller understanding of the remediation work needed at the site and its associated costs.

The majority of the environmental hazards stem from the asbestos used extensively within the structure and the fly-ash that is the byproduct of the coal-fired process of the era. It is estimated that

cost for remediation will total roughly \$2,300,000. This covers the removal of the asbestos within and surrounding the structure, capping the fly ash with vegetative cover, and implementing institutional controls for small amounts of other hazardous materials to ensure long term safety of the public. Thankfully, no mitigation is required related to the river or ground water. No known migration or seepage of heavy metals or other hazardous waste was detected in the sampling that has been performed.

If funded, the grant would provide for costs associated with hiring qualified contractors and an environmental professional, who along with City Staff will work with CDPHE and the EPA to finalize a remediation plan and oversee the work of remediation. If funded, the work could begin as early as fall of 2025, with detailed planning beginning in the summer prior. The is estimated to be completed by Q2 of 2027. It is expected that the cleanup of the site will be a catalyst for revitalization of the area and create a valuable asset to the community.

FINANCIAL CONSIDERATIONS

The total amount that is being requested from the EPA Brownfields office is \$2,00,000. There is no required match for this round of grant funding due to the Bipartisan Infrastructure Law. However, in order to help leverage the scoring for the application since the cost of remediation (\$2,300,000) exceeds the grant request of \$2,000,000, staff recommends that Council commit to pay for any expenses that exceed the \$2,000,000 grant.

RECOMMENDATION

City Staff recommends approval by City Council to authorize submission of a US EPA Brownfields Cleanup grant application in the amount of \$2,000,000 to fund the cleanup of the Bullock Power Plant site and a commitment to support the project financially via resolution.



RESOLUTION 2024-21

A RESOLUTION AUTHORIZING FILING OF THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY BROWNFIELD CLEANUP GRANT PROGRAM APPLICATION

WHEREAS, the City of Montrose wishes to improve the economic conditions and prosperity of Montrose through revitalization efforts in downtown Montrose and the Uncompahgre River Corridor; and

WHEREAS, the United States Environmental Protection Agency Brownfield Cleanup Grant Program provides grant funding for eligible entities to conduct cleanup activities at brownfield sites to support environmental and economic revitalization; and

WHEREAS, the Bi-Partisan Infrastructure Law has significantly increased funding for brownfield activities on a temporary basis above normal project allocations; and

WHEREAS, said legislation also removed matching funds requirements for eligible brownfield activities; and

WHEREAS, the former Bullock Power Plant, at 326 Water Avenue (LOT B - Parcel 3767-331-16-001), was acquired by the City of Montrose on October 11, 2021, and is an eligible property for United States Environmental Protection Agency Brownfield Cleanup Grant Funds; and

WHEREAS, the former Bullock Power Plant operated as a coal-fired steam power plant from 1952-1982 and then operated on natural gas until its closure in 1984 and has since remained vacant; and

WHEREAS, Phase I and Phase II environmental site assessment reports and Universal Waste/Hazardous Materials and Regulated Building Material Inventories have indicated the property will benefit from cleanup activities prior to redevelopment; and

WHEREAS, the City of Montrose desires to clean up the former Bullock Power Plant property to enable redevelopment, and therefore seeks an United States Environmental Protection Agency Brownfield Cleanup Grant in an amount up to \$2,000,000 for the aforementioned project; and

WHEREAS, the City of Montrose desires to support the project by contributing funds to cover additional costs above and beyond the grant award.

NOW, THEREFORE, be it resolved by the City Council of the City of Montrose, Colorado as follows:

Section 1. The City Council of the City of Montrose authorizes the filing of the grant application

in the amount of \$2,000,000 with the United States Environmental Protection Agency.

Section 2. If the grant is awarded, the City Council hereby authorizes the City Manager to execute the grant contract with the United States Environmental Protection Agency and City staff to act on behalf of the grant agreement.

Section 3. If, during the course of the project, the grant funds are insufficient to complete the remediation activity as planned, the city will cover the cost to complete the activity.

RESOLVED AND ADOPTED this ____ day of November, 2024, by the City Council of the City of Montrose.

CITY OF MONTROSE, COLORADO

BY: _____
J. David Reed, Mayor

ATTEST

Lisa DelPiccolo, City Clerk



CITY OF MONTROSE

Planning Services

MEMO

TO: City Council
FROM: William Reis, Planner II
DATE: November 5, 2024
RE: Leonard Farm Addition Annexation
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. City Council will consider all of the information in this memo in making a decision.

Proposed schedule:

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

Application Background:

The Leonard Farm Addition is a proposed annexation approximately 71.22 acres in size. The parcel is located south of Ogden Road, near its intersection with Sleeping Bear Road. It is within the City's Urban Growth Boundary, City of Montrose Sewer Service Area, and City of Montrose Water Service Area. Annexation of this property will allow for connection to City utilities. An Annexation Agreement is required.



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

Applicant: Ogden Views, LLC

Staff Analysis:

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



Residential Mixed Density Medium district provides for a variety of residential types, mixed within a neighborhood, including single-family homes, townhomes, duplexes and triplexes. The majority of the mixed-density medium residential land uses are designated in areas that are not yet developed. The Residential Mixed Density Low district provides primarily for single-family homes, as well as small amounts of attached residential dwelling units (such as duplexes and even small groups of townhomes). This low-density residential land use is intended to preserve the traditional building pattern of the existing residential development in Montrose. It will continue to be the predominant density in the City.

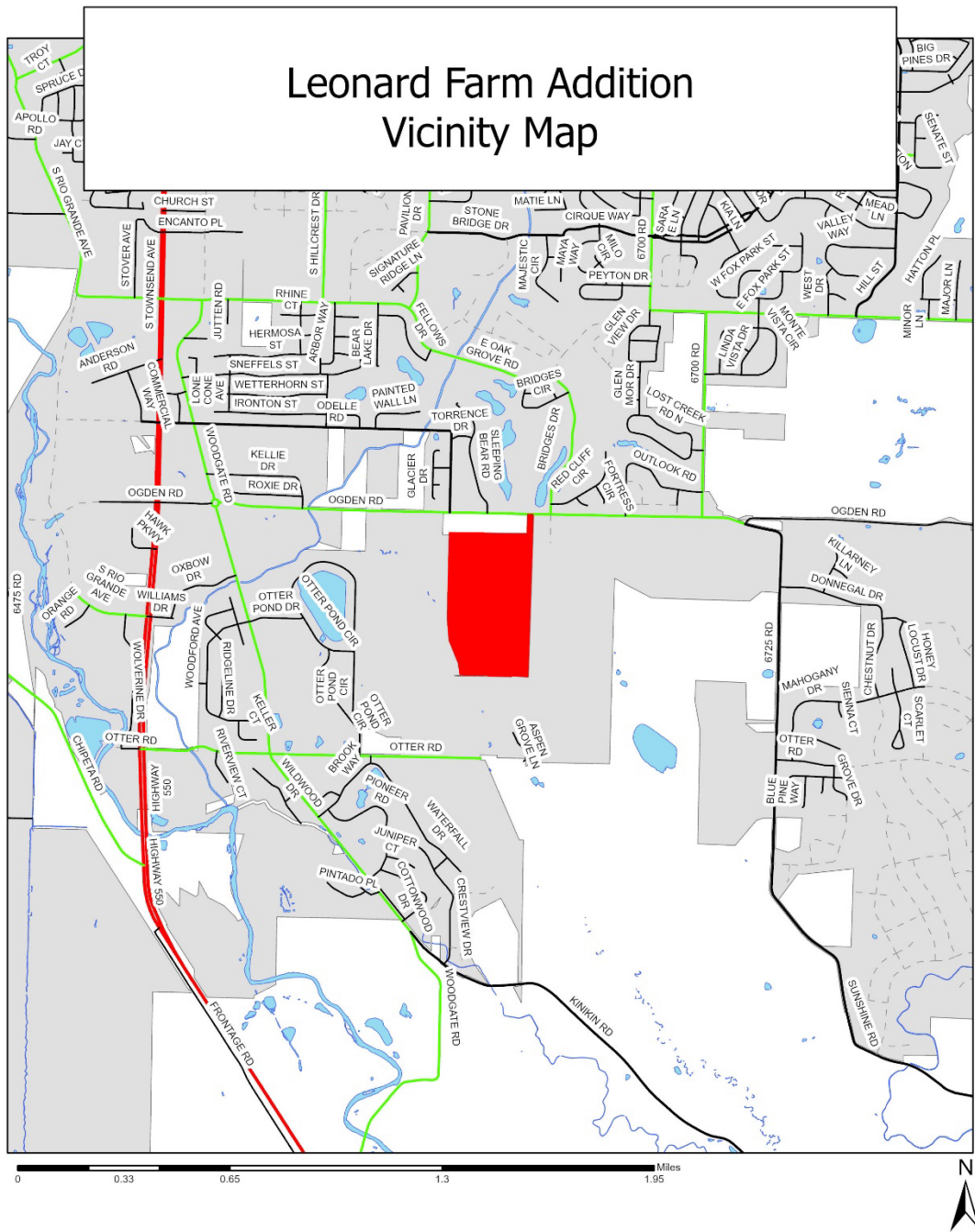
5. The property is located within Growth Area 2. According to the Comprehensive Plan, Growth Area 2 has some level of, or moderate proximity to, existing infrastructure.
6. The Planning Commission voted unanimously to recommend approval of the “R-3A” Medium High Density District zoning designation at the September 25, 2024 Planning Commission meeting.
7. The “R-3A” zoning does not appear to be adverse to the public health, safety and welfare.

Staff Recommendation:

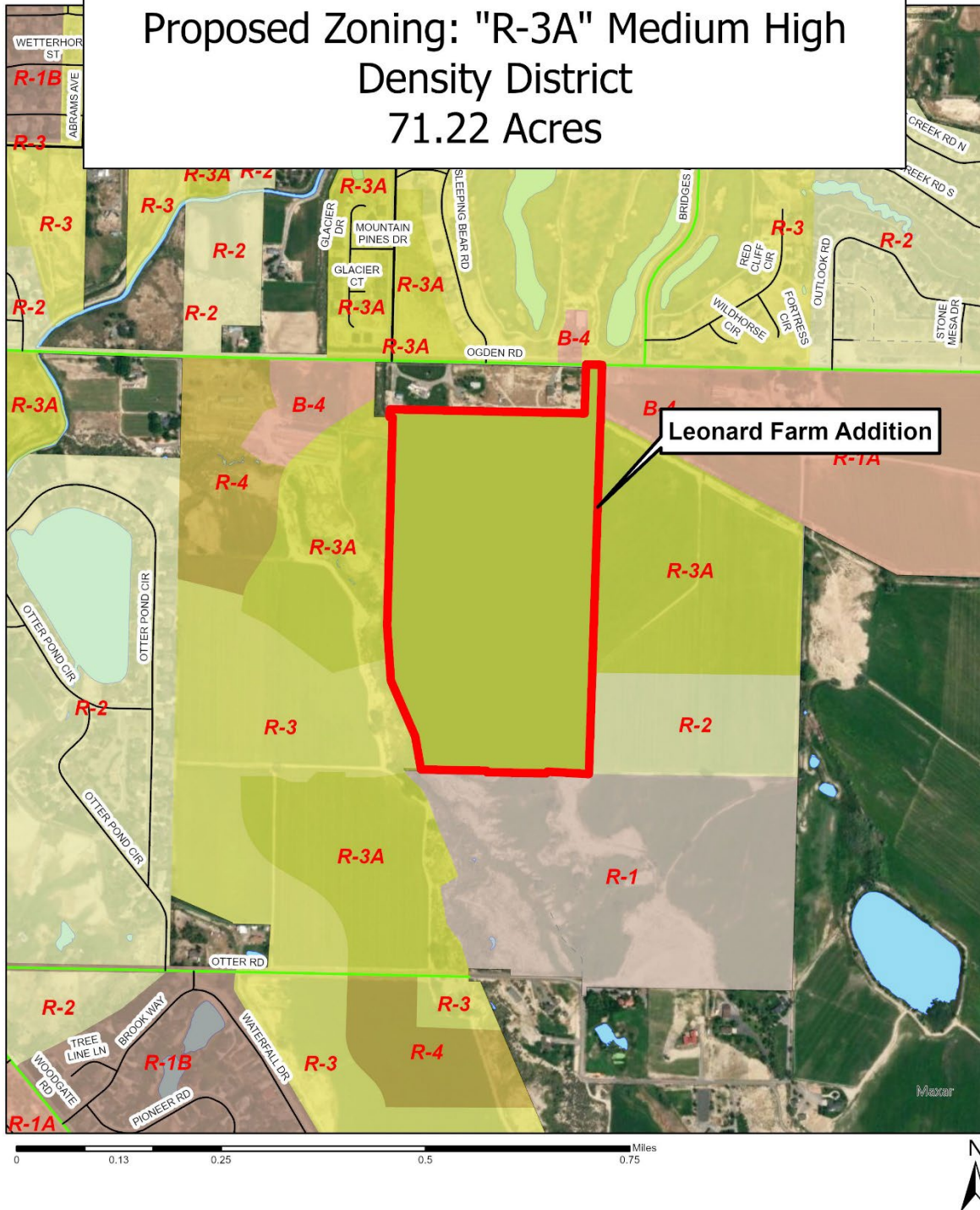
Staff recommends approval of the annexation and the “R-3A” Medium High Density District zoning designation.



EXHIBIT A: Maps

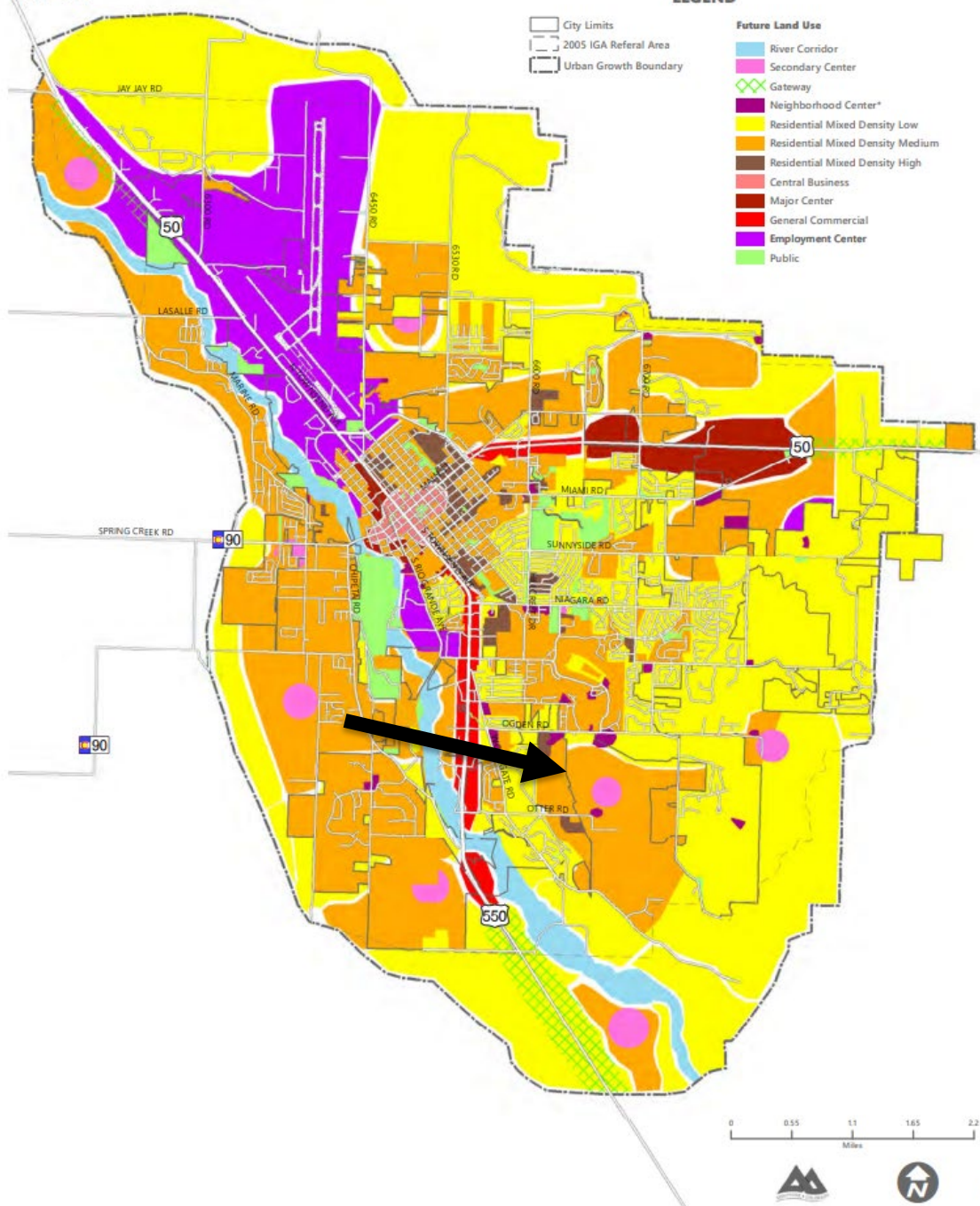


Leonard Farm Addition Proposed Zoning: "R-3A" Medium High Density District 71.22 Acres



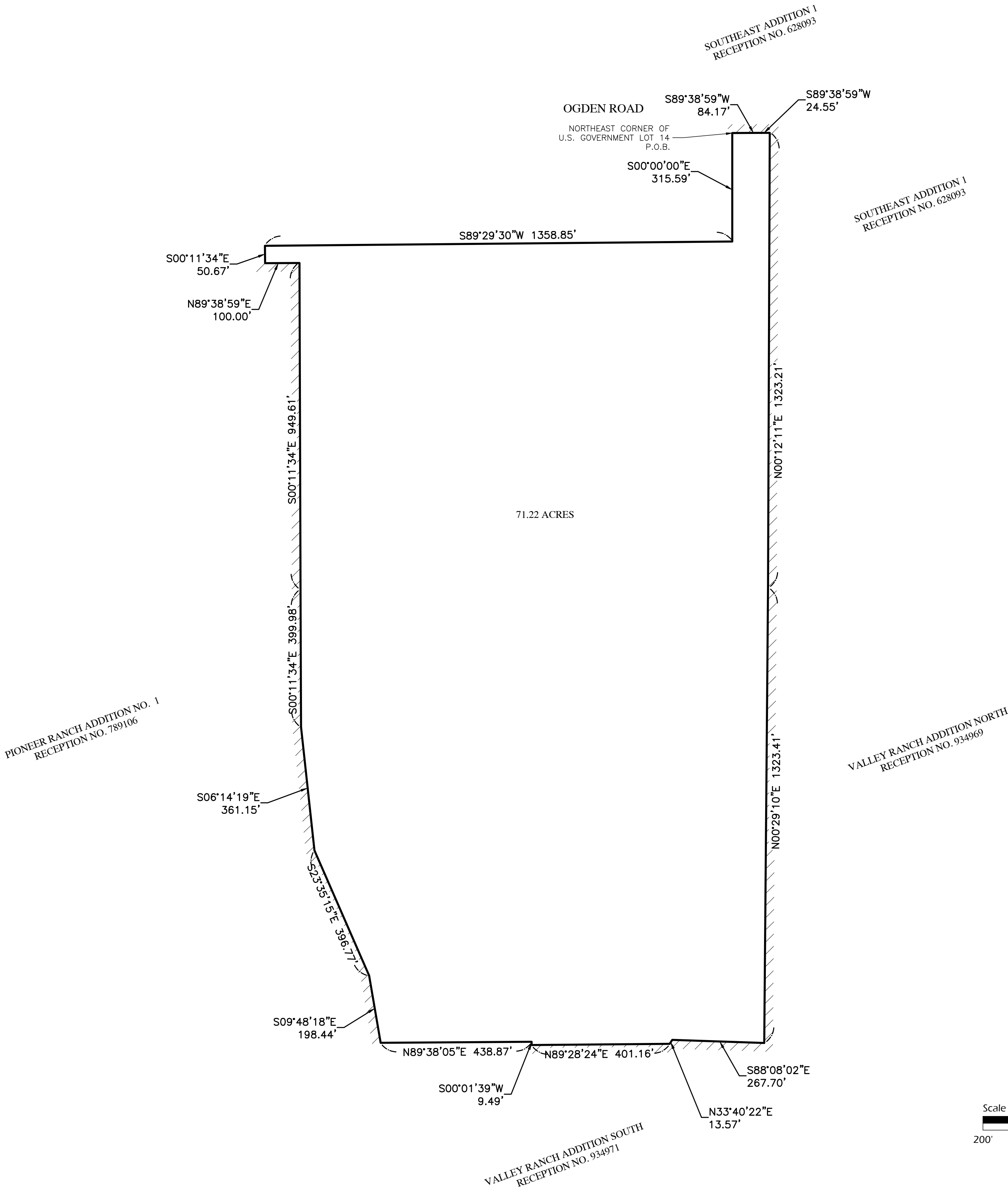
FUTURE LAND USE

MAP 5.1



LEONARD FARM ADDITION

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



LEGEND

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

CITY LIMITS

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

NOTE:

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

PROPERTY DESCRIPTION

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

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

SURVEYOR'S CERTIFICATE

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

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

MAYOR'S CERTIFICATE

This is to certify that the City of Montrose, a municipal corporation in the County of Montrose, State of Colorado has by its Ordinance No. _____ adopted on the _____ day of _____, 2023, annexed the property hereon to the City of Montrose.

Mayor

Attest: _____
City Clerk

CLERK AND RECORDER'S CERTIFICATE

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

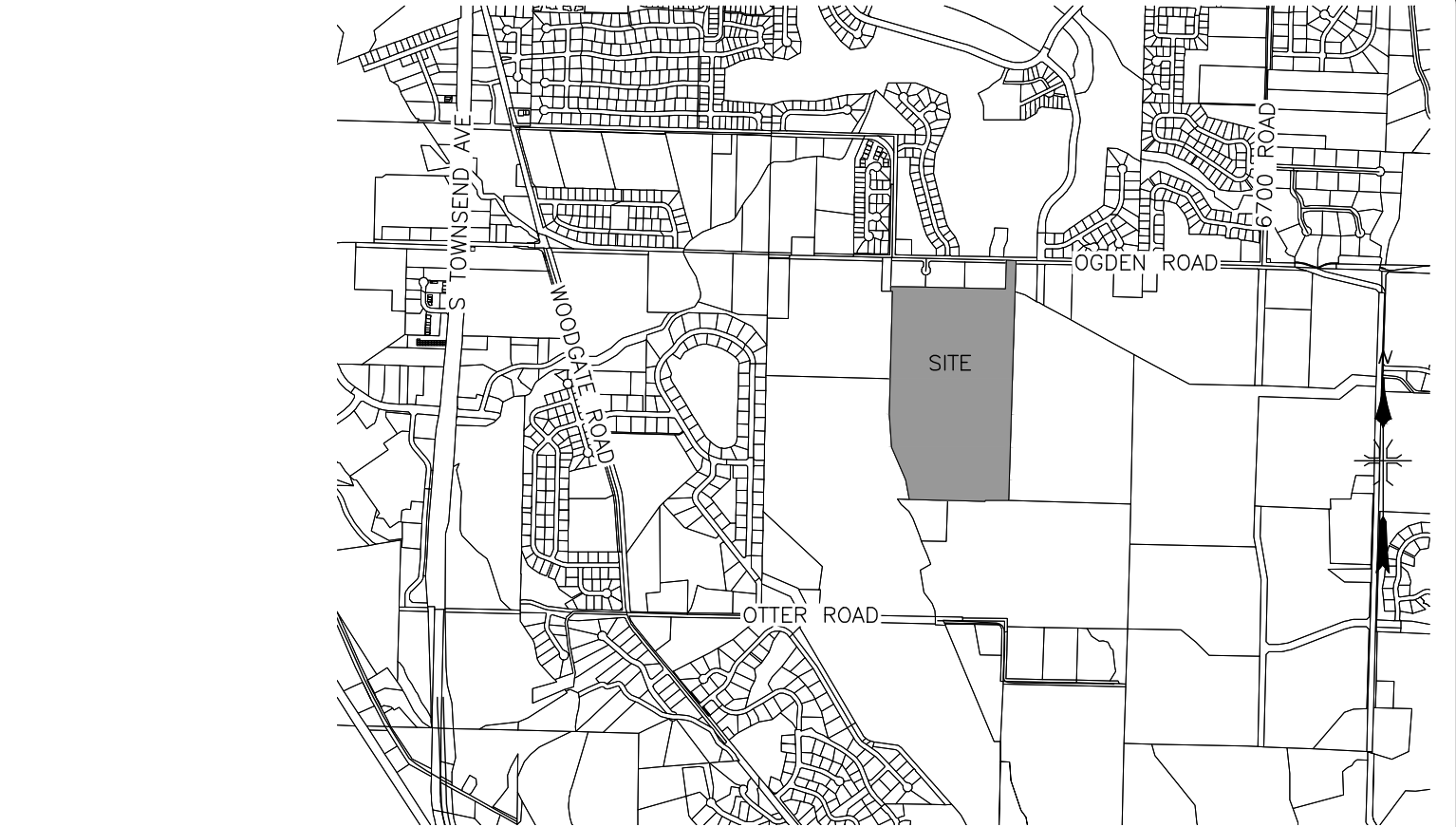
Clerk and Recorder
Montrose County, Colorado

Deputy

PRELIMINARY

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

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



VICINITY MAP
N.T.S.

FIELD BOOK:		DRAWN BY:	DATE:
SHEET:		FILE:	JOB NO.:
1 of 1		23083V_ANNX	23083
TITLE:		CLIENT:	ADDRESS & PHONE:
LEONARD FARM ADDITION		LEADERSHIP CIRCLE, LLC	P.O. BOX 239 MONTROSE, CO 81402 970-249-3398
TYPE:		ANNEX	

EXHIBIT B: Zoning Code Excerpt

Sec. 11-7-6. District uses.

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



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

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

(F) *Uses Not Listed.*

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

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

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



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

Legend: Use Type

P: Permitted Use

C: Conditional Use

A: Accessory Use

T: Temporary Use

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



RESOLUTION NO. 2024-20

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

The City Council hereby set forth its findings of fact and conclusions based thereon with respect to the annexation of the **Leonard Farm Addition** based on the evidence contained in the official file, the official records of the City of Montrose, Colorado and the evidence produced at the Hearing held on November 5, 2024.

FINDINGS OF FACT

1. The requirements of the applicable parts of C.R.S. §§ 31-12-104, 105 have been met including the following:
 - A. Not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City as can be seen from the annexation map.
 - B. A community of interest exists between the area proposed to be annexed and the City, due to the proximity of the area to the City, the desire the owners to annex and existing City services in the area.
 - C. The area is urban or will be urbanized in the near future and the area is already substantially integrated with, and is capable of being fully integrated with the City.
 - D. It is practical to extend City services to the area on the same terms and conditions on which services are available to City citizens generally.
 - E. No land held in identical ownership has been divided into separate parts. No tract over 20 acres with a valuation of over \$200,000 has been included without written consent. No annexation proceedings concerning this area have been commenced by any other municipality.
 - F. This annexation will not result in any detachment of area from the Montrose School District No. RE-IJ. No part of the area to be annexed extends any more than three miles from the existing City boundaries. The City has in place a plan for that area as required by C.R.S. § 31-12-105.
 - G. The entire width of any streets to be annexed are included within the annexation.
 - H. Access shall be allowed to annexed portions of the street to the owners of unincorporated property adjoining annexed streets on a reasonable basis.
2. No petition for annexation election has been submitted and an election is not required pursuant to C.R.S. § 31-12-107(2).

3. The City Council has determined that additional terms and conditions are to be imposed through an annexation agreement concerning this property.
4. The Petition was signed by the owners of 100% of the property to be annexed exclusive of streets and alleys.
5. Proper notice of this hearing was published and mailed as required by C.R.S. § 31-12-108.
6. An Annexation Impact Report has been produced, and filed with Montrose County.

CONCLUSIONS

1. The area proposed for annexation as the **Leonard Farm Addition** is eligible for annexation pursuant to applicable parts of C.R.S. § 31-12-104.
2. None of the limitations of C.R.S. § 31-12-105 apply to restrict annexation.
3. Said Addition may be annexed by Ordinance pursuant to C.R.S. § 31-12-111, without election.

ADOPTED this 5th day of November, 2024, by the Montrose City Council.

CITY OF MONTROSE, COLORADO

By _____
J. David Reed, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

ORDINANCE NO. 2675

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, FOR THE ANNEXATION OF THE **LEONARD FARM ADDITION**.

WHEREAS, a petition for the annexation of a tract of land known as the **Leonard Farm 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:

The property described in **Exhibit A**, known as the **LEONARD FARM 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 5th day of November, 2024, 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 5th day of November, 2024.

J. David Reed, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

INTRODUCED, READ and ADOPTED on second reading this 19th day November, 2024.

J. David Reed, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

Exhibit A

HISTORIC LEGAL:

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

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

SURVEYED LEGAL:

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

ALSO

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

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 14:
THENCE THE FOLLOWING SEVEN COURSES ALONG THE BOUNDARY AGREEMENT LINE RECORDED AT RECEPTION NO. 691076
1. SOUTH 88°45'13" EAST 24.51 FEET;
2. SOUTH 01°46'15" WEST 1323.26 FEET;
3. SOUTH 02°04'01" WEST 1323.51 FEET;
4. NORTH 86°36'13" WEST 267.43 FEET;
5. SOUTH 35°25'40" WEST 13.45 FEET;
6. NORTH 88°55'39" WEST 401.11 FEET;
7. NORTH 01°28'03" EAST 9.32 FEET;
THENCE LEAVING SAID BOUNDARY AGREEMENT LINE NORTH 88°47'24" WEST 438.93 FEET;
THENCE NORTH 08°14'05" WEST 198.61 FEET;
THENCE NORTH 22°01'02" WEST 396.77 FEET;
THENCE NORTH 04°40'06" WEST 361.15 FEET TO THE WEST LINE OF SAID GOVERNMENT LOT 19;
THENCE ALONG THE WEST LINE NORTH 01°22'39" EAST 399.98 FEET TO THE NW CORNER OF SAID GOVERNMENT LOT 19;
THENCE ALONG THE WEST LINE OF GOVERNMENT LOT 14 NORTH 01°22'39" EAST 1000.56 FEET TO THE SOUTH LINE OF THE R.E. LEONARD MINOR SUBDIVISION;
THENCE ALONG SAID SOUTH LINE SOUTH 88°56'17" EAST 1258.85 FEET;
THENCE ALONG THE EAST LINE OF SAID R.E. LEONARD MINOR SUBDIVISION NORTH 01°34'13" EAST 315.59 FEET;
THENCE ALONG THE NORTH LINE OF SAID GOVERNMENT LOT 14 SOUTH 88°46'48" EAST 84.17 FEET TO THE POINT OF BEGINNING,
COUNTY OF MONTROSE, STATE OF COLORADO

ORDINANCE NO. 2676

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, PROVIDING FOR THE ZONING OF THE **LEONARD FARM ADDITION** AS AN "R-3A," MEDIUM HIGH DENSITY DISTRICT.

WHEREAS, the **Leonard Farm 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 **Leonard Farm Addition**, according to the Official Annexation Map thereof, as an "R-3A," Medium High Density 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 5th day of November, 2024, at the hour of 6:00 p.m. at Montrose City Council Chambers, Elks' Civic Building in Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading this 5th day of November, 2024.

J. David Reed, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

INTRODUCED, READ and ADOPTED on second reading this 19th day of November, 2024.

J. David Reed, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk



CITY OF MONTROSE
Planning Services

MEMO

TO: City Council
FROM: William Reis, Planner II
DATE: November 5, 2024
RE: Seasons Subdivision Filing No. 2 Amended Preliminary Plat
ATTACHMENTS

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

City Council Consideration:

City Council is considering approval of the Seasons Subdivision Filing No. 2 Amended Preliminary Plat. City Council 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 Planning Commission unanimously voted to recommend approval of the Seasons Subdivision Filing No. 2 Preliminary Plat during the October 9, 2024 meeting. 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 Recommendation:

The Planning Commission recommended approval of the Seasons Subdivision Filing No. 2 Amended Preliminary Plat during the October 9, 2024 meeting. It was a unanimous vote. “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



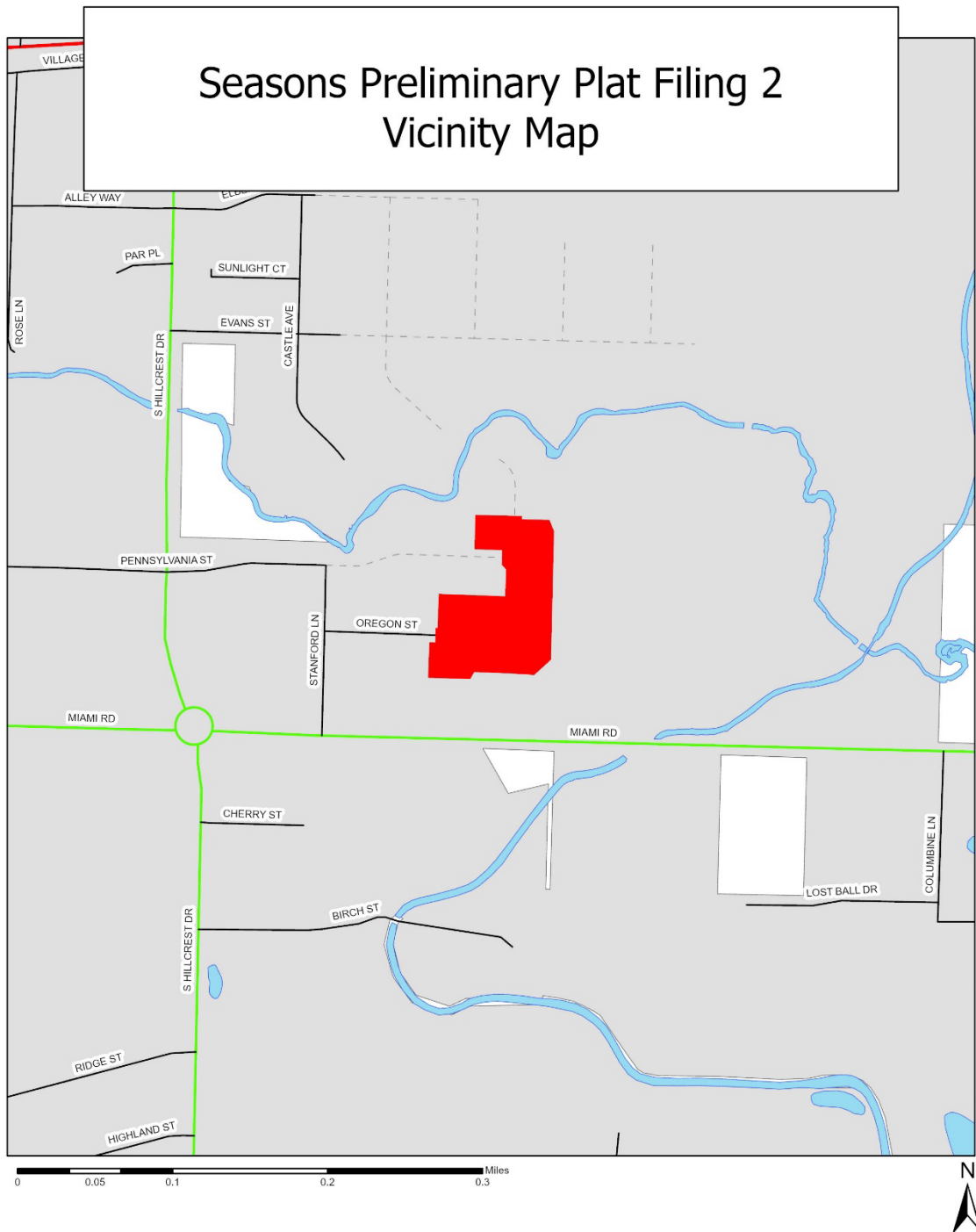
addresses all of staff's concerns prior to the execution of the Final Plat. The City staff is not authorized by this approval to execute the Final Plat prior to all conditions being satisfied."

City Council Options:

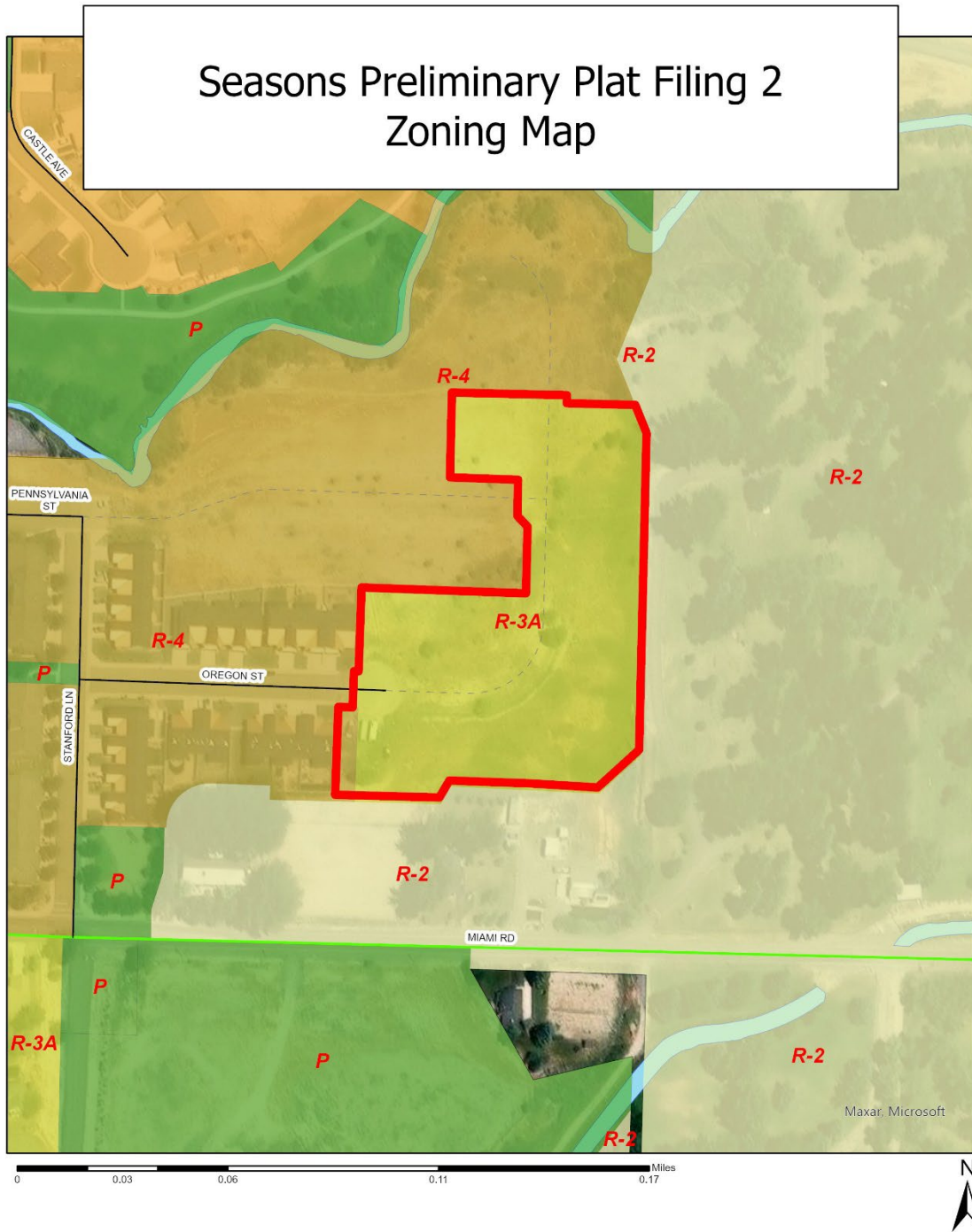
1. Accept the Planning Commission recommendation and approve the Brookside Meadows Subdivision Preliminary Plat with the following condition. "The approval of this Preliminary Plat is expressly conditioned upon City staff ensuring that all policies, regulations, ordinances and municipal code provisions 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."
2. Approve the preliminary plat subject to conditions necessary to implement the provisions of Chapter 11-5 – Subdivision Regulations.
3. Disapprove the plat if Council finds the requirements of these regulations have not been met.



EXHIBIT A: Area Maps
Vicinity Map



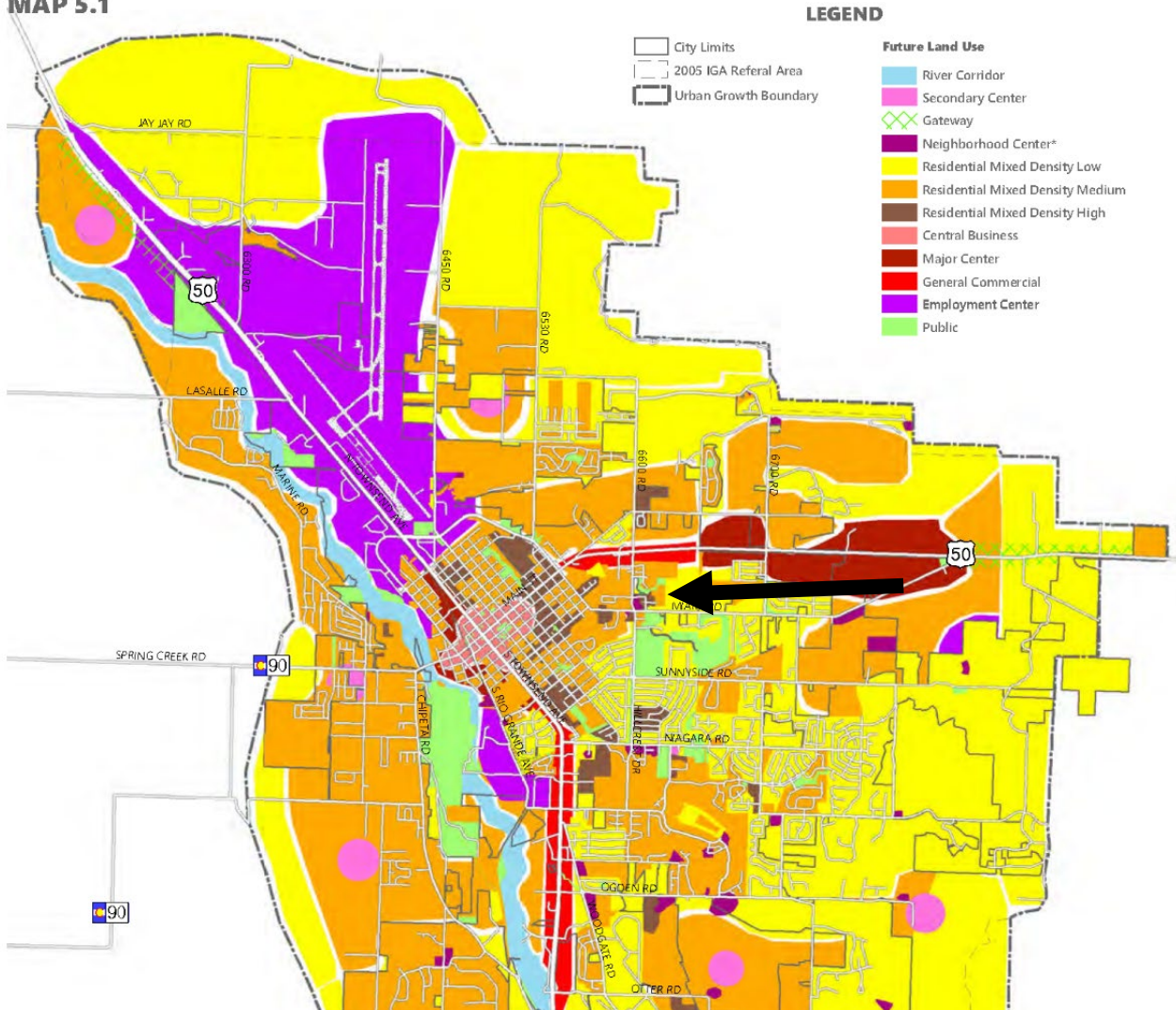
Zoning Map



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.
\\DMS14\PROJECTS\ACTIVE PROJECTS\2024\24059-SEASONS SUB FILING 2\C30\24059V_PLAT-PRE.DWG

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.

DMC DEL-MONT CONSULTANTS, INC. ENGINEERING & SURVEYING 125 Colorado Ave. W. Montrose, CO 81401 (970) 249-2251 www.del-mont.com service@del-mont.com				SEASONS SUBDIVISION FILING NO. 2	
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.

\\DMS14\PROJECTS\ACTIVE PROJECTS\2024\24059-SEASONS SUB FILING 2\C30\24059V_PLAT-PRE.DWG

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)

