



REGULAR CITY COUNCIL MEETING AGENDA
Tuesday, June 3, 2025 - 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 Dave Frank
- 2) The Pledge of Allegiance
- 3) Roll call by the City Clerk
- 4) Changes to the agenda including additions and deletions
- 5) Pride Month Proclamation
- 6) You Make a Difference Award Presentations



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 May 20, 2025, regular City Council meeting. *Staff: City Clerk Lisa DelPiccolo*

Action: Consider making a motion to approve the minutes of the May 20, 2025 regular City Council meeting as presented.

9) FIREWORKS DISPLAY PERMIT APPLICATION (5 minutes)

City Council consideration of an application for a Fireworks Display Permit for the annual Fourth of July Fireworks Display. *Staff: Pavilion and Community Events Manager Kathryn Schroer*

Action: Accept public comment. Consider making a motion to approve a Fireworks Display Permit for the Annual Fourth of July Fireworks Display as presented.

10) RESOLUTION 2025-05 (10 minutes)

City Council consideration of Resolution 2025-05, setting July 15, 2025, as the hearing date for the annexation of the Waterfall Canyon Pond Addition. *Staff: Senior Planner William Reis*

Action: Accept public comment. Consider making a motion to adopt Resolution 2025-05 as presented.

11) RESOLUTION 2025-06 (10 minutes)

City Council consideration of Resolution 2025-06, setting July 15, 2025, as the hearing date for the annexation of the Waterfall Canyon West Addition. *Staff: Senior Planner William Reis*

Action: Accept public comment. Consider making a motion to adopt Resolution 2025-06 as presented.

12) SUGARPINE SUBDIVISION PRELIMINARY PLAT (15 minutes)

City Council considered the Sugarpine Subdivision Preliminary Plat. *Staff: Senior Planner William Reis*

Action: Accept public comment. Consider making a motion to approve the Sugarpine 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.

13) MONTROSE POLICE DEPARTMENT AXON TASER 10 BUNDLE PURCHASE (15 minutes)

City Council consideration of the purchase of 65 Axon Taser 10s and the Taser Certification Bundle for the total purchase price of \$59,147.40. *Staff: Police Chief Blaine Hall*

Action: Accept public comment. Consider making a motion to approve the purchase of 65 Axon Taser 10s and the Taser Certification Bundle for the total purchase price of \$59,147.40 as presented.

14) STAFF REPORTS15) CITY COUNCIL COMMENTS16) MOTION TO ADJOURN



PROCLAMATION

Pride Month - June 2025

WHEREAS, the City of Montrose supports diversity, inclusivity, equality and human rights for all its residents; and

WHEREAS, the LGBTQ+ (Lesbian, Gay, Bisexual, Transgender, and other marginalized gender and sexual identities) community represents a vibrant and integral part of our city's fabric, contributing to its cultural richness and social vitality; and

WHEREAS, Montrose Pride Festival 2025 is an occasion for education, awareness, and advocacy, advancing the cause of LGBTQ+ rights and promoting the values of acceptance, respect, and equality; and

WHEREAS, the LGBTQ+ community continues to advocate for a society where all individuals can live authentically, free from discrimination and prejudice;

NOW, THEREFORE, we, the City Council of the City of Montrose, Colorado, declare June 2025 as

PRIDE MONTH

in the City of Montrose and encourage all Montrose residents to join us in recognition of the Pride Festival's role in fostering unity, understanding, and love among our residents, regardless of their sexual orientation or gender identity.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Montrose, this 3rd day of June, 2025.

Dave Frank, Mayor



MONTROSE CITY COUNCIL

May 20, 2025

A regular meeting of the Montrose City Council was held on Tuesday, May 20, 2025, 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

Dave Frank, Judy Ann Files, Doug Glaspell, J. David Reed, Ed Ulibarri, Ann Morgenthaller, Chris Dowsey, Greg Story, Lisa DelPiccolo, Tim Cox, Shani Wittenberg, LeeAnne Whittaker, Jace Hochwalt, Scott Murphy, William Reis, Greg Stunder, Matt Magliaro, David Bries, Gunnison Clamp

GUESTS

John Brown, Laurie Connell, John Connell, Rick Stayner, Deb Stayner, Gayle Frazzetta, Linda Zeman, Nancy Wolfe, Joe Salett, Donna Swala, Cliff Faurer, Kellie Koedel, Walter Marsh

CALL TO ORDER

Mayor Dave Frank called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

CHANGES TO THE AGENDA

No changes were made to the agenda.

CALL FOR PUBLIC COMMENT

Cliff Faurer, Kellie Koedel, Joe Salett, and Donna Swala, spoke in opposition to the proposed Leonard Farm development citing concerns with the density of the development, the adequacy of existing infrastructure, and traffic impacts.

Walter Marsh spoke regarding a construction issue with his home in the Vista San Juan Subdivision.

Rick Stayner, John Connell, Laurie Connell, and Nancy Wolfe spoke in opposition to proposed Waterfall Canyon annexations citing concerns regarding a large pond on the parcel and potential burdens to the homeowners' association.

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

Dr. Gayle Frazzetta spoke in opposition to a non-sanctuary city declaration and in support of immigrants. Dr. Frazzetta also spoke in opposition to the Leonard Farm development citing concerns about pedestrian access to amenities and traffic impacts to already congested roads.

APPROVAL OF MINUTES

City Council considered the minutes of the May 5, 2025, special City Council Meeting and the May 6, 2025, regular City Council meeting.

A motion was made by Doug Glaspell, seconded by J. David Reed, to approve the minutes of the May 5, 2025, special City Council meeting and the May 6, 2025, regular City Council meeting as presented. All voted yes. Motion passed.

ORDINANCE 2682 – SECOND READING

City Council considered Ordinance 2682 on second reading, an Ordinance of the City of Montrose, Colorado, amending the zoning district designation of Lot 11 of the Richards Subdivision Final Plat Filing No. 5 from "B-3," General Commercial District to "P," Public District.

Senior Planner William Reis reviewed a proposal to rezone 16.2 acres at the west end of Anderson Road from B-3, General Commercial District, to P, Public District. Mr. Reis reviewed rezone criteria and said the site is part of the Public Works Facility Project.

Mr. Reis recommended adoption of Ordinance 2682 stating that the proposal meets rezone criteria, is in compliance with the Comprehensive Plan and is compatible with existing uses in the surrounding area.

Public comment was accepted. No comments were received.

A motion was made by Judy Ann Files, seconded by Doug Glaspell, to adopt Ordinance 2682 on second reading as presented. All voted yes. Motion passed.

BEAR CREEK SUBDIVISION FILING NO. 9A FINAL PLAT

City Council considered the Bear Creek Subdivision Filing No. 9A Final Plat to create 18 residential lots and associated easements and rights of way.

City Councilor J. David Reed recused himself from this agenda item due to a conflict and left the City Council Chambers at 6:41 p.m.

Senior Planner William Reis reviewed the location of the 25.91 acre site adjacent to 6530 Road and Lincoln Road and said the approval of the Final Plat would create 18 residential lots. Mr. Reis stated that the parcel is zoned R-3A, Medium High Density District, and R-5, Low Density/Manufactured Housing District.

Mr. Reis reviewed final plat requirements and said the Bear Creek PD Plan Amendment 3 allows for zero foot setbacks but individual buildings must be at least 10 feet apart.

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 the Bear Creek PD Plan Amendment 3.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by Ed Ulibarri, to approve the Bear Creek Subdivision Filing No. 9A 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.

Mr. Reed rejoined the meeting at 6:45 p.m.

BROWN RANCH SUBDIVISION FILING NO. 9 FINAL PLAT

City Council considered the Brown Ranch Subdivision Filing No. 9 Final Plat to create 24 residential lots and associated easements and rights-of-way.

Senior Planner William Reis reviewed the location of the 378.73 acre site east of 6725 Road and said the proposal creates 24 residential lots and associated rights of way as an extension of Chestnut Drive. Mr. Reis stated that the parcel is zoned R-2, Low Density District, and B-4, Neighborhood Shopping District, with the 24 created lots within the R-2 zoning.

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 the R-2 zoning designation.

Public comment was accepted. No comments were received.

A motion was made by Judy Ann Files, seconded by J. David Reed, to approve the Brown Ranch Subdivision Filing No. 9 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.

RESOLUTION 2025-04

City Council considered Resolution 2025-04, a Resolution of the City Council of the City of Montrose, Colorado, authorizing the Community Development Department to pursue an Energy Impact Assistance Fund Administrative grant from the Department of Local Affairs to fund a technical update to the Envision 2040 Comprehensive Plan and Land Use Code.

Community Development Director Jace Hochwalt reviewed an opportunity to request a small grant through the Colorado Department of Local Affairs Energy and Mineral Impact Assistance Fund. Mr. Hochwalt stated that a DOLA Housing Planning Grant was approved at a recent City Council meeting and the City received approximately \$60,000.00 for development of a housing action plan and completion of Comprehensive Plan updates. Mr. Hochwalt said Resolution 2025-04 authorizes an application to supplement the grant funds received.

Mr. Hochwalt said the City is seeking \$22,500.00 that would be matched by the City for broad, technical updates to the Comprehensive Plan. Mr. Hochwalt said comprehensive plans are typically updated every 5 years, and the upcoming updates are in line with that time frame. The 2025 budget includes \$25,000.00 for updates.

Public comment was accepted.

Cliff Faurer spoke in support of revising the Comprehensive Plan and suggested involving Montrose residents in the process.

A motion was made by J. David Reed, seconded by Doug Glaspell, to adopt Resolution 2025-04 as presented. All voted yes. Motion passed.

PUBLIC WORKS IRRIGATION RELOCATION AND PRELIMINARY SITE FILL CHANGE ORDER NO. 1

City Council considered Change Order No. 1 in the amount of \$1,275,000.00 to Williams Construction's Public Works Irrigation Relocation and Preliminary Site Fill Contract for placement of additional fill.

City Engineer Scott Murphy reported that this contract pertains to the new public works facility at Rio Grande Avenue and E. Oak Grove Road as well as the Rio Grande Extension. Mr. Murphy said the ongoing site fill project brings the site up to grade and relocates a conflicting irrigation ditch. Mr. Murphy stated that the contractor has agreed to honor favorable unit rates for additional volume to bring the project closer to the finished grade while all equipment is on site. The change order also creates a transition to the adjacent BLM property with proper drainage and provides preliminary fill for a future trailhead on the west side of Rio Grande. Mr. Murphy stated that \$100,000.00 is included in the change order to finish work within the original scope.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by Judy Ann Files, to award a change order in the amount of \$1,275,000.00 to Williams Construction's Public Works Irrigation Relocation and Preliminary Site Fill Contract 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 March 2025. Ms. Whittaker reported that total sales and use tax collections were up 7.1 percent as compared to March of 2024 with a positive budget variance of 5.3 percent. Year-to-date collections were up 3.0 percent with a positive budget variance of 1.7 percent.

First Quarter Budget Review

Finance Director Shani Wittenberg reported that a complete budget report is included in the meeting packet. Ms. Wittenberg said that revenues and expenditures for all major funds are within expectations with one quarter of the year completed. Ms. Wittenberg stated the hotel excise tax increase approved in November 2024 has generated \$28,000.00 for childcare, \$54,000.00 for affordable housing, \$8,000.00 for public transit, \$33,000.00 for tourism, and \$41,000.00 for right of way maintenance.

CITY COUNCIL COMMENTS

Mayor Dave Frank reported that five new officers for the Montrose Police Department took the oath of office in a ceremony before the City Council meeting. Mayor Frank also congratulated Larry Witte on his promotion to deputy chief of police.

City Councilor Ed Ulibarri said he is pleased with ongoing infrastructure work throughout the City including sidewalk, curb, gutter, and road repairs and hopes to see more improvements in future years.

ADJOURNMENT

At 7:13 p.m., the meeting adjourned with no further action taken.

ATTEST:

Dave Frank, Mayor

Lisa DelPiccolo, City Clerk



CITY OF MONTROSE **MEMO**

DATE: May 1, 2025
TO: City Council
FROM: Kathryn Schroer, Pavilion and Community Events Manager
RE: Fireworks Display Permit Approval

The City of Montrose is planning a fireworks display on Friday, July 4, 2025 as part of the holiday activities. The Municipal Code requires approval from the City Council before a fireworks display permit is issued. The Montrose Fire Protection District requires a separate permit that has also been approved.





Fireworks Display Permit Application

Organization: _____

Event Contact Person: _____

Address: _____

Phone Number: _____

Area where fireworks are to be displayed:

Date and time of display: _____

Kathryn Schroer

Signature of Applicant

Date

Permission of Property Owner: _____

Proof of General Liability Insurance received: _____

Approval of the Chief of the Montrose Fire District: _____

Approval of the Montrose City Council: _____

\$50.00 Fee Collected: _____

City Clerk

Date



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
5/2/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Acrisure Great Lakes Partners Insurance Services 223 West Grand River Ave #1 Howell MI 48843	CONTACT NAME:	
	PHONE (A/C, No, Ext): 216-658-7100 FAX (A/C, No): 216-658-7101 E-MAIL ADDRESS: info@brittongallagher.com	
INSURED Zambelli Fireworks Mfg. Co. 280 Executive Dr. Ste 200 Cranberry Township PA 16066	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: Everest Denali Insurance Company	16044
	INSURER B: Axis Surplus Lines Insurance Co.	26620
	INSURER C: Everest Indemnity Insurance Company	10851
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** 1712551955 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
C	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☒ PROJECT ☐ LOC OTHER:			GCI0010151-251	2/1/2025	2/1/2026	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
A	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY			GCD0010065-251	2/1/2025	2/1/2026	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	☐ UMBRELLA LIAB ☒ OCCUR ☒ EXCESS LIAB ☐ CLAIMS-MADE DED RETENTION \$			P-001-000791202-04	2/1/2025	2/1/2026	EACH OCCURRENCE \$4,000,000 AGGREGATE \$4,000,000 \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
C	Excess Liability #2			GCI0010152-251	2/1/2025	2/1/2026	Each Occ/Aggregate \$5,000,000 Total Combined Excess \$9,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Additional Insured extension of coverage is provided by above referenced General Liability policy where required by written agreement.
Date of Display: July 4, 2025 Rain Date: July 5, 2025
Location: Sunset Mesa - 6450 Ct, Montrose, CO
Additional Insureds: City and County of Montrose; State of Colorado - ATIMA.

CERTIFICATE HOLDER **CANCELLATION**

City of Montrose 400 E Main Street Montrose CO 81401	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE

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DATE (MM/DD/YYYY)
5/2/2025

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IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Graham Company, a Marsh & McLennan Agency, LLC company 30 S 15th Street, 20th Floor Philadelphia PA 19102	CONTACT NAME: Liv Tumolo	
	PHONE (A/C, No. Ext):	FAX (A/C, No):
INSURED Zambelli Fireworks Manufacturing Co. 280 Executive Drive Suite 100 Cranberry Township PA 16066	E-MAIL ADDRESS: liv.tumolo@marshmma.com	
	INSURER(S) AFFORDING COVERAGE	
	NAIC #	
	INSURER A : PinnaclePoint Insurance Company	
	15137	
	INSURER B : Argonaut Insurance Company	
	19801	
INSURER C :		
INSURER D :		
INSURER E :		
INSURER F :		

COVERAGES **CERTIFICATE NUMBER: 1351004670** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	COMMERCIAL GENERAL LIABILITY						
	☐ CLAIMS-MADE ☐ OCCUR						EACH OCCURRENCE \$
							DAMAGE TO RENTED PREMISES (Ea occurrence) \$
							MED EXP (Any one person) \$
	GEN'L AGGREGATE LIMIT APPLIES PER:						PERSONAL & ADV INJURY \$
	☐ POLICY ☐ PRO-JECT ☐ LOC						GENERAL AGGREGATE \$
	OTHER:						PRODUCTS - COMP/OP AGG \$
							\$
	AUTOMOBILE LIABILITY						
	☐ ANY AUTO						COMBINED SINGLE LIMIT (Ea accident) \$
	☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS						BODILY INJURY (Per person) \$
	☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY						BODILY INJURY (Per accident) \$
	UMBRELLA LIAB						PROPERTY DAMAGE (Per accident) \$
	☐ OCCUR						\$
	EXCESS LIAB						EACH OCCURRENCE \$
	☐ CLAIMS-MADE						AGGREGATE \$
	DED						\$
	RETENTION \$						\$
							\$
							\$
A B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)						X PER STATUTE
	If yes, describe under DESCRIPTION OF OPERATIONS below						OTH-ER
							E.L. EACH ACCIDENT \$ 1,000,000
							E.L. DISEASE - EA EMPLOYEE \$ 1,000,000
							E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Project# Reference: C# 521069
Display Date: July 4, 2025 Rain Date: July 5, 2025

CERTIFICATE HOLDER

City of Montrose 400 E Main Street Montrose CO 81401	CANCELLATION
	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

[Signature]

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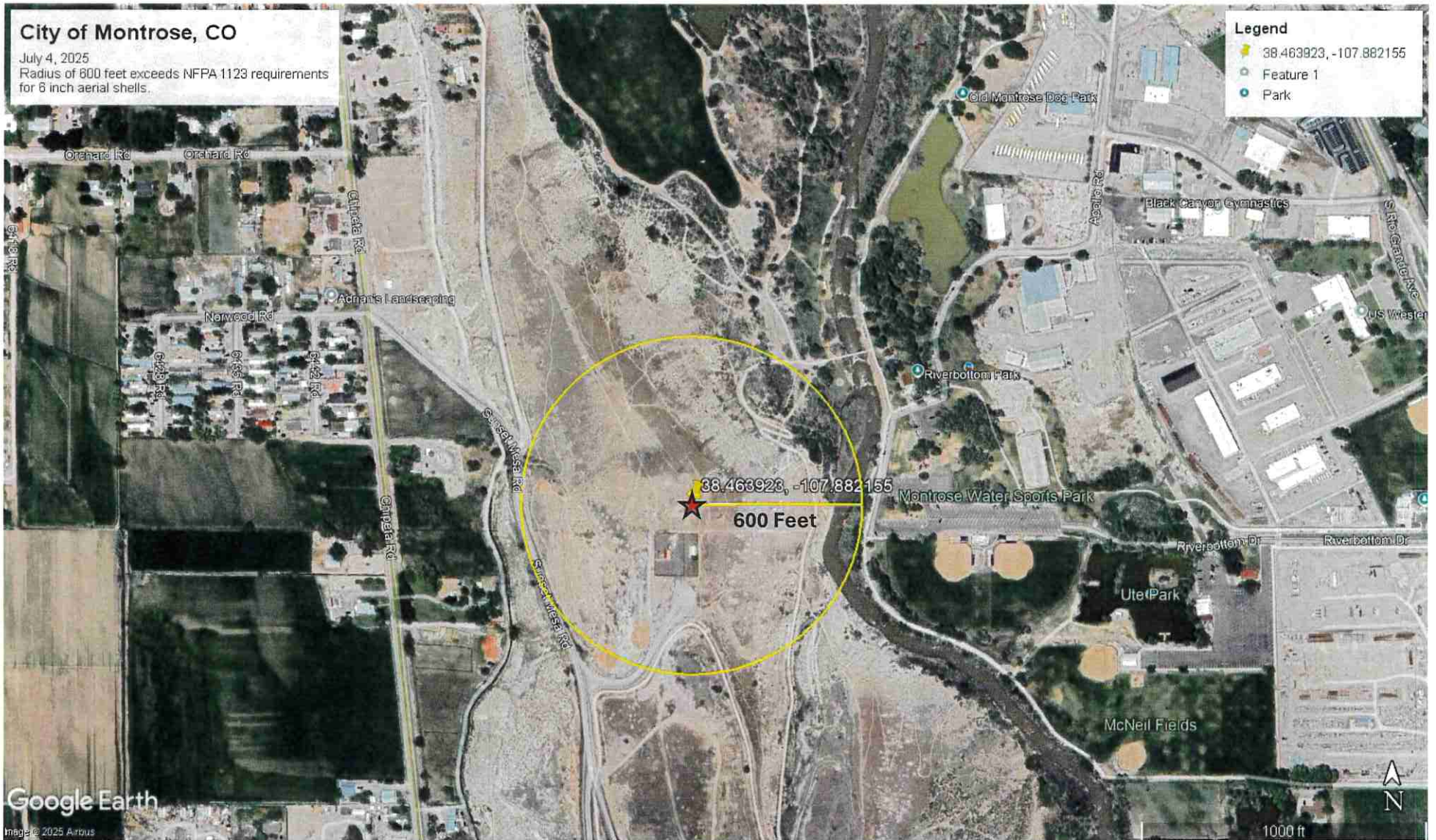
Work Order Shell Summary

Page 1 of 1

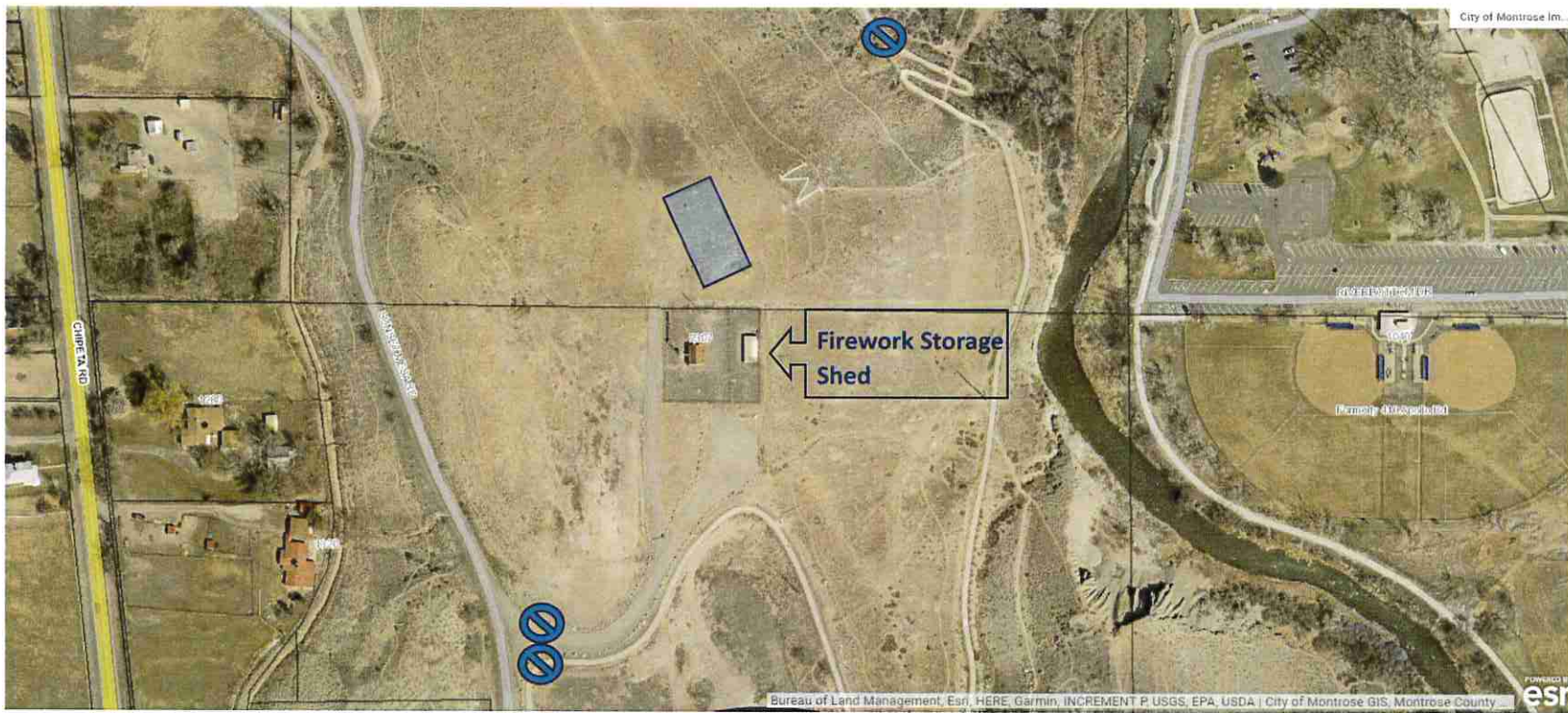
Show No: 521069
City of Montrose
Show Date: 7/4/2025

Montrose, CO

<u>Shell Class</u>	<u>Description</u>	<u>Quantity</u>
3 Inch Finale	3 inch Finale Assorted	300
3 Inch Finale Sal	3 inch Finale Salutes	40
4 Inch Finale	4 inch Finale Assorted	90
4 Inch Flight	4 inch Flights	180
5 Inch Finale	5 inch Finale Prepacked	30
5 Inch PP	5 inch Singles Prepacked	180
6 Inch Finale	6 inch Finale Assorted	16
6 Inch PP	6 inch Singles Prepacked	63
Cake 100	Cake 100 Shot	10
Cake 400	Cake 400 Shot	6
Squibs	Squibs	420



24-009 Fireworks Display Launch Site



Launch Site 38°27'50.1"N 107°52'55.8"W (38.463923, -107.882155)



Road/Trail Closed

Zambelli

FIREWORKS

Technician Resume

Daniel Morganelli
1947 S Franklin Street
Denver, CO 80210

Cell Phone: (928) 830-7934

Years of Experience: 5

Display References:

Steamboat Ski and Resort
Ute Mountain Casino
Colorado Rapids
Colorado Rockies
City of Aurora

STATE OF COLORADO
Division of Fire Prevention and Control



233936665

Be It Known That

Daniel Morganelli

Has Successfully Completed All Requirements
to Become Certified

Fireworks Display Operator

Issued On

March 27, 2023

Expiring On

March 27, 2026

In Accordance With
NFPA 1123, 2018 Edition

Mike Morgan, Director
In Cooperation With
Colorado Fire Service
Training and Certification
Advisory Board

Montrose Fire Protection District

441 S. Uncompahgre Ave.
Montrose, CO 81401
(970)249-9181

☒ APPROVED ☐ REVISE ☐ REJECTED

BY Mark A. Bray DATE 5/9/2025

Fire Inspector III-Plans Examiner 146300362 Permit# 25-15

- MFPD will secure the entrance to the site at 13:00 the day of the event.
- A site inspection will be conducted at 13:00 and again before launch.
- All pedestrian traffic will be shutdown at 20:30
- No smoking signs, fire extinguisher(s) etc will be checked.
- If show is canceled due to weather, or other issues, then the permit will be renewed for the date of the make-up.



COLORADO
Department of Transportation



Annual HazMat Permit # 24HM0173411

Valid From: 06/01/2024 To: 05/31/2025

Issued to:

ZAMBELLI FIREWORKS MANUFACTURING CO
120 MARSHALL DRIVE
WARRENDALE, PA 15086

Permit Fee: **\$29.00** (Credit Card)

Sent By: Email - **sandy@zambellifireworks.com**

Ordered By: **Sandra Mcstay**

USDOT #: **33167**

Fed. HM Registration #: **071122550078EG**

Carrier Type: **Private, Intrastate, Interstate**

Number of Vehicles Transporting Hazardous Materials in CO: **6-10**

Weight: **Vehicle Combination 10,001 lbs. or more**

Commodity Being Transported: **Class 1.1, Class 1.3, Class 1.4**

Proof of Financial Responsibility: **Form MCS-90**

Financial Responsibility Verification:

Pursuant to 42-20-202, C.R.S., as amended, applicant swears under penalty of perjury that applicant has the minimum liability insurance required by the U.S. Department of Transportation pursuant to 49 C.F.R., Part 387

In compliance with the provisions section 42-20-202(b), C.R.S., the department does grant authority to transport hazardous materials subject to the limitations and provisions mentioned below.

1. This permit must be carried in the transporting motor vehicle.
2. The above named carrier has paid the required amount and is authorized to make copies for the number of vehicles listed herein on the permit.

Full compliance with the laws of the State of Colorado and with the Rules and Regulations of the Department of Public Safety is required under this permit.

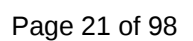
THE UNDERSIGNED HAS READ THIS DOCUMENT AND HAS PERSONAL KNOWLEDGE THAT THE FACTS IN IT ARE TRUE, AND AGREES TO COMPLY WITH THE RULES AND REGULATIONS PROMULGATED PURSUANT TO SECTION 42-20-108, C.R.S., AS AMENDED.

Driver Signature: _____

Date: _____

For current commercial vehicle restrictions and maps please visit our Freight and Trucking webpage at <https://sites.google.com/state.co.us/cotriporgfreight>.

Routes Designated By:
Department of Public Safety
Division of State Patrol - Hazardous Materials Section



Colorado Springs / El Paso County



Pueblo / Pueblo County



Craig / Moffat County



Rifle / Garfield County



Sterling / Logan County



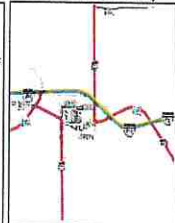
La Junta / Otero County



Brush / Morgan County



Limon / Lincoln County



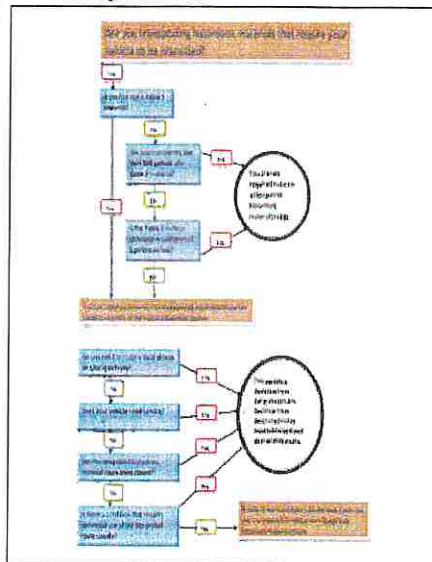
Lamar / Prowers County



Walsenburg / Huerfano County



Routing Decision Chart



**Colorado State Patrol
Communications Centers
24 Hours Emergency Availability**

Alamosa (719) 433-6527
Craig (970) 434-6527
Denver (303) 239-4327
Durango (970) 244-4327
Pueblo (719) 433-6527

**Colorado State Patrol
Hazardous Materials Unit**

303-273-1000
https://www.coloradospatrol.com/hazmat-unit

Nuclear Materials Routing Exceptions

Nuclear materials are defined as a highly radioactive quantity of fissile material, as defined in 42-20-402, C.R.S. When transporting a nuclear reactor, carriers are required to comply with the following routing exceptions:

- Carriers are not to deviate from designated nuclear materials routes except under extreme circumstances.
- Carriers may deviate from designated routes in order to make local pick-ups or deliveries.
- Carriers may deviate from designated routes when the continuation of the route is unsafe.
- Carriers may deviate from designated routes in order to report.
- Carriers may deviate from designated routes when the route is closed due to road construction, road closures or other circumstances.

When an alternate route is required or when the designated nuclear materials route is closed due to road construction, road closures or other circumstances, the Colorado State Patrol (CSP) may designate an alternate route. The CSP requires regular maintenance on alternate routes and the designated route. Carriers must contact the nearest CSP communications center for directions prior to deviating from a designated route.

There are exceptions to the definition of nuclear materials. These exceptions remove the materials specified from the routing requirements discussed earlier. Nuclear materials, as defined in 42-20-402, C.R.S. are not included.

- Nuclear materials used for research or medical purposes within Colorado. A highly radioactive solid or liquid quantity, produced or transported, used to produce medical diagnosis and equipment is not considered as being "used for medical purposes" and is therefore exempt from the nuclear materials routing rules.
- Radioactive materials transported as part of a medical diagnosis, testing, or similar procedure of care, and not for research or medical purposes.
- Radioactive materials placed in national security facilities under the direct control of the Department of Defense, including the direct control of the Department of Energy, when in storage or being transported.

Private carriers transporting nuclear materials shall be carried with the rules and regulations attached by the Colorado State Patrol and published under 3 CCR 1507-01. Additionally, the carrier is required to comply with the provisions of 42 C.R.S. 402-403.

Hazardous Materials Routing

In a general rule, vehicles carrying an amount of hazardous materials that require placards, must travel on designated hazardous materials routes. There are some exceptions to this rule.

- You may leave an authorized route for local pickup or delivery of hazardous materials.
- You may leave an authorized route due to emergency that would make continuing on the route unsafe.
- You may leave an authorized route when it is closed pursuant to 42-20-402, C.R.S.

A carrier transporting hazardous materials may make discrete local pickups and deliveries without departing from the route between deliveries, when departing from the route is unnecessary.

Agricultural products other than Class 2 materials as defined in 42 C.R.S. over local roads between farms of the same farm, are exempt from the routing requirements when transported by a carrier who is an individual private motor carrier and the movement of the agricultural product is in compliance with 42 C.R.S. 17A-2 and 42-20-105.4, C.R.S.

Some motor vehicles that are carrying hazardous materials, even amounts that may require placards, are not subject to the routing requirements. Various carrying materials are defined in Table 2 of 42 C.R.S. 172.001 in the following circumstances:

- Carriers of less than 550 gallons of Class 2 hazardous materials.
- Table 2 hazardous materials in containers of full gallons or less.
- Table 3 hazardous materials when they are packaged as consumer commodities as defined in 42 C.R.S.

Additionally, motor vehicles that are carrying over the products from mining, milling, smelting, other similar processing of ore, and the waste and tailings from such processing or similar activities as defined in 42 C.R.S. 172.001, when the aggregate amount of such products does not exceed fifty pounds, are exempt from the routing requirements of routing.

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE OF DOCUMENT FILED

I, Jena Griswold, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office, the attached document is a true and complete copy of the

Statement of Foreign Entity Authority

with Document # 20171376358 of
Zambelli Fireworks Manufacturing Co

Pennsylvania Foreign Limited Liability Company

(Entity ID # 20171376358)

consisting of 3 pages.

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 06/20/2024 that have been posted, and by documents delivered to this office electronically through 06/24/2024 @ 05:50:03.

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 06/24/2024 @ 05:50:03 in accordance with applicable law. This certificate is assigned Confirmation Number 16147743



Jena Griswold

Secretary of State of the State of Colorado

*****End of Certificate*****

Notice: A certificate issued electronically from the Colorado Secretary of State's website is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's website, <https://www.coloradosos.gov/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our website, <https://www.coloradosos.gov> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."

Safety Data Sheet

acc. to OSHA HCS (29 CFR 1910.1200)

Printing date: 01/06/2017

Revision: 01/06/2017

1 Identification

· **Product identifier** Fireworks, Division 1.3 Explosive

· **Trade name:**
Fireworks, Display

· **Product code:**
Fireworks, 1.3G UN0335

· **Recommended use and restriction on use**

· **Recommended use:** Explosive product for professional use for entertainment and technical purposes

· **Restrictions on use:** Contact manufacturer/supplier

· **Details of the supplier of the Safety Data Sheet**

· **Manufacturer/Supplier:**

Zambelli Fireworks Mfg.
20 South Mercer Street
New Castle, PA 16101

Phone: 724-658-6611
Fax: 724-658-8318

· **Emergency telephone number:**
ChemTel Inc.
(800)255-3924, +1 (813)248-0585

2 Hazard(s) identification

· **Classification of the substance or mixture**

Expl. 1.3 H203 Explosive; fire, blast or projection hazard.

· **Label elements**

· **GHS label elements**

The product is classified and labeled according to the Globally Harmonized System (GHS).

· **Hazard pictograms:**



GHS01

· **Signal word:** Danger

· **Hazard statements:**

H203 Explosive; fire, blast or projection hazard.

· **Precautionary statements:**

P210 Keep away from heat/sparks/open flames/hot surfaces. No smoking.

P250 Do not subject to grinding/shock/friction.

P280 Wear protective gloves/protective clothing/eye protection/face protection.

P373 DO NOT fight fire when fire reaches explosives.

P370+P380 In case of fire: Evacuate area.

P372 Explosion risk in case of fire.

(Cont'd. on page 2)

Safety Data Sheet

acc. to OSHA HCS (29 CFR 1910.1200)

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Revision: 01/06/2017

Trade name: Fireworks, Display

(Cont'd. of page 1)

P401 Store in accordance with local/regional/national/international regulations.

P501 Dispose of contents/container in accordance with local/regional/national/international regulations.

· **Other hazards** There are no other hazards not otherwise classified that have been identified.

· **Explosive Product Notice**

PREVENTION OF ACCIDENTS IN THE USE OF EXPLOSIVES - The prevention of accidents in the use of explosives is a result of careful planning and observance of the best known practices. The explosives user must remember that he is dealing with a powerful force and that various devices and methods have been developed to assist him in directing this force. He should realize that this force, if misdirected, may either kill or injure both him and his fellow workers.

WARNING - All explosives are dangerous and must be carefully handled and used following approved safety procedures either by or under the direction of competent, experienced persons in accordance with all applicable federal, state, and local laws, regulations, or ordinances. If you have any questions or doubts as to how to use any explosive product, DO NOT USE IT before consulting with your supervisor, or the manufacturer, if you do not have a supervisor. If your supervisor has any questions or doubts, he should consult the manufacturer before use.

3 Composition/information on ingredients

· **Chemical characterization:** Mixtures

· **Components:**

Components for product possessing only physical hazards do not require reporting. These components are considered proprietary.

4 First-aid measures

· **Description of first aid measures**

· **General information:**

Information is only applicable to product contents, and not to product as normally supplied. This information is applicable to damaged, leaking, or spilled product as contact with contents is possible under these conditions.

· **After inhalation:** Supply fresh air; consult doctor in case of complaints.

· **After skin contact:**

Wash with soap and water.

In case of minor burns, flush with cool water.

If skin irritation is experienced, consult a doctor.

· **After eye contact:**

Remove contact lenses if worn.

Rinse opened eye for several minutes under running water. If symptoms persist, consult a doctor.

· **After swallowing:**

Unlikely route of exposure.

Do not induce vomiting; immediately call for medical help.

(Cont'd. on page 3)

Safety Data Sheet

acc. to OSHA HCS (29 CFR 1910.1200)

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(Cont'd. of page 2)

- **Most important symptoms and effects, both acute and delayed:**
Blast injury if mishandled.
Thermal burns, if mishandled.
- **Danger:** Danger of blast or crush-type injuries.
- **Indication of any immediate medical attention and special treatment needed:**
Product may produce physical injury if mishandled. Treatment of these injuries should be based on the clinical presentation.

5 Fire-fighting measures

- **Extinguishing media**
- **Suitable extinguishing agents:**
DO NOT fight fire when fire reaches explosives.
Flood area with water. If no water is available, carbon dioxide, dry chemical or earth may be used. If the fire reaches the cargo, withdraw and let fire burn.
- **For safety reasons unsuitable extinguishing agents:** None.
- **Special hazards arising from the substance or mixture**
Explosive; fire, blast or projection hazard.
During heating or in case of fire poisonous gases are produced.
- **Advice for firefighters**
- **Protective equipment:**
Wear self-contained respiratory protective device.
Wear fully protective suit.
- **Additional information:**
Eliminate all ignition sources if safe to do so.
In case of fire: Evacuate area. Fight fire remotely due to the risk of explosion.
Cool endangered receptacles with water spray.
Flammability Classification: (defined by 29 CFR 1910.1200) Explosive. Can explode under fire conditions. Individual devices will randomly explode. Mass explosion of multiple devices is possible under certain conditions. Burning material may produce toxic and irritating vapors. In unusual cases, shrapnel may be thrown from exploding devices under containment. See 2012 Emergency response Guidebook for further information.

6 Accidental release measures

- **Personal precautions, protective equipment and emergency procedures**
Wear protective equipment. Keep unprotected persons away.
Remove persons from danger area.
Ensure adequate ventilation.
Isolate area and prevent access.
- **Environmental precautions**
Do not allow undiluted product or large quantities of it to reach ground water, water course or sewage system.
- **Methods and material for containment and cleaning up**
Pick up mechanically.

(Cont'd. on page 4)

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Trade name: Fireworks, Display

(Cont'd. of page 3)

Send for recovery or disposal in suitable receptacles.

• **Reference to other sections**

See Section 7 for information on safe handling.

See Section 8 for information on personal protection equipment.

See Section 13 for disposal information.

7 Handling and storage

• **Handling**

• **Precautions for safe handling:**

Handle with care. Avoid jolting, friction and impact.

Restrict the quantity stored at the work place.

Keep out of reach of children.

• **Information about protection against explosions and fires:**

In case of fire: Evacuate area.

Explosion risk in case of fire.

Keep away from sparks and open flames. - No smoking.

Emergency cooling must be available in case of nearby fire.

• **Conditions for safe storage, including any incompatibilities**

• **Storage**

• **Requirements to be met by storerooms and receptacles:**

Avoid storage near extreme heat, ignition sources or open flame.

• **Information about storage in one common storage facility:**

Store in accordance with local/regional/national/international regulations.

Store away from foodstuffs.

Store away from flammable substances.

• **Further information about storage conditions:**

Store in cool, dry conditions in well sealed receptacles.

Store locked up.

• **Specific end use(s)** No relevant information available.

8 Exposure controls/personal protection

• **Control parameters**

• **Components with limit values that require monitoring at the workplace:**

The product does not contain any relevant quantities of materials with critical values that have to be monitored at the workplace.

• **Exposure controls**

• **Personal protective equipment:**

• **General protective and hygienic measures:**

The usual precautionary measures for handling chemicals should be followed.

Keep away from foodstuffs, beverages and feed.

Wash hands before breaks and at the end of work.

• **Engineering controls:** Provide adequate ventilation.

(Cont'd. on page 5)

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Trade name: Fireworks, Display

(Cont'd. of page 4)

- **Breathing equipment:** Not required under normal conditions of use.
- **Protection of hands:** When needed, wear gloves for protection against mechanical hazards.
- **Eye protection:**



Safety glasses

Follow relevant national guidelines concerning the use of protective eyewear.

- **Body protection:** When needed, wear protective clothing for protection against mechanical hazards.
- **Limitation and supervision of exposure into the environment**
No relevant information available.
- **Risk management measures**
Organizational measures should be in place for all activities involving this product.

9 Physical and chemical properties

· Information on basic physical and chemical properties

- | | |
|---|--|
| · Appearance: | |
| Form: | Outer shell containing powder, granular, or solid materials. |
| Color: | According to product specification |
| · Odor: | Odorless |
| · Odor threshold: | Not determined. |
| · pH-value: | Not applicable. |
| · Melting point/Melting range: | Not determined. |
| · Boiling point/Boiling range: | Not determined. |
| · Flash point: | Not applicable. |
| · Flammability (solid, gaseous): | Fire or projection hazard. |
| · Auto-ignition temperature: | Not determined. |
| · Decomposition temperature: | Not determined. |
| · Danger of explosion: | Heating may cause an explosion. |
| · Explosion limits | |
| Lower: | Not determined. |
| Upper: | Not determined. |
| · Vapor pressure: | Not applicable. |
| · Density: | Not determined. |
| · Relative density: | Not determined. |
| · Vapor density: | Not applicable. |
| · Evaporation rate: | Not applicable. |

(Cont'd. on page 6)

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(Cont'd. of page 5)

- | | |
|---|------------------------------------|
| · Solubility in / Miscibility with Water: | Insoluble. |
| · Partition coefficient (n-octanol/water): | Not determined. |
| · Viscosity | |
| Dynamic: | Not applicable. |
| Kinematic: | Not applicable. |
| · Other information | No relevant information available. |

10 Stability and reactivity

- **Reactivity:** No relevant information available.
- **Chemical stability:**
- **Thermal decomposition / conditions to be avoided:** Risk of explosion if heated under confinement.
- **Possibility of hazardous reactions**
Explosive; fire, blast or projection hazard.
Toxic fumes may be released if heated above the decomposition point.
Reacts with strong acids and alkali.
- **Conditions to avoid**
Excessive heat.
Sources of ignition: sparks, open flame, incompatible materials
- **Incompatible materials** Oxidizers, strong bases, strong acids
- **Hazardous decomposition products**
Carbon monoxide and carbon dioxide
Nitrogen oxides
Sulfur oxides (SO_x)

11 Toxicological information

- **Information on toxicological effects**
- **Acute toxicity:**
- **LD/LC50 values that are relevant for classification:** None.
- **Primary irritant effect:**
- **On the skin:**
Not a skin irritant in unused form. Vapors/particles from used product are possibly irritating to skin.
- **On the eye:**
Not an eye irritant in unused form. Vapors/particles from used product are possibly irritating to eyes.
- **Sensitization:** Based on available data, the classification criteria are not met.
- **Carcinogenic categories**
- **IARC (International Agency for Research on Cancer):**
None of the ingredients are listed.

(Cont'd. on page 7)

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(Cont'd. of page 6)

• NTP (National Toxicology Program):

None of the ingredients are listed.

• OSHA-Ca (Occupational Safety & Health Administration):

None of the ingredients are listed.

• Probable route(s) of exposure:

Skin contact.

Eye contact.

Inhalation.

• Acute effects (acute toxicity, irritation and corrosivity):

Danger of blast or crush-type injuries.

Risk of thermal burns.

• Repeated dose toxicity: From product as supplied: None.

• CMR effects (carcinogenicity, mutagenicity and toxicity for reproduction)
• Germ cell mutagenicity: Based on available data, the classification criteria are not met.

• Carcinogenicity: Based on available data, the classification criteria are not met.

• Reproductive toxicity: Based on available data, the classification criteria are not met.

• STOT-single exposure: Based on available data, the classification criteria are not met.

• STOT-repeated exposure: Based on available data, the classification criteria are not met.

• Aspiration hazard: Based on available data, the classification criteria are not met.

12 Ecological information

• Toxicity
• Aquatic toxicity No relevant information available.

• Persistence and degradability No relevant information available.

• Bioaccumulative potential: May be accumulated in organism

• Mobility in soil: No relevant information available.

• Other adverse effects No relevant information available.

13 Disposal considerations

• Waste treatment methods
• Recommendation:

Must not be disposed of together with household garbage. Do not allow product to reach sewage system. Incinerate in accordance with local, state and federal regulations.

The user of this material has the responsibility to dispose of unused material, residues and containers in compliance with all relevant local, state and federal laws and regulations regarding treatment, storage and disposal for hazardous and nonhazardous wastes. Residual materials should be treated as hazardous.

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(Cont'd. of page 7)

- **Uncleaned packagings**
- **Recommendation:** Disposal must be made according to official regulations.

14 Transport information

· UN-Number	UN0335
· DOT, ADR, IMDG	FORBIDDEN
· IATA	

· UN proper shipping name	Fireworks
· DOT, ADR, IMDG	FORBIDDEN
· IATA	

· Transport hazard class(es)

· DOT



· Class	1.3
· Label	1.3G

· ADR



· Class	1.3
· Label	1.3G

· IMDG



· Class	1.1
· Label	1.3G

· IATA

· Class	FORBIDDEN
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· Packing group

· DOT	II
-------	----

· Environmental hazards

· Marine pollutant:	No
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· Special precautions for user	Not applicable.
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Trade name: Fireworks, Display

(Cont'd. of page 8)

EMS Number: F-S,B-X

Transport in bulk according to Annex II of MARPOL73/78 and the IBC Code Not applicable.

15 Regulatory information

Safety, health and environmental regulations/legislation specific for the substance or mixture
United States (USA)
SARA
Section 302 (extremely hazardous substances):

None of the ingredients are listed.

Section 304 (emergency release notification):

None of the ingredients are listed.

Section 355 (extremely hazardous substances):

None of the ingredients are listed.

Section 313 (Specific toxic chemical listings):

Contact manufacturer.

TSCA (Toxic Substances Control Act)

All ingredients are listed.

Proposition 65 (California)
Chemicals known to cause cancer:

Contact manufacturer.

Chemicals known to cause reproductive toxicity for females:

Contact manufacturer.

Chemicals known to cause reproductive toxicity for males:

Contact manufacturer.

Chemicals known to cause developmental toxicity:

Contact manufacturer.

Carcinogenic categories
EPA (Environmental Protection Agency):

None of the ingredients are listed.

IARC (International Agency for Research on Cancer):

Contact manufacturer.

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Trade name: Fireworks, Display

(Cont'd. of page 9)

NIOSH-Ca (National Institute for Occupational Safety and Health):

Contact manufacturer.

16 Other information

This information is based on our present knowledge. However, this shall not constitute a guarantee for any specific product features and shall not establish a legally valid contractual relationship.

• **Date of preparation / last revision** 01/06/2017 / -

• **Abbreviations and acronyms:**

ADR: European Agreement concerning the International Carriage of Dangerous Goods by Road
 IMDG: International Maritime Code for Dangerous Goods
 DOT: US Department of Transportation
 IATA: International Air Transport Association
 CAS: Chemical Abstracts Service (division of the American Chemical Society)
 LC50: Lethal concentration, 50 percent
 LD50: Lethal dose, 50 percent
 NIOSH: National Institute for Occupational Safety
 OSHA: Occupational Safety & Health
 TLV: Threshold Limit Value
 PEL: Permissible Exposure Limit
 REL: Recommended Exposure Limit
 LDLo: Lowest Lethal Dose Observed
 Expl. 1.3: Explosives – Division 1.3

• **Sources**

Website, European Chemicals Agency (echa.europa.eu)
 Website, US EPA Substance Registry Services (ofmpub.epa.gov/sorinternet/registry/substreg/home/overview/home.do)
 Website, Chemical Abstracts Registry, American Chemical Society (www.cas.org)
 Patty's Industrial Hygiene, 6th ed., Rose, Vernon, ed. ISBN: 978-0-470-07488-6
 Casarett and Doull's Toxicology: The Basic Science of Poisons, 8th Ed., Klaasen, Curtis D., ed., ISBN: 978-0-07-176923-5.
 Safety Data Sheets; Individual Manufacturers

SDS Prepared by:

ChemTel Inc.

1305 North Florida Avenue

Tampa, Florida USA 33602-2902

Toll Free North America 1-888-255-3924 Intl. +01 813-248-0573

Website: www.chemtelinc.com

UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION



**HAZARDOUS MATERIALS
CERTIFICATE OF REGISTRATION
FOR REGISTRATION YEAR(S) 2022-2025**

Registrant: ZAMBELLI FIREWORKS MANUFACTURING

ATTN: Jennifer Seme
120 MARSHALL DRIVE
WARRENDALE, PA 15086

This certifies that the registrant is registered with the U.S. Department of Transportation as required by 49 CFR Part 107, Subpart G.

This certificate is issued under the authority of 49 U.S.C. 5108. It is unlawful to alter or falsify this document.

Reg. No: 071122550078EG **Effective:** July 1, 2022 **Expires:** June 30, 2025

HM Company ID: 832

Record Keeping Requirements for the Registration Program

The following must be maintained at the principal place of business for a period of three years from the date of issuance of this Certificate of Registration:

- (1) A copy of the registration statement filed with PHMSA; and
- (2) This Certificate of Registration

Each person subject to the registration requirement must furnish that person's Certificate of Registration (or a copy) and all other records and information pertaining to the information contained in the registration statement to an authorized representative or special agent of the U. S. Department of Transportation upon request.

Each motor carrier (private or for-hire) and each vessel operator subject to the registration requirement must keep a copy of the current Certificate of Registration or another document bearing the registration number identified as the "U.S. DOT Hazmat Reg. No." in each truck and truck tractor or vessel (trailers and semi-trailers not included) used to transport hazardous materials subject to the registration requirement. The Certificate of Registration or document bearing the registration number must be made available, upon request, to enforcement personnel.

For information, contact the Hazardous Materials Registration Manager, PHH-52, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, 1200 New Jersey Avenue, SE, Washington, DC 20590, telephone (202) 366-4109.

Federal Explosives License/Permit
(18 U.S.C. Chapter 40)

ATF FORM 5400.14/5400.15 PART 1
REVISED SEPTEMBER 2011

In accordance with the provisions of Title XI, Organized Crime Control Act of 1970, and the regulations issued thereunder (27 CFR Part 555), you may engage in the activity specified in this license or permit within the limitations of Chapter 40, Title 18, United States Code and the regulations issued thereunder, until the expiration date shown. **THIS LICENSE IS NOT TRANSFERABLE UNDER 27 CFR 555.53.** See "WARNINGS" and "NOTICES" on reverse.

Direct ATF
Correspondence To
ATF - Chief, FELC
244 Needy Road
Martinsburg, WV 25405-9431

License/Permit
Number
8-PA-019-20-7B-02043

Chief, Federal Explosives Licensing Center (FELC)

Expiration
Date
February 1, 2027

Mama Howard

Name
ZAMBELLI FIREWORKS MANUFACTURING CO

Premises Address (Changes? Notify the FELC at least 10 days before the move.)

**280 EXECUTIVE DRIVE SUITE 100
CRANBERRY TOWNSHIP, PA 16066-**

Type of License or Permit

20-MANUFACTURER OF EXPLOSIVES

Purchasing Certification Statement

The licensee or permittee named above shall use a copy of this license or permit to assist a transferor of explosives to verify the identity and the licensed status of the licensee or permittee as provided by 27 CFR Part 555. The signature on each copy must be an original signature. A faxed, scanned or e-mailed copy of the license or permit with a signature intended to be an original signature is acceptable. The signature must be that of the Federal Explosives Licensee (FEL) or a responsible person of the FEL. I certify that this is a true copy of a license or permit issued to the licensee or permittee named above to engage in the business or operations specified above under "Type of License or Permit."

Mailing Address (Changes? Notify the FELC of any changes.)

ZAMBELLI FIREWORKS MANUFACTURING CO
280 EXECUTIVE DRIVE SUITE 100
CRANBERRY TOWNSHIP, PA 16066-

George R. Zambelli Jr. MD
Licensee/Permittee Responsible Person Signature

OWNER
Position/Title

GEORGE R. ZAMBELLI JR. MD
Printed Name

11/12/24
Date

Previous Edition is Obsolete

ZAMBELLI FIREWORKS MANUFACTURING CO 280 EXECUTIVE DRIVE SUITE 100 16066 8-PA-019-20-7B-02043 February 1, 2027 20-MANUFACTURER OF EXPLOSIVES

ATF Form 5400.14/5400.15 Part 1
Revised September 2011

Federal Explosives License (FEL) Customer Service Information

Federal Explosives Licensing Center (FELC)
244 Needy Road
Martinsburg, WV 25405-9431

Toll-free Telephone Number: (877) 283-3352
Fax Number: (304) 616-4401
E-mail: FELC@atf.gov

ATF Homepage: www.atf.gov

Change of Address (27 CFR 555.54(a)(1)). Licensees or permittees may during the term of their current license or permit remove their business or operations to a new location at which they intend regularly to carry on such business or operations. The licensee or permittee is required to give notification of the new location of the business or operations not less than 10 days prior to such removal with the Chief, Federal Explosives Licensing Center. The license or permit will be valid for the remainder of the term of the original license or permit. (The Chief, FELC, shall, if the licensee or permittee is not qualified, refer the request for amended license or permit to the Director of Industry Operations for denial in accordance with § 555.54.)

Right of Succession (27 CFR 555.59). (a) Certain persons other than the licensee or permittee may secure the right to carry on the same explosive materials business or operations at the same address shown on, and for the remainder of the term of, a current license or permit. Such persons are: (1) The surviving spouse or child, or executor, administrator, or other legal representative of a deceased licensee or permittee; and (2) A receiver or trustee in bankruptcy, or an assignee for benefit of creditors. (b) In order to secure the right provided by this section, the person or persons continuing the business or operations shall furnish the license or permit for that business or operations for endorsement of such succession to the Chief, FELC, within 30 days from the date on which the successor begins to carry on the business or operations.

(Continued on reverse side)

Cut Here ✂

Federal Explosives License/Permit (FEL) Information Card

License/Permit Name: ZAMBELLI FIREWORKS MANUFACTURING CO

Business Name:

License Permit Number: 8-PA-019-20-7B-02043

License Permit Type: 20-MANUFACTURER OF EXPLOSIVES

Expiration: February 1, 2027

Please Note: Not Valid for the Sale or Other Disposition of Explosives.

UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION



**HAZARDOUS MATERIALS
CERTIFICATE OF REGISTRATION
FOR REGISTRATION YEAR(S) 2025-2028**

Registrant: ZAMBELLI FIREWORKS MANUFACTURING

ATTN: Danielle Fredrickson
280 EXECUTIVE DRIVE, STE 100
CRANBERRY TOWNSHIP, PA 16066

This certifies that the registrant is registered with the U.S. Department of Transportation as required by 49 CFR Part 107, Subpart G.

This certificate is issued under the authority of 49 U.S.C. 5108. It is unlawful to alter or falsify this document.

Reg. No: 050725550054HJ Effective: July 1, 2025 Expires: June 30, 2028

HM Company ID: 832

Record Keeping Requirements for the Registration Program

The following must be maintained at the principal place of business for a period of three years from the date of issuance of this Certificate of Registration:

- (1) A copy of the registration statement filed with PHMSA; and
- (2) This Certificate of Registration

Each person subject to the registration requirement must furnish that person's Certificate of Registration (or a copy) and all other records and information pertaining to the information contained in the registration statement to an authorized representative or special agent of the U. S. Department of Transportation upon request.

Each motor carrier (private or for-hire) and each vessel operator subject to the registration requirement must keep a copy of the current Certificate of Registration or another document bearing the registration number identified as the "U.S. DOT Hazmat Reg. No." in each truck and truck tractor or vessel (trailers and semi-trailers not included) used to transport hazardous materials subject to the registration requirement. The Certificate of Registration or document bearing the registration number must be made available, upon request, to enforcement personnel.

For information, contact the Hazardous Materials Registration Manager, PHH-52, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, 1200 New Jersey Avenue, SE, Washington, DC 20590, telephone (202) 366-4109.





Annual HazMat Permit # 25HM0231241

Valid From: **06/01/2025** To: **05/31/2026**

Issued to:

ZAMBELLI FIREWORKS MANUFACTURING CO
280 Executive Drive
Cranberry Township, PA 16066

Permit Fee: **\$29.00** (Credit Card)

Sent By: **Email - teddy.eberhardt@zambellifireworks.com**

Ordered By: **Teddy Eberhardt**

USDOT #: **33167**

Fed. HM Registration #: **071122550078EG**

Carrier Type: **Private, Intrastate, Interstate**

Number of Vehicles Transporting Hazardous Materials in CO: **6-10**

Weight: **Vehicle Combination 10,001 lbs. or more**

Commodity Being Transported: **Class 1.1, Class 1.3, Class 1.4**

Proof of Financial Responsibility: **Form MCS-90**

Financial Responsibility Verification:

Pursuant to 42-20-202, C.R.S., as amended, applicant swears under penalty of perjury that applicant has the minimum liability insurance required by the U.S. Department of Transportation pursuant to 49 C.F.R., Part 387

In compliance with the provisions section 42-20-202(b), C.R.S., the department does grant authority to transport hazardous materials subject to the limitations and provisions mentioned below.

1. This permit must be carried in the transporting motor vehicle.
2. The above named carrier has paid the required amount and is authorized to make copies for the number of vehicles listed herein on the permit.

Full compliance with the laws of the State of Colorado and with the Rules and Regulations of the Department of Public Safety is required under this permit.

THE UNDERSIGNED HAS READ THIS DOCUMENT AND HAS PERSONAL KNOWLEDGE THAT THE FACTS IN IT ARE TRUE, AND AGREES TO COMPLY WITH THE RULES AND REGULATIONS PROMULGATED PURSUANT TO SECTION 42-20-108, C.R.S., AS AMENDED.

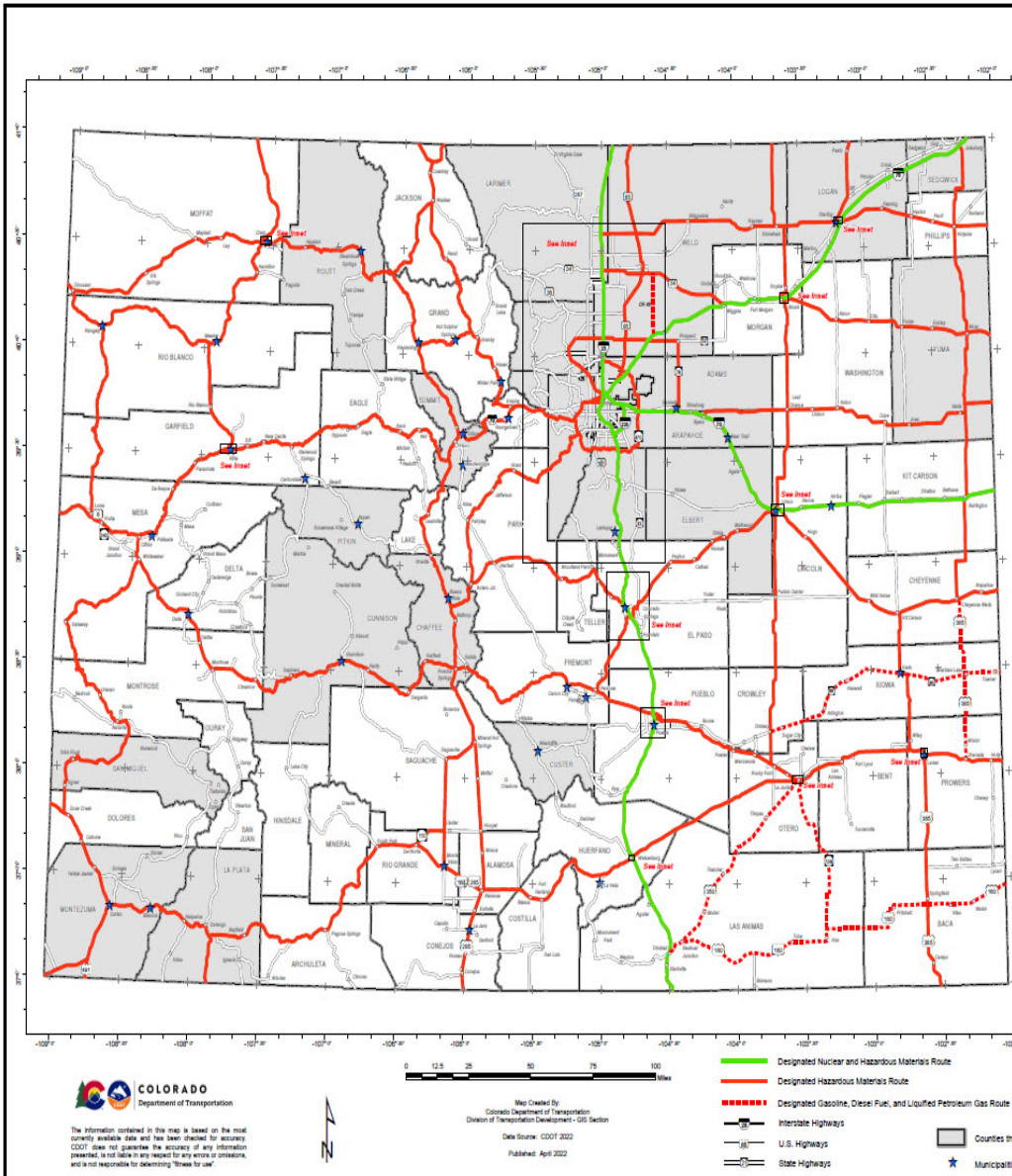
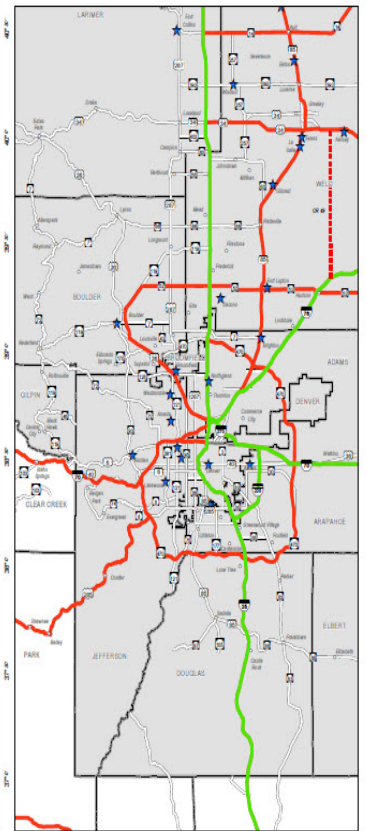
Driver Signature: _____

Date: _____

For current commercial vehicle restrictions and maps please visit our Freight and Trucking webpage at <https://sites.google.com/state.co.us/cotriporgfreight>.

Colorado Hazardous and Nuclear Materials Route Restrictions 2022

Routes Designated By:
Department of Public Safety
Division of State Patrol - Hazardous Materials Section



Colorado Springs / El Paso County

Pueblo / Pueblo County

Craig / Moffat County

Rifle / Garfield County

Sterling / Logan County

La Junta / Otero County

Brush / Morgan County

Limon / Lincoln County

Lamar / Prowers County

Walsenburg / Huerfano County

Routing Decision Chart

Colorado State Patrol Communications Centers
24 Hours Emergency Phone Numbers

Alamosa	(719) 589-6807
Craig	(970) 524-6501
Denver	(303) 239-4501
Montrose	(970) 249-4392
Pueblo	(719) 544-2424

Colorado State Patrol Hazardous Materials Unit
(303) 273-1900
<https://www.colorado.gov/csp/hazardous-materials>

Nuclear Materials Routing Exceptions

Nuclear Materials are defined as a highway route controlled quantity of radioactive materials, in 42-20-402, CRS. When transporting a Nuclear Material, carriers are required to remain on designated nuclear material routes.

Carriers are not to deviate from designated nuclear materials routes except under certain circumstances:

- Carriers may deviate from designated routes in order to make local pick-ups or deliveries.
- Carriers may deviate from designated routes when continued use of the route is unsafe.
- Carriers may deviate from designated routes in order to refuel.
- Carriers may deviate from designated routes when the route is closed due to road conditions, road construction or maintenance operations.

When an emergency condition exists or when the designated nuclear materials route closed due to adverse weather conditions, or other circumstances, the Colorado State Patrol (CSP) may designate an alternative route. The CSP requires nuclear materials be escorted while off the designated route. Carriers must contact the nearest CSP Communications Center for instructions prior to deviating from a designated route.

There are exceptions to the definition of nuclear materials. These exceptions remove the materials described from the routing requirements discussed earlier. Nuclear Materials, as defined in 42-20-402, CRS, do not include:

- Nuclear materials used for research or medical purposes within Colorado. A Highway Route Control Quantity (HRCQ) of radioactive material used to irradiate medical supplies and equipment is not considered as being "used for medical purposes" and is therefore required to abide by the nuclear material routing rules.
- Radioactive materials transported as ores or products from mining, milling, smelting, or similar processing of ores, and mineral-bearing materials.
- Radioactive materials utilized in national security activities under the direct control of the Department of Defense; radioactive materials under the direct control of the Department of Energy used in carrying out atomic energy defense activities as defined in the federal "Nuclear Waste Policy Act of 1982," 42 USC 10101 et seq.

Finally, carriers transporting nuclear materials shall be familiar with the rules and regulations adopted by the Colorado State Patrol and published under 8 CCR 1507-25. Additionally, the carrier is required to comply with the provisions of 49 CFR 397.101(c).

Hazardous Materials Routing

As a general rule, vehicles carrying an amount of hazardous materials that require placards, must remain on designated hazardous materials routes. There are some exceptions to the rule:

- You may leave an authorized route in order to service a vehicle.
- You may leave an authorized route for local pickup or delivery of hazardous materials.
- You may leave an authorized route due to emergencies that would make continued use of the route unsafe.
- You may leave an authorized route when it is closed pursuant to 42-20-304, CRS.

A person transporting hazardous materials may make successive local pickups and deliveries without returning to the route between deliveries, when returning to the route is unreasonable.

Agricultural products other than Class 2 materials as defined in 49 CFR, over local roads between fields of the same farm, are excepted from the statutory requirements when transported by a farmer who is an intrastate private motor carrier and the movement of the agricultural product is in compliance with 49 CFR 173.5 and 42-20-108.5, CRS.

Some motor vehicles that are carrying hazardous materials, even amounts that may require placards, are not subject to the routing requirements. Vehicles carrying materials described in Table 2 of 49 CFR 172.504 in the following configurations:

- Quantities of less than 500 gallons of Table 2 hazardous materials.
- Table 2 hazardous materials in containers of five gallons or less.
- Table 2 hazardous materials when they are packaged as consumer commodities as defined in 49 CFR.

Additionally, motor vehicles that are transporting ores, the products from mining, milling, smelting, other similar processing of ores, and the wastes and tailings from those processes or special fireworks as defined in 49 CFR 173.88, when the aggregate amount of flash powder does not exceed fifty pounds, are excepted from the requirements of routing.



CITY OF MONTROSE

Planning Services

MEMO

TO: City Council
FROM: William Reis, Senior Planner
DATE: June 3, 2025
RE: Waterfall Canyon Pond Addition Annexation
ATTACHMENTS:

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

City Council Consideration:

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

Proposed schedule:

May 19:	Council Work Session Overview
June 3:	Council Resolution to set a hearing date
June 25:	Planning Commission zoning hearing
July 15:	City Council Annexation hearing, 1st reading of annexation ordinance, and 1st reading of zoning ordinance
August 5:	2nd reading of annexation and zoning ordinances

Application Background:

The Blowers Addition is a proposed annexation approximately 8.98 acres in size. The annexation consists of Lot 1 of the Carver Exemption for Boundary Line Adjustment, northwest of the intersection of Gold Creek Dr and Alta Lake Ave. It is within the City's Urban Growth Boundary, West Montrose Sanitation District, and City of Montrose Water Service Area. The



storm water system for Waterfall Canyon Subdivision drains into this pond. The property serves a City subdivision, and thus should be annexed into City limits. An Annexation Agreement is required.

Proposed Zoning: “R-3” Medium Density District

Applicant: Waterfall Canyon, 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 such zoning is compatible with conditions in the area, which have changed materially since the Comprehensive Plan was last updated.”
 - b. Municipal Code, Section 11-7-5: The "R-3" Medium Density District is intended to provide for an area which is suitable primarily for single-household detached, attached and duplex dwellings, 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-3” Medium Density District and properties outside of City limits.
4. The Comprehensive Plan Future Land Use Map designates the area of the Waterfall Canyon Pond Addition as Residential Mixed Density Low. 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

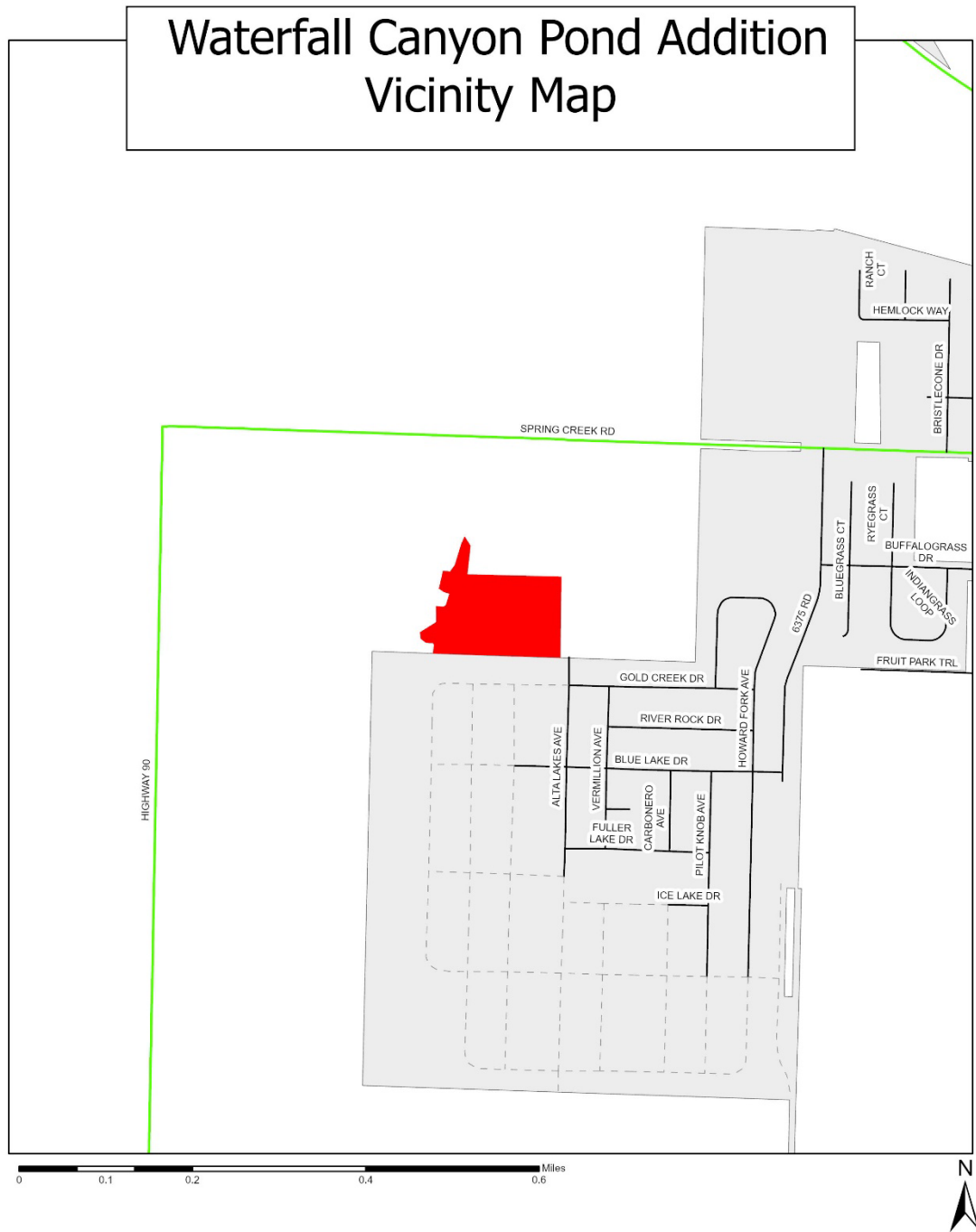


residential land use is intended to preserve the traditional building pattern of the existing residential development in Montrose. It will continue to be the predominant density in the City.

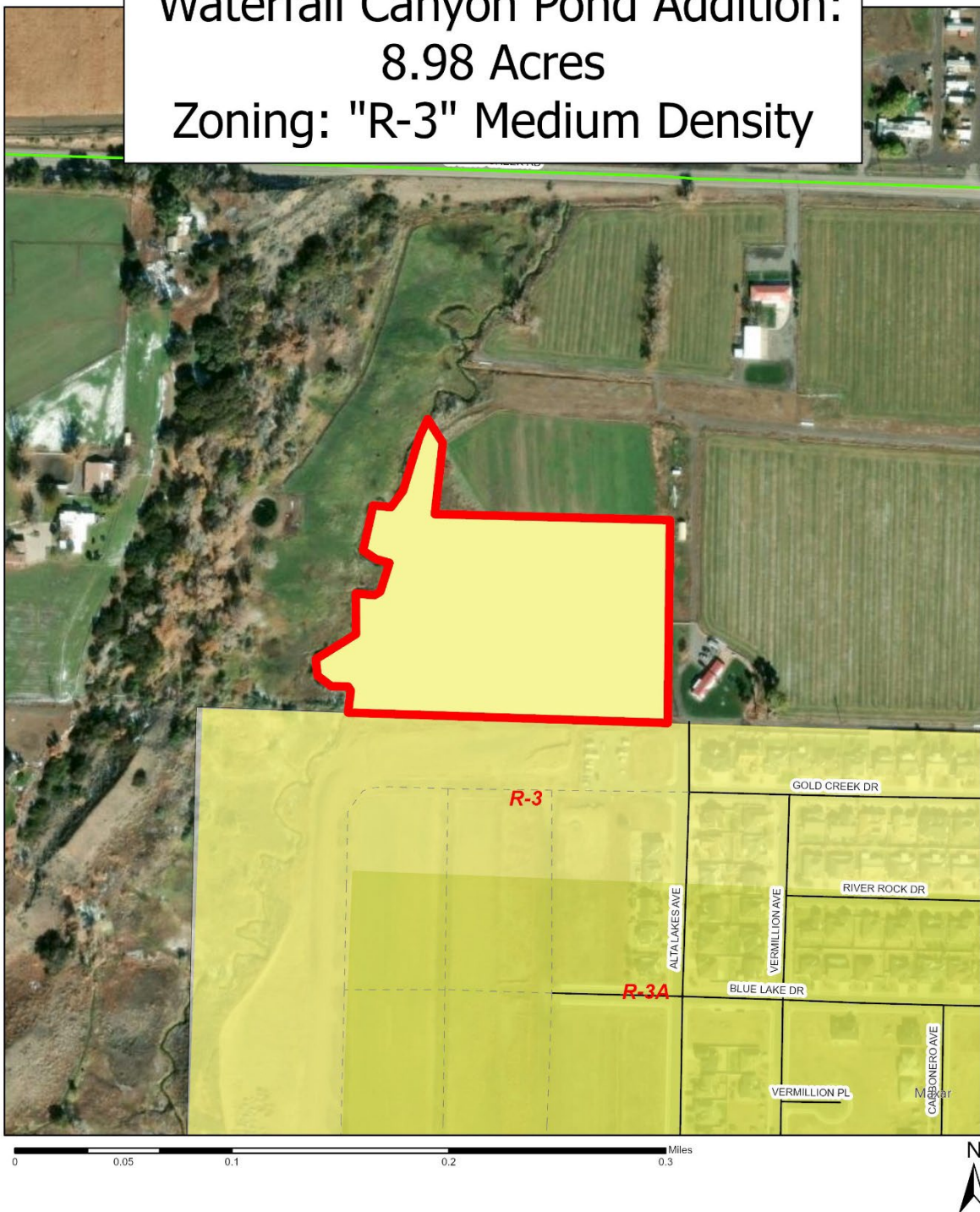
5. The property is located within Growth Area 3. According to the Comprehensive Plan, Growth Area 3 contains an area that is farther away from services and infrastructure that would pose a greater financial burden to service and maintain infrastructure.
6. The “R-3” zoning does not appear to be averse to the public health, safety and welfare.



EXHIBIT A: Maps



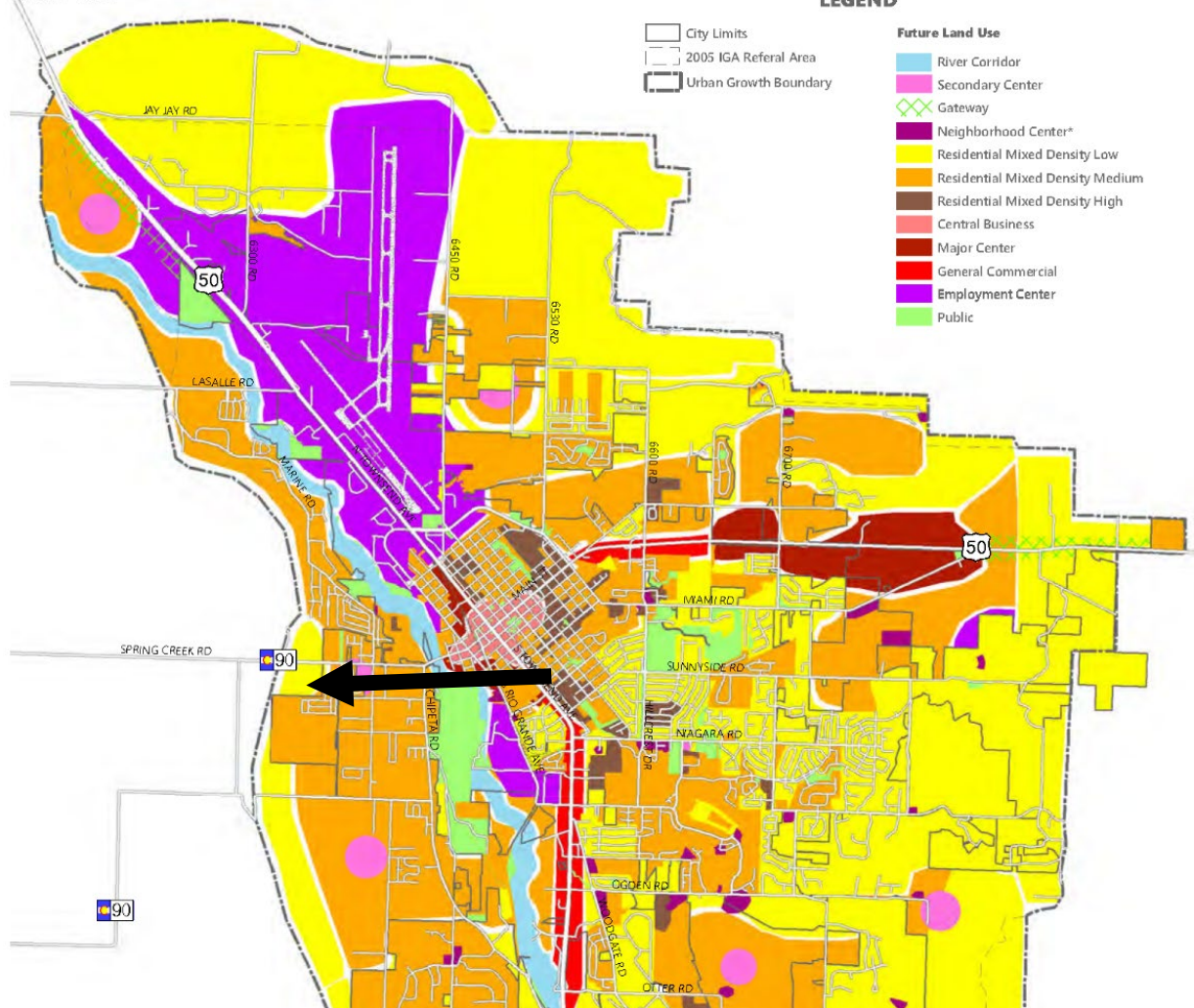
Waterfall Canyon Pond Addition:
8.98 Acres
Zoning: "R-3" Medium Density



Comprehensive Plan Future Land Use Map

FUTURE LAND USE

MAP 5.1



WATERFALL CANYON POND ADDITION

SITUATED IN SECTION 32, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN
COUNTY OF MONTROSE, STATE OF COLORADO

LEGEND

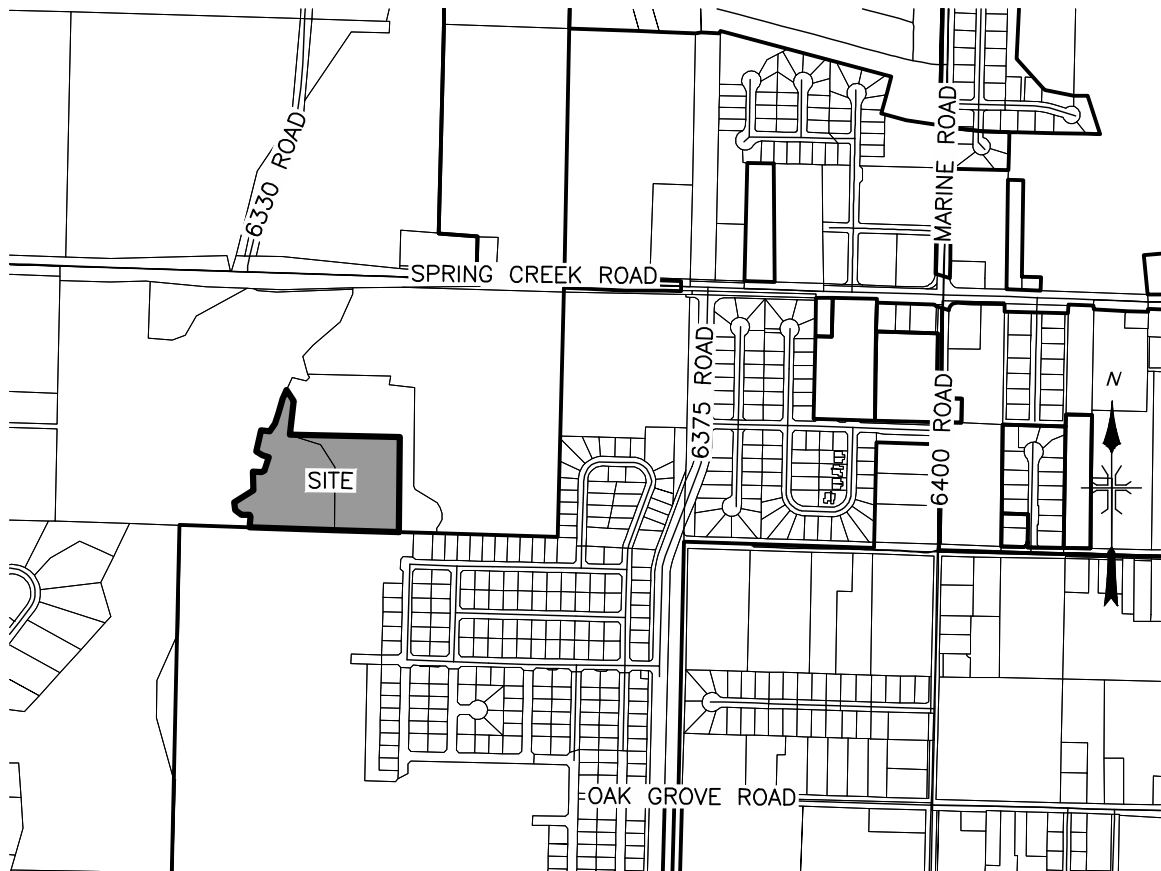
- //// CITY LIMITS
—— PROPERTY BOUNDARY / LIMITS OF ANNEXATION

CITY LIMITS

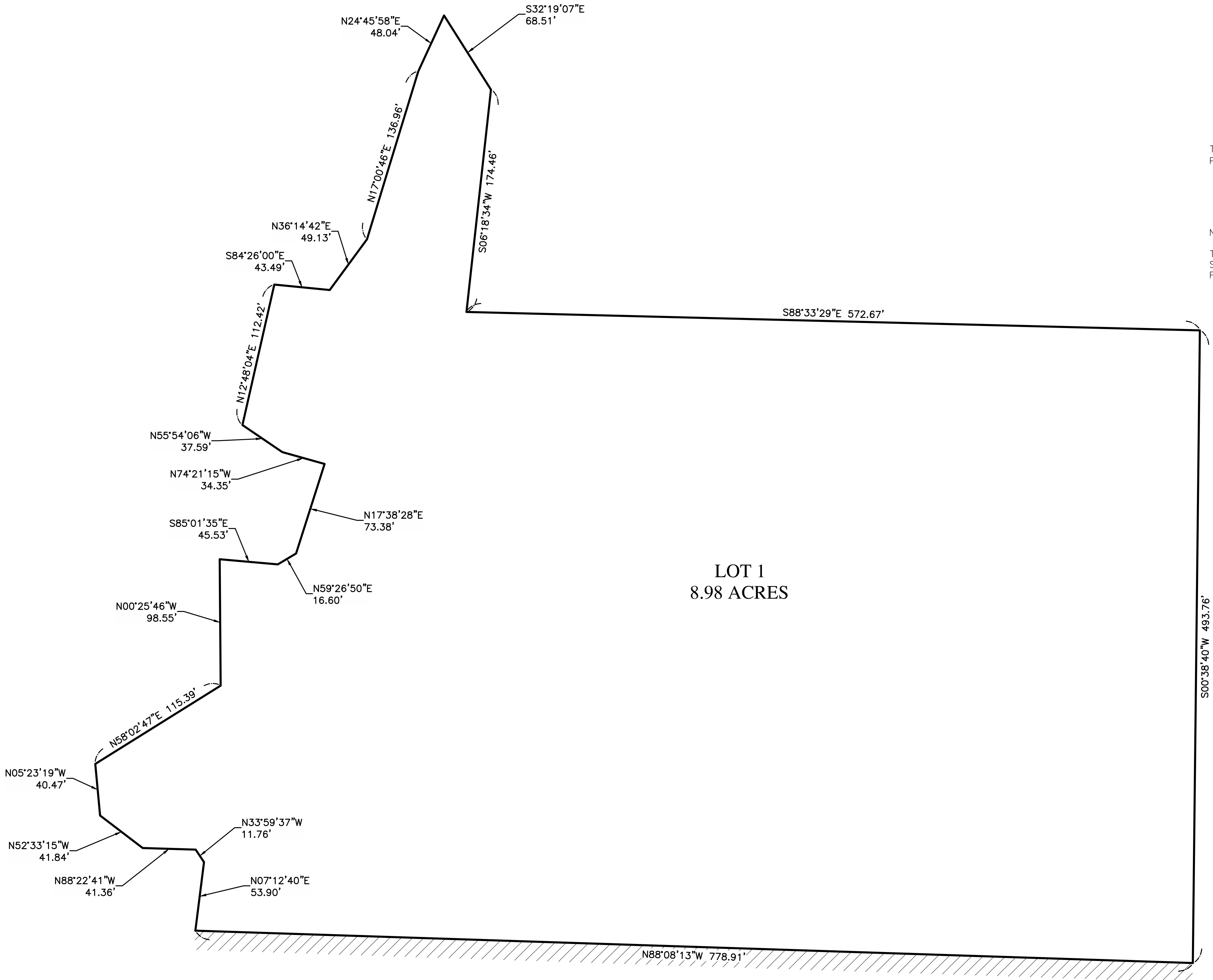
TOTAL PERIMETER = 3089.06'
PERIMETER CONTIGUOUS TO CITY LIMITS = 778.91'

NOTE:

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



VICINITY MAP
N.T.S.



LOT 1
8.98 ACRES

FLOWER ADDITION #2
RECEPTION NO: 735600

PROPERTY DESCRIPTION

Lot 1, Carver Exemption for Boundary Line Adjustment, Reception No. 968207,
County of Montrose, State of Colorado

SURVEYOR'S CERTIFICATE

I, Nicholas Barrett a Registered Land Surveyor in the State of Colorado, do hereby certify Waterfall Canyon Pond Addition Annexation Map was prepared under my direct supervision.

PRELIMINARY

Nicholas Barrett, P.L.S.
Registration No. 38037

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. _____ adapted on the _____ day of _____, 202____, annexed the property hereon to the City of Montrose.

Mayor

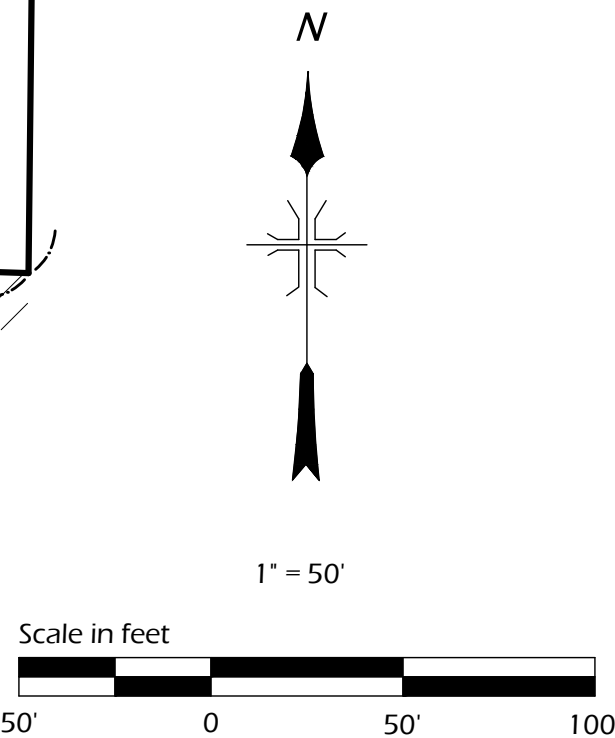
Attest:
City Clerk

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 _____, 202____ under Reception No. _____.

Clerk and Recorder
Montrose County, Colorado

Deputy



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\2025\25013-WATERFALL NORTH POND ANNEXATION\C3D\25013V_ANNEX.DWG

TITLE			
WATERFALL CANYON POND ADDITION			
CLIENT			
LEADERSHIP CIRCLE			
ADDRESS & PHONE			
TYPE			
ANNEXATION			

FIELD BOOK:	DRAWN BY:	DATE:
	DCC	2025-02-05
SHEET:	FILE:	JOB NO.:
1 of 1	25013V_ANNEX	25013

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	RL	R-1	R-1A/B	R-2	R-3	R-3A	R-4	R-5	R-6	MHR
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
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
Golf courses	P									
Parks, open space and recreation facilities	P	P	P	P		P	P	P	P	P
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
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

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

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

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

Land Use	OR	P	B-1	B-2	B-2A	B-3	B-4	I-1	I-2
Automobile and vehicle sales, repair or service establishments			C	C	P	P			
Automobile body shops			C	C	P	P			
Bed and breakfast (See Sec. 11-11-1)	P								
Building materials businesses			C	P	P	P			
Car washes				P	P	P	C		
Commercial businesses		C							
Commercial uses other than the uses by right in this zone district which comply with the performance standards of Chapter 11-11-4 and are consistent with Sec. 11-7-5(D)(1).								C	
Farm implement sales or service establishments					P	P			
Fueling stations or other retail uses having fuel pumps which comply with the following criteria: (a) All fuel storage, except propane, shall be located underground. (b) All fuel pumps, lubrication and service facilities shall be located at			P	P	P	P	C		



least 20 feet from any street right-of-way line.									
Funeral homes			C	C	C	C			
Hotels and motels			P	P	P	P			
Laundry facilities, self-service				P	P	P	P		
Mobile and travel home sales or service establishments					P	P			
Offices for medically related and professional service providers including doctors, dentists, chiropractors, lawyers, engineers, surveyors, accountants, bookkeepers, secretarial services, title companies, social service providers and other similar professional service providers.	P								
Offices not allowed as a use by right.	C								
Travel home parks and campgrounds (See Sec. 11-13)				C	C	C			
Rental businesses					P	P			
Restaurants			P	P	P	P	P		P
Restaurants, drive-in or drive-through			C	C	C	C	C		
Retail sales and services establishments which cater to the general shopping public	C								
Retail stores, business and professional offices, and service establishments which cater to the general shopping public.			P	P	P	P	P		P
Retail stores, business and service establishments serving the general public but which also involve				C	C	C			

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

Daytime social service activities by a social service provider, to include food storage; food distribution without monetary remuneration as a food pantry and/or food service without monetary remuneration as a soup kitchen; laundry facilities not for profit; showers; and counseling to include alcohol and/or substance abuse counseling. This use by right expressly excludes the overnight sheltering of people. For the purposes of this use by right authorization, "daytime" shall mean from 6:00 a.m. to 6:00 p.m. Mountain Standard Time. "Night" shall mean from 6:00 p.m. to 6:00 a.m. Mountain Standard Time.			P	P	P	P			
Family child care home	P	C	P	P	P	P	P	P	P
Government buildings and facilities	P	P	P	P	P	P	P	P	P
Hospitals	P								
Libraries		P	P	P	P	P			
Museums and visitor centers		P	P	P	P	P			
Parking facilities	P	P	P	P	P	P			
Private and fraternal clubs			P	P	P	P	C		
Public transportation facilities			P	P	P	P			
Religious assembly	P	P	P	P	P	P	P		
Schools	C	P	C	C	C	C	C		
Golf courses		C							
Parks, open space and recreation facilities	P	P	P	P	P	P	P	P	P
Private recreation facilities		P							
Duplex	P		P	P	P	P	P	P	P



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

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



RESOLUTION NO. 2025-05

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

1. The City Council hereby finds that the Annexation Petition submitted for the annexation of the property denominated as the **WATERFALL CANYON POND ADDITION**, as described on **Exhibit A** hereto, is in substantial compliance with the requirements of C.R.S. § 31-12-107(1), as amended.
2. The City Council shall hold a hearing to determine if the proposed annexation complies with C.R.S. §§ 31-12-104, 105, or such parts thereof as may be required to establish eligibility for annexation under the terms of C.R.S. Part 1, Article 12, Title 31. The hearing shall be held on the 15th day of July 2025, in the Montrose City Council Chambers at the Elks Civic Building at 6:00 P.M.

ADOPTED by the City Council of the City of Montrose, Colorado, this 3rd day of June, 2025.

CITY OF MONTROSE, COLORADO

Dave Frank, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

EXHIBIT A

Legal Description:

Lot 1, Carver Exemption for Boundary Line Adjustment, Reception No. 968207,
County of Montrose, State of Colorado



CITY OF MONTROSE

Planning Services

MEMO

TO: City Council
FROM: William Reis, Senior Planner
DATE: June 3, 2025
RE: Waterfall Canyon West Addition Annexation
ATTACHMENTS:

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

City Council Consideration:

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

Proposed schedule:

May 19:	Council Work Session Overview
June 3:	Council Resolution to set a hearing date
June 25:	Planning Commission zoning hearing
July 15:	City Council Annexation hearing, 1st reading of annexation ordinance, and 1st reading of zoning ordinance
August 5:	2nd reading of annexation and zoning ordinances

Application Background:

The Waterfall Canyon West Addition is a proposed annexation approximately 1.21 acres in size. The annexation consists of a portion of Outlot 5 of the Waterfall Canyon Subdivision Filing No. 6, west of the Waterfall Canyon Subdivision. It is within the City's Urban Growth Boundary, City of Montrose Sewer Service Area, and Chipeta Water Service Area. A boundary line adjustment



was completed that resulted in a small portion of this property lying outside of City limits, and this annexation would move the City limits to match with the new boundary. An Annexation Agreement is required.

Proposed Zoning: “R-3” Medium Density District

Applicant: Waterfall Canyon, 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 such zoning is compatible with conditions in the area, which have changed materially since the Comprehensive Plan was last updated.”
 - b. Municipal Code, Section 11-7-5: The "R-3" Medium Density District is intended to provide for an area which is suitable primarily for single-household detached, attached and duplex dwellings, 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-3” Medium Density District and properties outside of City limits.
4. The Comprehensive Plan Future Land Use Map designates the area of the Waterfall Canyon West Addition as Residential Mixed Density Low. 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.

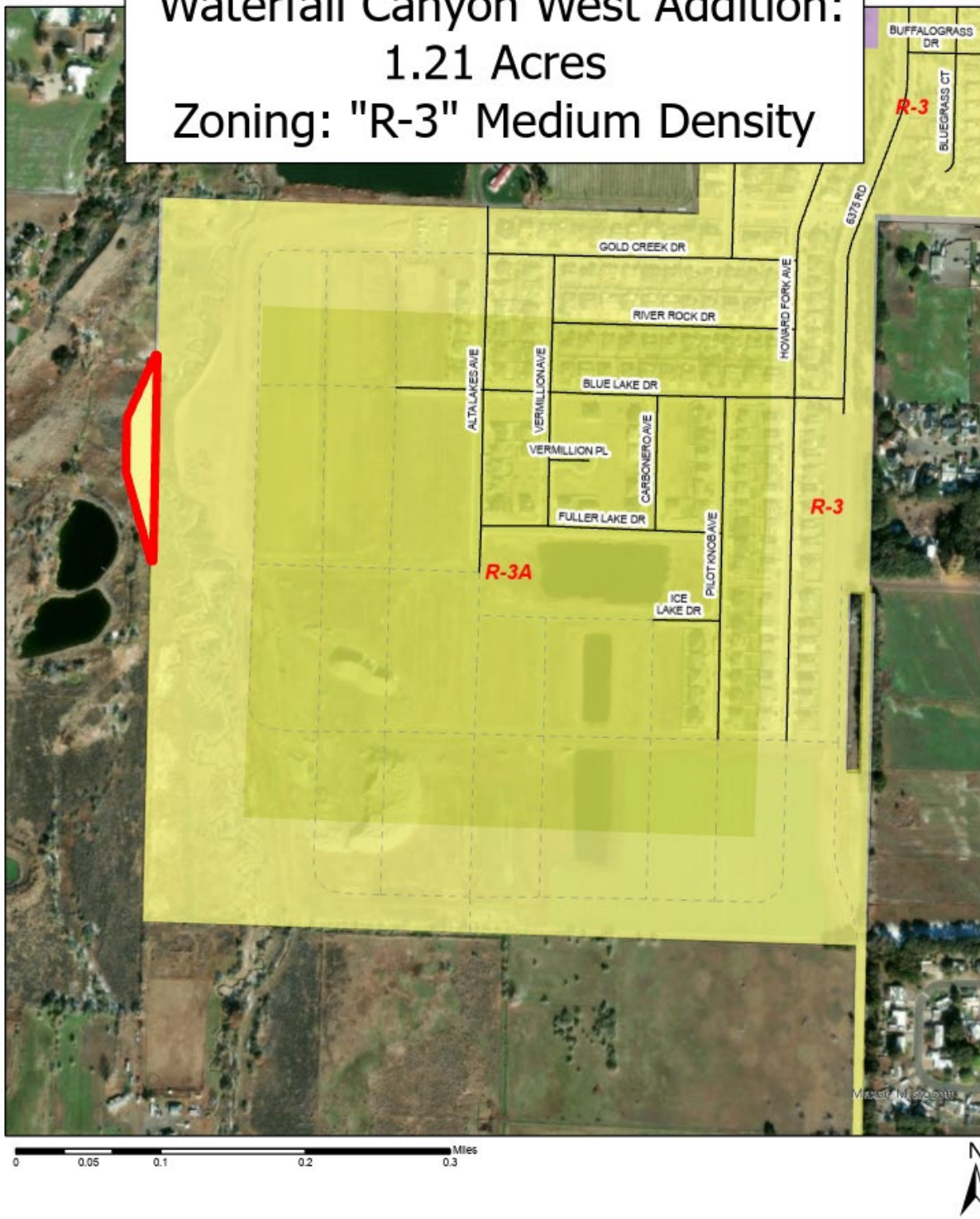
5. The property is located within Growth Area 3. According to the Comprehensive Plan, Growth Area 3 contains an area that is farther away from services and infrastructure that would pose a greater financial burden to service and maintain infrastructure.
6. The “R-3” zoning does not appear to be averse to the public health, safety and welfare.



EXHIBIT A: Maps



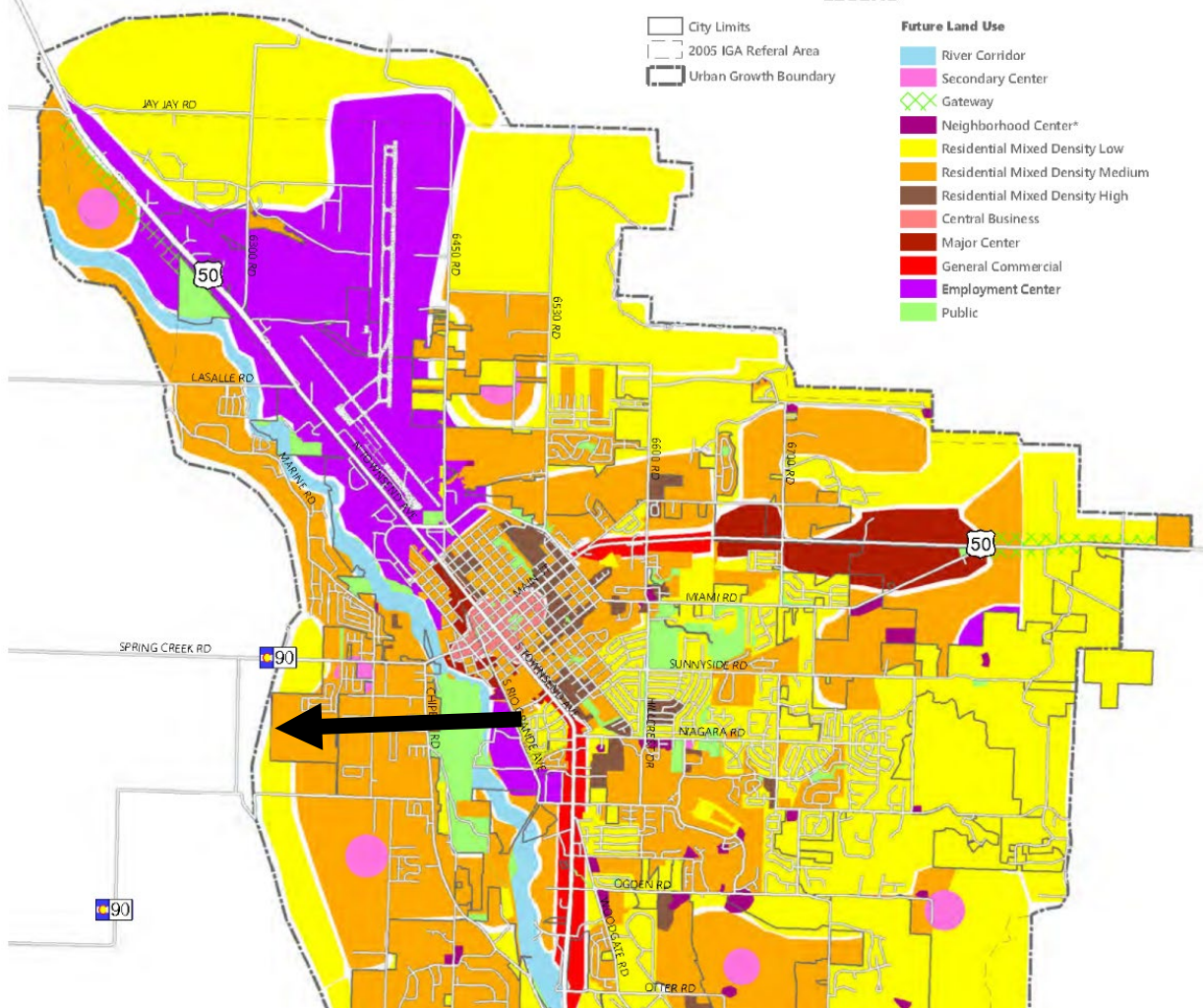
Waterfall Canyon West Addition:
1.21 Acres
Zoning: "R-3" Medium Density



Comprehensive Plan Future Land Use Map

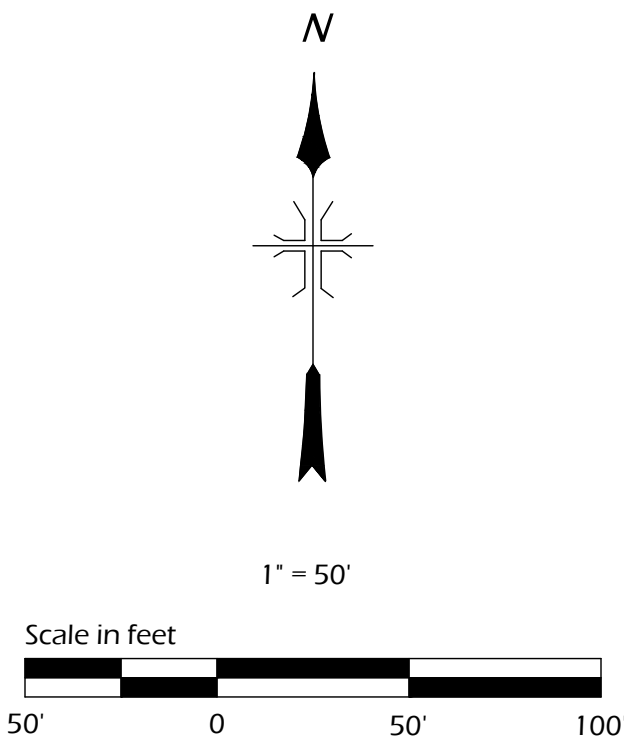
FUTURE LAND USE

MAP 5.1



WATERFALL CANYON WEST ADDITION

SITUATED IN SECTION 32, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN
COUNTY OF MONTROSE, STATE OF COLORADO



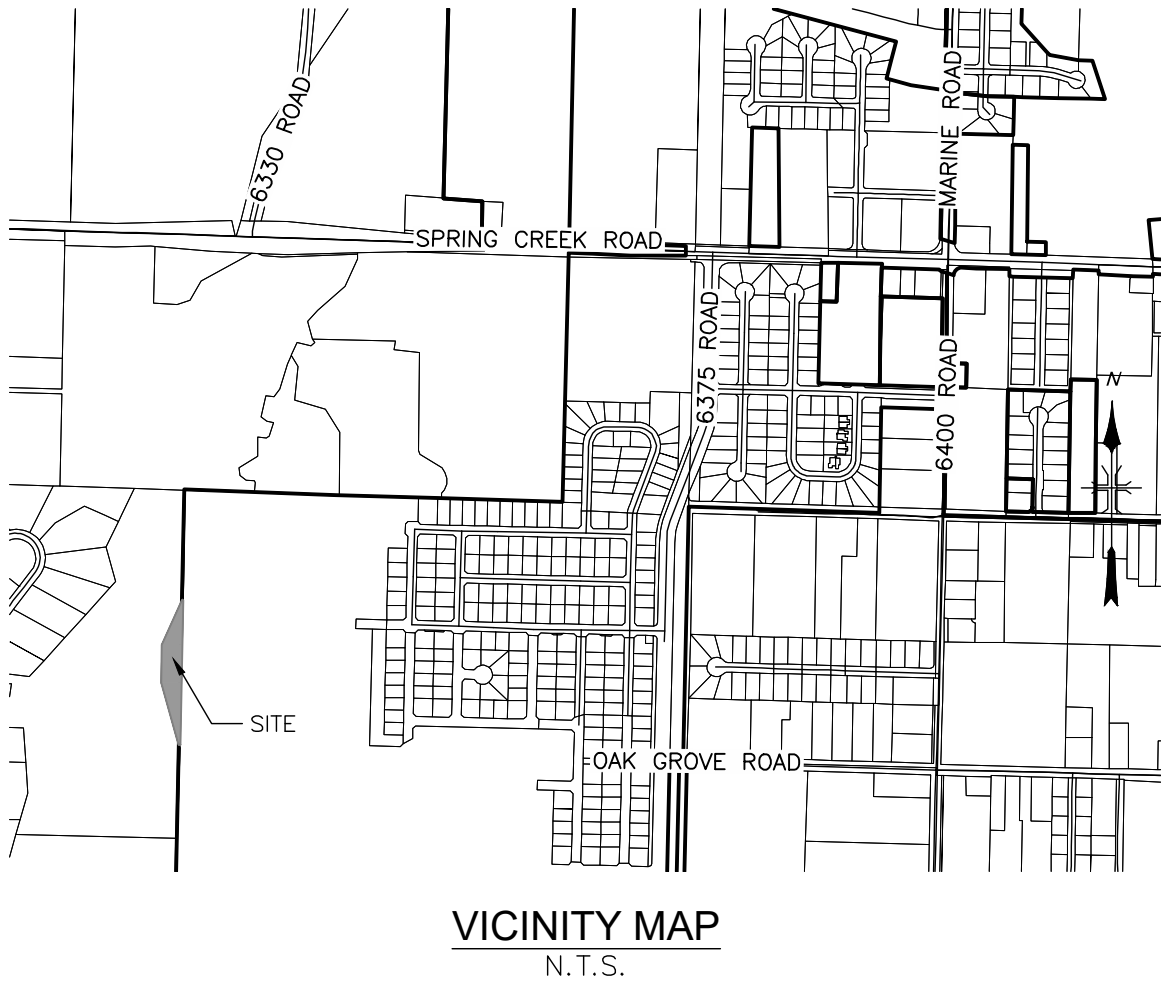
- LEGEND**
- //// CITY LIMITS
 - PROPERTY BOUNDARY / LIMITS OF ANNEXATION

CITY LIMITS

TOTAL PERIMETER = 1555.62'
PERIMETER CONTIGUOUS TO CITY LIMITS = 752.35'

NOTE:

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



PROPERTY DESCRIPTION

A parcel of land situated in Section 32, Township 49 North, Range 9 West, New Mexico Principal Meridian, County of Montrose, State of Colorado being better described as:
Beginning at a point S01°11'05\"W 574.31 feet from the NW1/16 corner of said Section 32;
Thence S01°11'05\"W 752.35 feet;
Thence N88°50'26\"W 9.19 feet;
Thence N15°27'24\"W 336.47 feet;
Thence N00°47'18\"E 195.29 feet;
Thence N24°09'25\"E 254.91 feet;
Thence S88°48'55\"E 7.41 feet to the Point of Beginning.
Containing 1.21 Acres more or less as described.

SURVEYOR'S CERTIFICATE

I, Nicholas Barrett a Registered Land Surveyor in the State of Colorado, do hereby certify Waterfall Canyon West Addition Annexation Map was prepared under my direct supervision.

Nicholas Barrett, P.L.S.
Registration No. 38037

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 _____, 202____, 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 _____, 202____ under Reception No. _____.

Clerk and Recorder
Montrose County, Colorado

Deputy

DMC		DEL-MONT CONSULTANTS, INC. ENGINEERING & SURVEYING 125 Colorado Ave. Montrose, CO 81401 (970) 249-2251 www.del-mont.com service@del-mont.com	
FIELD BOOK:	DRAWN BY: DCC	DATE: 2025-02-17	TITLE: WATERFALL CANYON WEST ADDITION
SHEET: 1 of 1	FILE: 25013V_ANNEX-WEST	JOB NO.: 25013	CLIENT: LEADERSHIP CIRCLE
			ADDRESS & PHONE:
			TYPE: ANNEXATION

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\\2025\\25013-WATERFALL NORTH POND ANNEXATION\\C3D\\25013V_ANNEX-WEST.DWG

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	RL	R-1	R-1A/B	R-2	R-3	R-3A	R-4	R-5	R-6	MHR
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
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
Golf courses	P									
Parks, open space and recreation facilities	P	P	P	P		P	P	P	P	P
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
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

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

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

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

Land Use	OR	P	B-1	B-2	B-2A	B-3	B-4	I-1	I-2
Automobile and vehicle sales, repair or service establishments			C	C	P	P			
Automobile body shops			C	C	P	P			
Bed and breakfast (See Sec. 11-11-1)	P								
Building materials businesses			C	P	P	P			
Car washes				P	P	P	C		
Commercial businesses		C							
Commercial uses other than the uses by right in this zone district which comply with the performance standards of Chapter 11-11-4 and are consistent with Sec. 11-7-5(D)(1).								C	
Farm implement sales or service establishments					P	P			
Fueling stations or other retail uses having fuel pumps which comply with the following criteria: (a) All fuel storage, except propane, shall be located underground. (b) All fuel pumps, lubrication and service facilities shall be located at			P	P	P	P	C		



least 20 feet from any street right-of-way line.									
Funeral homes			C	C	C	C			
Hotels and motels			P	P	P	P			
Laundry facilities, self-service				P	P	P	P		
Mobile and travel home sales or service establishments					P	P			
Offices for medically related and professional service providers including doctors, dentists, chiropractors, lawyers, engineers, surveyors, accountants, bookkeepers, secretarial services, title companies, social service providers and other similar professional service providers.	P								
Offices not allowed as a use by right.	C								
Travel home parks and campgrounds (See Sec. 11-13)				C	C	C			
Rental businesses					P	P			
Restaurants			P	P	P	P	P		P
Restaurants, drive-in or drive-through			C	C	C	C	C		
Retail sales and services establishments which cater to the general shopping public	C								
Retail stores, business and professional offices, and service establishments which cater to the general shopping public.			P	P	P	P	P		P
Retail stores, business and service establishments serving the general public but which also involve				C	C	C			

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

Daytime social service activities by a social service provider, to include food storage; food distribution without monetary remuneration as a food pantry and/or food service without monetary remuneration as a soup kitchen; laundry facilities not for profit; showers; and counseling to include alcohol and/or substance abuse counseling. This use by right expressly excludes the overnight sheltering of people. For the purposes of this use by right authorization, "daytime" shall mean from 6:00 a.m. to 6:00 p.m. Mountain Standard Time. "Night" shall mean from 6:00 p.m. to 6:00 a.m. Mountain Standard Time.			P	P	P	P			
Family child care home	P	C	P	P	P	P	P	P	P
Government buildings and facilities	P	P	P	P	P	P	P	P	P
Hospitals	P								
Libraries		P	P	P	P	P			
Museums and visitor centers		P	P	P	P	P			
Parking facilities	P	P	P	P	P	P			
Private and fraternal clubs			P	P	P	P	C		
Public transportation facilities			P	P	P	P			
Religious assembly	P	P	P	P	P	P	P		
Schools	C	P	C	C	C	C	C		
Golf courses		C							
Parks, open space and recreation facilities	P	P	P	P	P	P	P	P	P
Private recreation facilities		P							
Duplex	P		P	P	P	P	P	P	P



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

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

RESOLUTION NO. 2025-06

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

1. The City Council hereby finds that the Annexation Petition submitted for the annexation of the property denominated as the **WATERFALL CANYON WEST ADDITION**, as described on **Exhibit A** hereto, is in substantial compliance with the requirements of C.R.S. § 31-12-107(1), as amended.
2. The City Council shall hold a hearing to determine if the proposed annexation complies with C.R.S. §§ 31-12-104, 105, or such parts thereof as may be required to establish eligibility for annexation under the terms of C.R.S. Part 1, Article 12, Title 31. The hearing shall be held on the 15th day of July 2025, in the Montrose City Council Chambers at the Elks Civic Building at 6:00 P.M.

ADOPTED by the City Council of the City of Montrose, Colorado, this 3rd day of June, 2025.

CITY OF MONTROSE, COLORADO

Dave Frank, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

EXHIBIT A

Legal Description:

A parcel of land situated in Section 32, Township 49 North, Range 9 West, New Mexico Principal Meridian, County of Montrose, State of Colorado being better described as:
Beginning at a point S01°11'05"W 574.31 feet from the NW1/16 corner of said Section 32;
Thence S01°11'05"W 752.35 feet;
Thence N88°50'26"W 9.19 feet;
Thence N15°27'24"W 336.47 feet;
Thence N00°47'18"E 195.29 feet;
Thence N24°09'25"E 254.91 feet;
Thence S88°48'55"E 7.41 feet to the Point of Beginning.
Containing 1.21 Acres more or less as described.



CITY OF MONTROSE
Planning Services

MEMO

TO: City Council
FROM: William Reis, Senior Planner
DATE: June 3, 2025
RE: Sugarpine Subdivision 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 Sugarpine Subdivision Preliminary Plat. City Council will consider all of the information in this memo in making a decision.

Applicant: Sugarpine Montrose, LLC

Application Background:

The Sugarpine Subdivision is a proposed residential development on a 16.82 acre site on Lot 1 of the Sugarpine Minor Subdivision, south of Evans Street and west of 6700 Road. The property is zoned "R-3" Medium Density District. This preliminary plat proposes subdividing the property into 36 residential lots. Each lot is large enough to accommodate a duplex, or a single-family home.

The Planning Commission voted to approve the Sugarpine Subdivision Preliminary Plat during the May 28, 2025 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 City Council 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)(5): The "R-3" Medium Density District is intended to provide for an area which is suitable primarily for single-household detached, attached and duplex dwellings, along with certain other compatible land uses.
- The proposed use is a use-by-right in the "R-3" 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, "R-3" Medium Density District, "P" Public District, "B-2A" Regional Commercial District, and properties outside of City limits.

4. Dimensional Requirements:

- a. Municipal Code, Section 11-7-7. The dimensional requirements in the "R-3" zoning district are included in the table below.

Use ^{2,3}	Maximum Density	Minimum Lot Size ⁴	Front	Rear	Side	Corner Lot	Maximum Building Height
Single-household detached	7 dwelling units/acre	6,250	15	20	5	15	35
Duplex	9.3 dwelling units/acre	9,375	15	20	5	15	35
Single-household attached	9.3 dwelling units/acre	4,700/dwelling unit	15	20; 5 w/ rear-loaded garage	10 to bldg. lot line	15	35



Triplex or Fourplex	9.3 dwelling units/acre	4,700/dwelling unit	15	20; 10 w/alley	15 to bldg. lot line	20	35
Multi-household	15 dwelling units/acre	2,900/dwelling unit	15	20	10	15	40

5. The Sugarpine Subdivision 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:

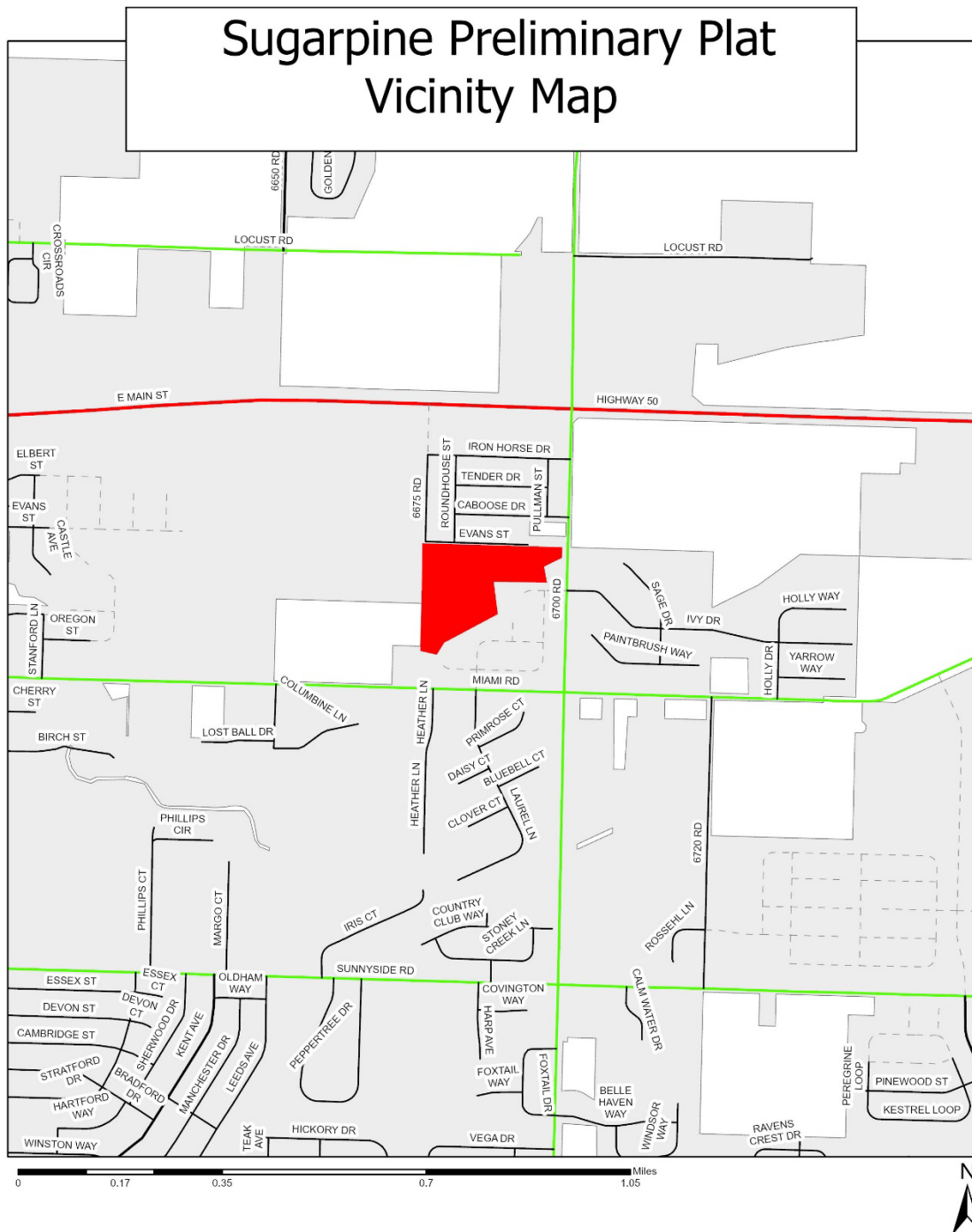
The Planning Commission recommended approval of the Sugarpine Subdivision Preliminary Plat during the May 28, 2025 meeting. It was a unanimous vote. "The approval of this Preliminary Plat is expressly conditioned upon City staff ensuring that all policies, regulations, ordinances and municipal code provisions 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:

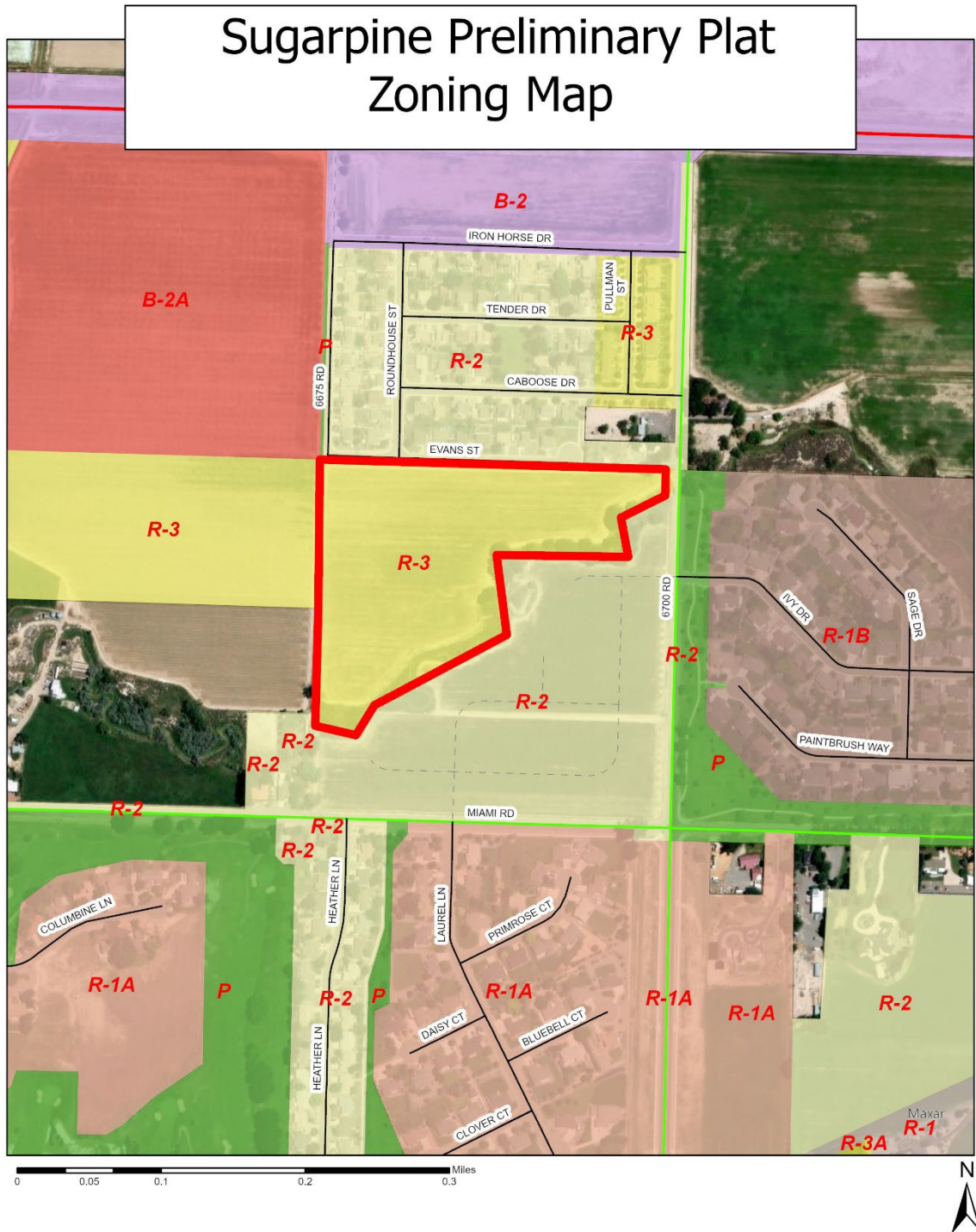
1. Accept the Planning Commission recommendation and approve the Sugarpine Subdivision Preliminary Plat with the following condition. "The approval of this Preliminary Plat is expressly conditioned upon City staff ensuring that all policies, regulations, ordinances and municipal code provisions are met 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



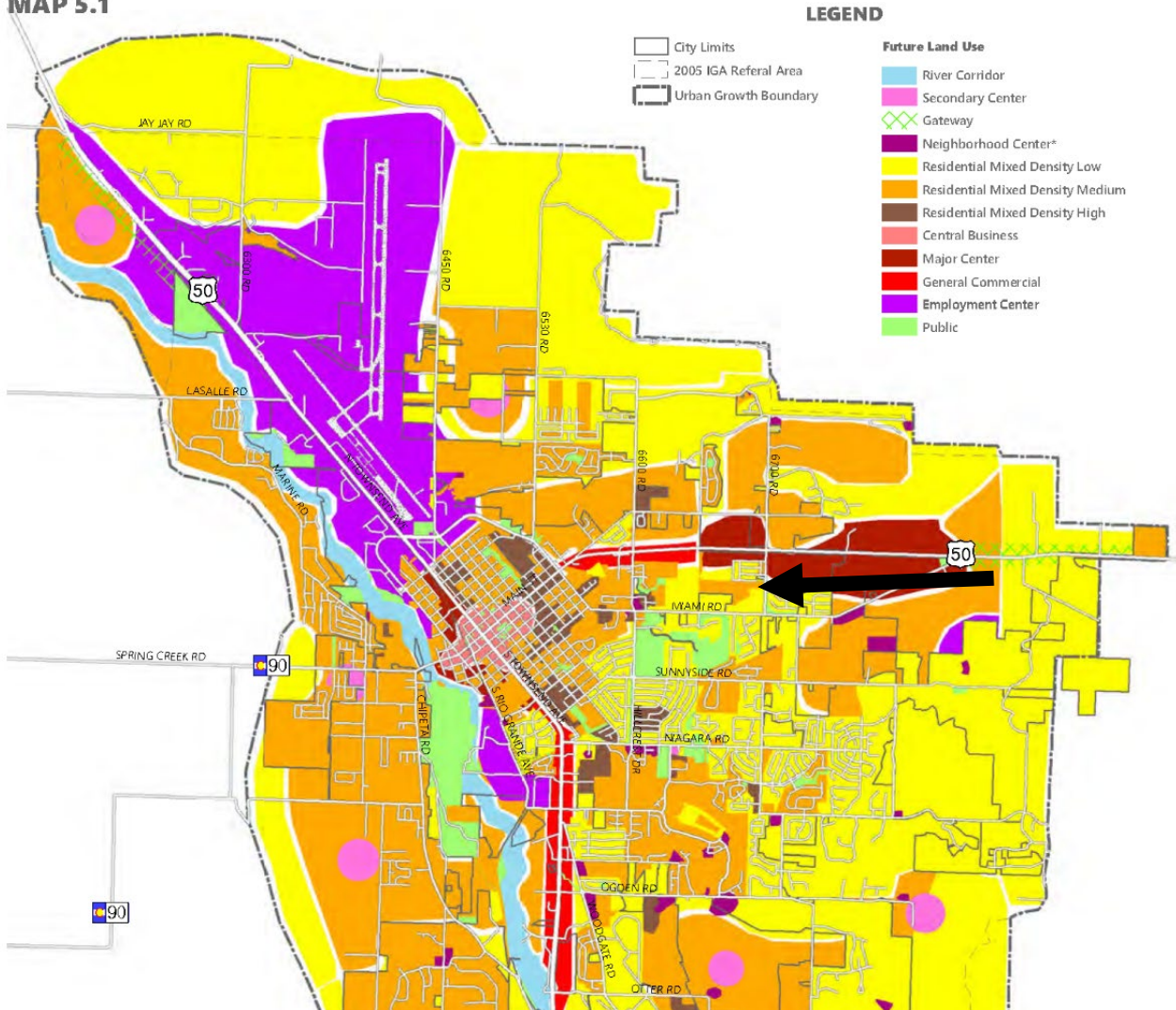
Zoning Map



Comprehensive Plan Future Land Use Map

FUTURE LAND USE

MAP 5.1



SUGARPINE SUBDIVISION

PRELIMINARY PLAT

SITUATED IN SE1/4NE1/4 SECTION 26, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO

1. Local Improvement District

All lots platted hereon shall be subject to an assessment for the costs to construct improvements to that portion of 6700 Road that abuts the Subdivision, said improvements including curb, gutter, sidewalk, drainage, base and pavement, and other related improvements. The Montrose City Clerk is hereby appointed as the Attorney-in-fact of each of the owners of Sugarpine Subdivision for the purposes of executing improvement district petitions on their behalf, voting on their behalf in any election to approve any financial obligations for such improvement districts and for all other purposes related to the formation of such districts and construction of such improvements. These obligations shall run with the land and be binding upon all successors in interest to the said lots.

2. Drainage Easements

All open space tracts shown hereon shall be entirely encumbered by drainage easements and shall be owned and maintained by an owners' association, or in the absence of an owners' association lawfully formed for such purposes, by the owners of all lots final platted in Sugarpine Subdivision, jointly and severally 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 placement of fill, 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, detention ponds, retention ponds, outfall structures, overflow structures, or other improvements as located within said easements and/or open space tracts. Upon failure to properly maintain the drainage easement(s) 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.

2A. Tract A retention pond shall be managed as outlined in the Sugarpine Subdivision Retention Pond Adaptive Management Approach Memorandum of Agreement recorded under Reception No. _____ in the office of the Montrose County Clerk and Recorder.

3. DRIVEWAY/RIGHT-OF-WAY RECIPROCAL ACCESS EASEMENTS

Reciprocal Access Easements

The Owner(s) denoted on the CERTIFICATE OF DEDICATION AND OWNERSHIP, hereon, for and in consideration of TEN AND NO/100 DOLLARS (\$10.00), and other good and valuable consideration, in hand paid, hereby sell(s) and quit claim(s) to Lots 25 and 34, in Sugarpine Subdivision, their respective heirs, successors and assigns, a perpetual and reciprocal right-of-way easement, over said portions so selected and reserved for use as driveways for ingress and egress. These reciprocal easements shall be appurtenant to each of the said lots in Sugarpine Subdivision, which right shall run with the land, and shall be a benefit and a burden to each of the said lots, their owners, and all parties claiming by, through, or under them.

4. DRIVEWAY MAINTENANCE

Any driveways owned by: 1) the owners' association, if any, or 2) jointly held by the owners of more than one division of real property located in the Sugarpine Subdivision, or 3) subject to a reciprocal driveway use or access agreement or plat note, shall be jointly responsible for the maintenance of said driveways, unless said maintenance responsibilities are addressed by this subdivision's Covenants Conditions and Restrictions, if any, filed with the Montrose County Clerk and Recorder's Office for the County of Montrose, Colorado, in which case said driveway maintenance shall be as set forth in said Covenants Conditions and Restrictions. This provision shall run with the land in the Sugarpine Subdivision, and shall be a benefit and a burden to the owners of all lots final platted thereon, and shall be applicable to said owners, their successors, heirs, and assigns, and all parties claiming by through or under them.

5. Privately Owned Open Space, Parks, and other Improvements

All open space tracts, now existing or hereafter conveyed, shall be owned and maintained by an owners' association, or in the absence of an owners' association lawfully formed for such purposes, by the owners of all lots final platted in Sugarpine Subdivision jointly and severally. The City is not responsible or liable in any manner for the maintenance, repair, or operation of such properties and/or improvements, nor shall the City be responsible for future dedications of such properties. Upon failure to properly maintain such properties and/or improvements 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 owner(s), or the City may certify such charges as a delinquent charge to the County Treasurer to be collected similarly to taxes or in any lawful manner.

A. Conveyance of Private Open Space and Tracts to Owners' Association

By executing this Plat, the owner(s) whose signature(s) appear hereon, joined by the Lienholder(s), if any, whose signatures also appear on this Plat, for and in consideration of TEN AND NO/100 DOLLARS (\$10.00), and other good and valuable consideration, in hand paid, hereby sell(s) and quit claim(s) to Sugarpine Subdivision Homeowners' Association, Tract A and Tract B, as shown and designated on this Plat.

B. Certificate of Good Standing

The owner(s) whose signature(s) appear on the Certificate of Dedication and Ownership on this Plat have provided the City a current, valid, Certificate of Good Standing bearing Confirmation No. _____, from the Colorado Secretary of State, as proof of the above-named HOA or Owners' Association entity's: 1) compliance with all applicable requirements of the Colorado Secretary of State, and 2) good standing with the Colorado Secretary of State.

C. Declaration of Covenants Recorded

The Declaration of Covenants, Conditions, and Restrictions for the above-referenced homeowners' association, applicable to the development platted hereon, and made binding to the entity named above, was recorded under Reception No. _____ on the ___ day of _____ 202__ in the office of the Montrose County Clerk and Recorder.

D. Pedestrian Facilities

Open space Tract B will contain improved pedestrian facilities for the use of the public and to be maintained by the above-referenced homeowner's association or in the absence of an owners' association lawfully formed for such purposes, by the owners of all lots final platted in Sugarpine Subdivision, jointly and severally. The City is not responsible or liable in any manner for the maintenance, repair, or operation of such properties and/or improvements, nor shall the City be responsible for future dedications of such properties. Upon failure to properly maintain such properties and/or improvements 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 owner(s), or the City may certify such charges as a delinquent charge to the County Treasurer to be collected similarly to taxes or in any lawful manner.

E. Temporary Sanitary Sewer Lift Station

Open space Tract A will contain a temporary sanitary sewer lift station easement, fencing, and equipment until gravity sewer to the North can be brought on-line. At such time, all lift station equipment, fencing, and access drive will be removed to allow the construction of Retention Pond 3.

6. Money in lieu of School Land Dedication

All residential lots or residential units having unique legal descriptions 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.

7. Money in Lieu of Park Land Dedication

All residential lots or residential units having unique legal descriptions shall be required to make payment of money in lieu of park land dedication, at the time of issuance of building permit relative to improvements upon said lot. The payment of money in lieu of park land dedication is subject to §11-5-9(B) of the Municipal Code.

8. Final Plat Conditional Approval

The approval of the Sugarpine Subdivision Subdivision Final 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.

LINEAL UNITS STATEMENT:

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

BASIS OF BEARINGS:

The bearing along the South line of the SE1/4NE1/4, Section 26, Township 49 North, Range 9 West, New Mexico Principal Meridian between the found 2" aluminum cap on 3/4" rebar PLS 37690 in monument box at the East1/4 corner of said Section 26 and the found 1 1/2" aluminum cap in a monument box at the CE1/16 corner bears N88°22'52"W. (Colorado South Modified State Plane Coordinates)

APPROVAL OF PRELIMINARY PLAT

City Engineer (Phase 1)* _____ Date _____
Scott Murphy, P.E.

City Engineer (Phase 2+)* _____ Date _____
Scott Murphy, P.E.

City Attorney _____ Date _____
Chris Dowsey

City Planning Commission Chair _____ Date _____
David Fishing

City Mayor _____ Date _____
J. David Reed

AREA SUMMARY

RESIDENTIAL LOTS = 8.43 ACRES

RIGHTS-OF-WAY = 3.44 ACRES

OPEN SPACE (TRACTS A, B) = 4.95 ACRES

TOTAL AREA = 16.82 ACRES

Frederick Ballard, P.L.S.

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 W. Schieldt, P.E.

Registration No. 47195

Date: _____

ATTORNEY'S CERTIFICATE

I, _____, an attorney at law, duly licensed to practice in Colorado, do hereby certify that I have examined Title Policy No. MRR87022235-2 issued by Land Title Guarantee Company, dated April 26, 2023 (the "Title Policy"), which insures to _____ the title to the Land herein platted and described in the above Certificate of Dedication and Ownership, and that, based solely on my review of the Title Policy, title to such land is in the Owners and Dedicators; and that the title to the Land dedicated hereon, including the dedication for utility easements, is free and clear of all liens and encumbrances except as specifically set forth in the Title Policy.

Attorney

Registration No. _____

Date: _____

CERTIFICATE OF COMPLETED IMPROVEMENTS

I, _____, 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 or a Preliminary Letter of Infrastructure Completion] has been issued. Security for the two (2) year warranty on all public improvements has been received to be held in escrow by the City in accordance with Municipal Code § 4-7-6 (D), and other applicable City ordinances and regulations. [The following landscaping and/or irrigation improvements have been secured with a Subdivision Improvement Agreement: _____]

City Engineer

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

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. _____

Clerk and Recorder
Montrose County, Colorado

Deputy



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

FIELD BOOK: 766

DRAWN BY: RDD/DCC

DATE: 2025-03-03

SHEET: 1 of 3

FILE: 23057V_PLAT-PRE-SP

JOB NO.: 23057

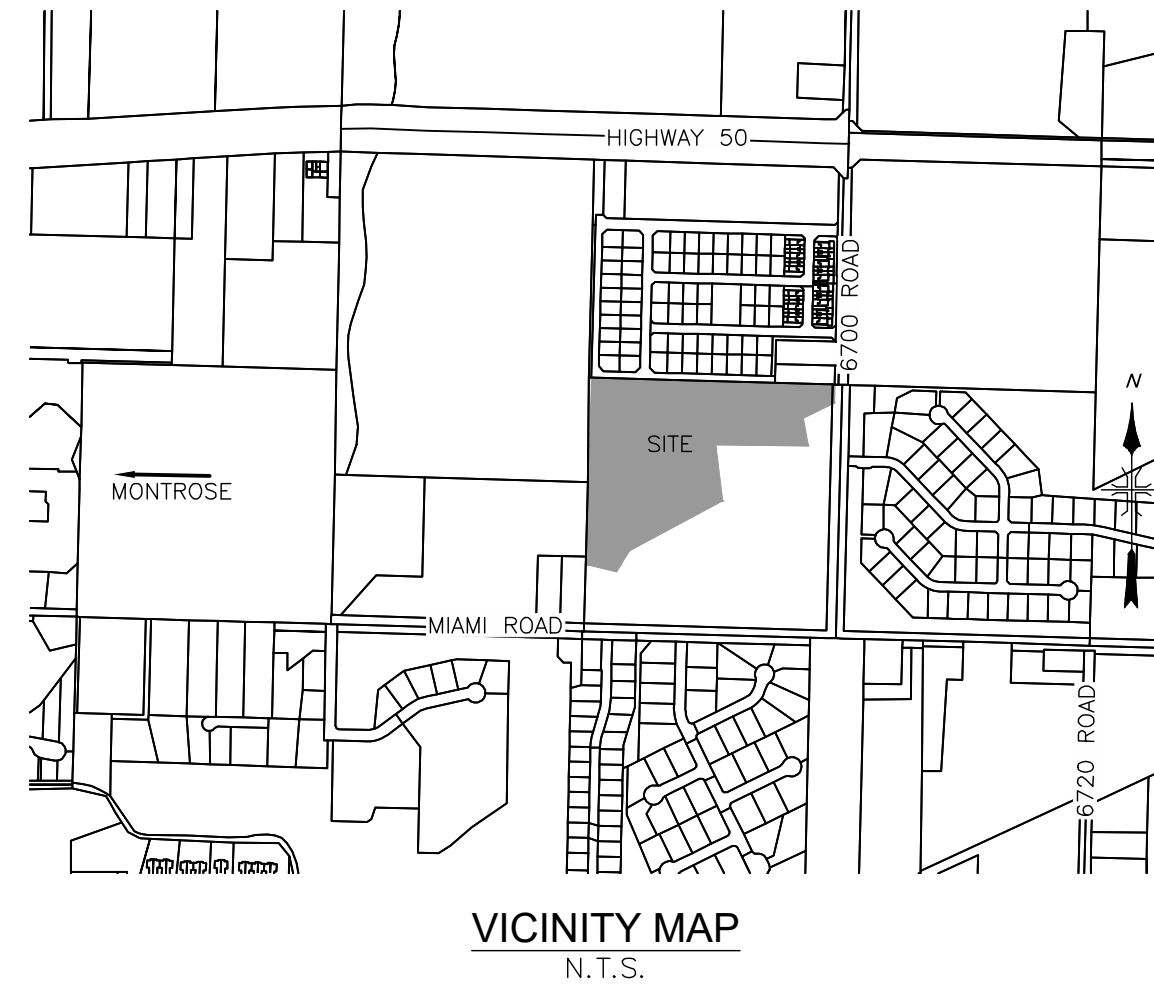
TITLE: SUGARPINE SUBDIVISION PRELIMINARY PLAT	
CLIENT:	CHRIS KOCH
ADDRESS & PHONE:	2049 BROOK WAY MONTROSE, CO 81403
TYPE:	PRELIMINARY PLAT

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\2023\23057-KOCH_SUGARPINE\CSD24\23057V_PLAT-PRE-SP.DWG

SUGARPINE SUBDIVISION

PRELIMINARY PLAT

SITUATED IN SE1/4NE1/4 SECTION 26, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO



LEGEND

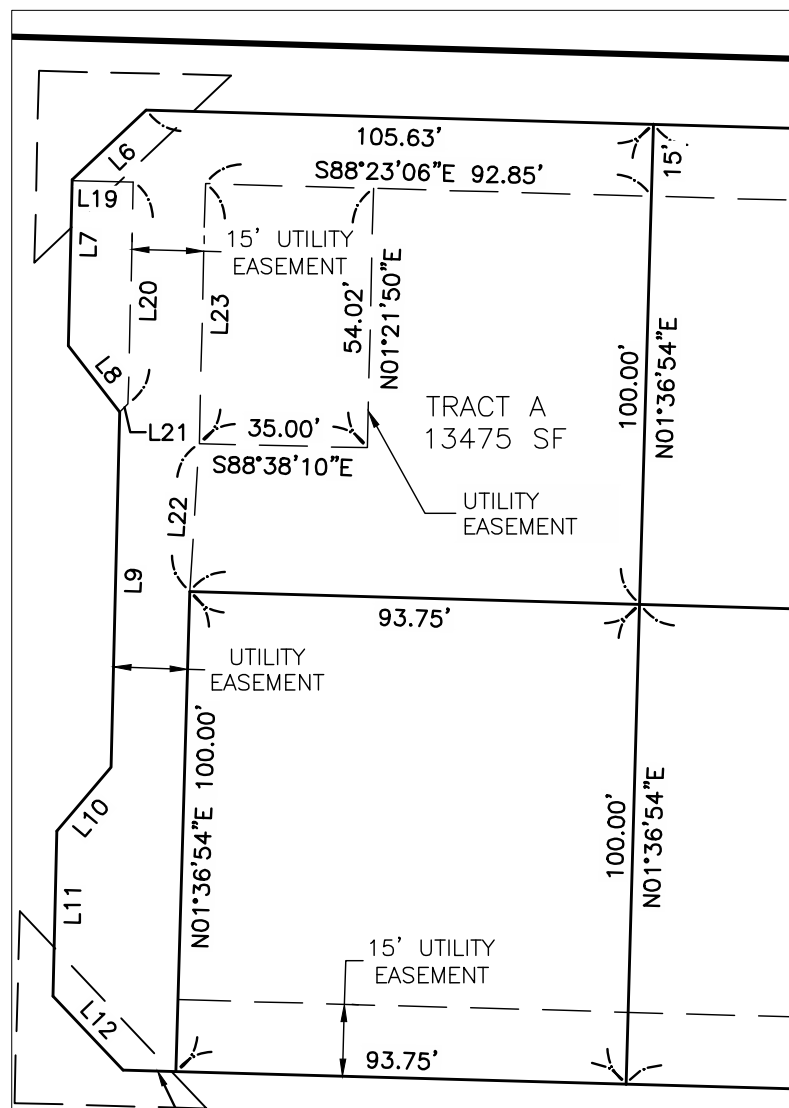
- 15' WIDE UTILITY EASEMENTS ALONG ALL STREETS, LOOPS AND COURTS UNLESS OTHERWISE NOTED
- FOUND ALUMINUM CAP MONUMENT AS NOTED
- SET 2" ALUMINUM CAP ON 3/4" REBAR INSIDE MONUMENT BOX (PLS 37690)
- FOUND 1 1/2" ALUMINUM CAP ON 5/8" REBAR (PLS 37690)
- SET 1 1/2" ALUMINUM CAP ON 5/8" REBAR (PLS 37690)
- MINIMUM SIGHT TRIANGLE PER CITY ENGINEERING SPECIFICATIONS
- 100YR FLOOD = 100-YEAR FLOODPLAIN PER FEMA FIRM NUMBER 08085C0777D, DATED 01/06/2012
- 500YR FLOOD = 500-YEAR FLOODPLAIN PER FEMA FIRM NUMBER 08085C0777D, DATED 01/06/2012

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N43°23'06"W	21.21'
L2	S46°36'54"W	21.21'
L3	S43°23'06"E	21.21'
L4	S46°36'54"W	21.21'
L5	N43°23'06"W	21.21'
L6	N46°29'22"E	21.17'
L7	N01°21'50"E	34.59'
L8	S37°49'15"E	17.41'
L9	S01°21'50"W	74.01'
L10	S40°32'54"W	17.41'
L11	N01°21'50"E	34.41'
L12	N43°30'39"W	21.26'
L13	S46°29'23"W	21.17'
L14	N43°23'06"W	21.21'
L15	N46°36'54"E	21.21'
L16	N43°30'38"W	21.26'
L17	N28°00'03"W	15.00'
L18	N52°16'43"W	15.00'
L19	N88°38'10"W	12.71'
L20	S01°21'50"W	46.25'
L21	S46°21'50"W	2.41'
L22	S03°43'13"W	30.85'
L23	S01°21'50"W	54.17'

CURVE DATA					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	157.08'	100.00'	090°00'00"	S46°36'54"W	141.42'
C2	157.08'	100.00'	090°00'00"	N46°36'54"E	141.42'
C3	117.81'	75.00'	090°00'00"	N46°36'54"E	106.07'
C4	76.42'	125.00'	035°01'49"	N74°06'00"E	75.24'
C5	41.15'	125.00'	018°51'48"	N47°09'11"E	40.97'
C6	78.77'	125.00'	036°06'23"	N19°40'05"E	77.47'
C7	117.81'	75.00'	090°00'00"	N46°36'54"E	106.07'
C8	64.61'	125.00'	029°36'57"	S76°48'26"W	63.89'
C9	96.88'	125.00'	044°24'30"	S39°47'42"W	94.48'
C10	34.85'	125.00'	015°58'33"	S09°36'11"W	34.74'

NOTE: THERE WILL BE NO MORE THAN TWO DWELLING UNITS ON EACH LOT, IN ANY CONFIGURATION, INCLUDING BUT NOT LIMITED TO ATTACHED UNITS, DETACHED UNITS, SINGLE OWNERSHIP OR FURTHER SUBDIVISION INTO INDIVIDUAL LOTS.

DETAIL 1" = 40'



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

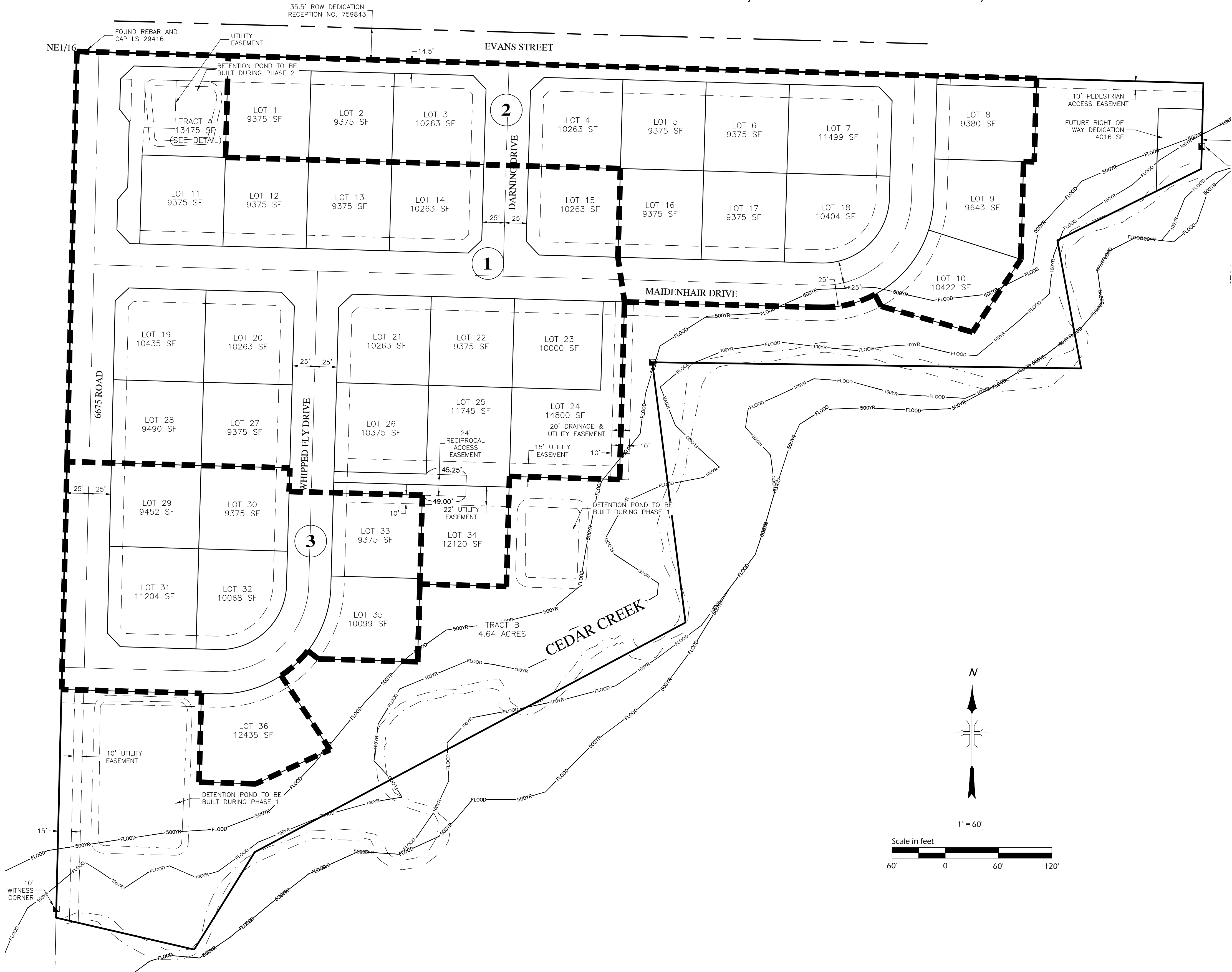
DMC		DEL-MONT CONSULTANTS, INC. ENGINEERING & SURVEYING 125 Colorado Ave W Montrose, CO 81401 (970) 249-2251 www.del-mont.com service@del-mont.com	
FIELD BOOK:	766	DRAWN BY:	RDD/DCC
SHEET:	2 of 3	DATE:	2025-03-03
FILE:	23057V_PLAT-PRE-SP	JOB NO.:	23057
SUGARPINE SUBDIVISION PRELIMINARY PLAT		CLIENT:	CHRIS KOCH
ADDRESS & PHONE:		2049 BROOK WAY MONTROSE, CO 81403	
TYPE:		PRELIMINARY PLAT	

SUGARPINE SUBDIVISON

PRELIMINARY PLAT

SITUATED IN SE1/4NE1/4 SECTION 26, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN

CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO



PHASE SUMMARY

PHASE 1 = 16 LOTS

PHASE 2 = 13 LOTS

PHASE 3 = 7 LOTS

TOTAL = 36 LOTS

1 = PHASE NUMBER

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

DMC		DEL-MONT CONSULTANTS, INC. ENGINEERING & SURVEYING 125 Colorado Ave. Montrose, CO 81401 (970) 249-2251 www.del-mont.com service@del-mont.com	
FIELD BOOK:	766	DATE:	2025-03-03
DRAWN BY:	RDD/ DCC	JOB NO.:	23057
SHEET:	3 of 3	FILE:	23057V_PLAT-PRE-SP
TITLE: SUGARPINE SUBDIVISION PRELIMINARY PLAT		CLIENT:	CHRIS KOCH
ADDRESS & PHONE:		2049 BROOK WAY MONTROSE, CO 81403	
TYPE:		PRELIMINARY PLAT	

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.



- (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

- (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)



Iron Horse Single Family HOA

May 18, 2025

To: Montrose City Council and Planning Commission:

Please consider this letter a petition to request Montrose City Council and the Planning Commission authority for assistance to protect our homes and firesides known as Iron Horse Single Family Subdivision (IHSF).

IHSF has been notified the land south (**specific location below*) of our subdivision will soon see construction of 36 duplexes in accordance with its R3 Zoning. We understand that Montrose needs affordable housing and this new subdivision will fit in with Montrose's long-term plan toward that goal. The problem is access.

IHSF's concern is we have 67 homes (homeowner lots) with suitable streets for current vehicle traffic. The proposed new subdivision's developer indicates they will build 36 duplexes which equals 72 family dwellings. The current developer for the new subdivision has notified the IHSF HOA that he will **not** improve existing streets for access to the new subdivision **nor** is he planning on making any new access roads. The developer stated that access to Sugarpine Subdivision is Montrose City's problem. The City should widen 6675 Road from single lane to two lanes to handle the main traffic from Sugarpine and on to Iron Horse Drive for access.

This new construction, without provisions to improve road access, is **amajor safety concern**. The new 72 family subdivision combined with the existing 67 homes, without new access or improved roads, will result in an exponential increase and dangerously high traffic volume.

Most family dwellings whether single-family, townhomes, duplexes etc. will have two vehicles each. Simple math with 72 family units, times 2 = 144 potential vehicles that may come and go at a minimum of twice daily, an increase of 107% in traffic. This **increase of traffic by 107%** poses a significant safety hazard that needs to be addressed before Sugarpine subdivision is allowed to be built.

Not only will the residents of Iron Horse see the increased traffic from new residences, but we will also see an extreme increase in construction vehicles, lumber, concrete and delivery trucks, UPS & FedEx deliveries, and more. Visualize emergency responders attempting to go through our neighborhood to reach the new subdivision when an emergency arrives. The major concern is that the proposed **107%** increase in traffic flow through our subdivision will create an extreme life safety risk as well as drastically reduce the quality of life for IHSF residents. We request the Council and Planning Commission take appropriate measures to prevent potential life-changing accidents involving our residents.

Within our subdivision many children play in our common areas and can be found walking or playing in the streets. Homeowners walking and taking their pets for a walk is a common sight. In 2024 we asked Montrose City Council for 2 "Slow Children Playing" signs and no response has been received. Currently Iron Horse Drive and Caboose Drive are long, straight roads and we see vehicles speeding down our streets at unsafe speeds. This is where we need the "Slow Children Playing" signs.

An additional life safety concern centers on emergency services. Also the potential evacuation of subdivisions in the case of emergency events could be hampered. With this proposed increase in vehicle volume and only two points of ingress and egress to 6700 Road, what would happen if Emergency Services had to evacuate this new proposed subdivision along with the current residents of Iron Horse Subdivision? Such an evacuation would cause chaos, injuries, and the potential for loss of life. Imagine further if fire, EMS, or law enforcement apparatus had either Iron Horse Drive or Caboose Drive shut down, this would leave only a single point of egress for residents of both subdivisions.

In closing, the Iron Horse Homeowners Association asks, on behalf of all the residents of the Subdivision, for **two safety action items: #1) Require or force the builders of the new Sugarpine subdivision to provide a minimum of one or potentially two direct access roads to allow safe entry and exit of the new subdivision.**

#2) Placement of two "Slow Children" signs to help slow the current speeding traffic; one on Iron Horse Drive and one on Caboose Street.

We appreciate your consideration and assistance in this matter which will allow us to maintain our quality of life without undue life safety hazards to our community brought about by Developers cutting corners for profit. Lastly we would like you all to ask yourselves if you *would support the new development of this subdivision if you and your family* lived within either the Iron Horse Subdivision or the new development without additional access roads?

Sincerely,

Iron Horse Single Family Homeowners Association

- *Specific Location: Section 26, Township 49 North, Range 9 West, New Mexico Principal Meridian, County of Montrose, State of Colorado, as "R-3" Medium Density District, located northwest of the corner of Miami Rd and 6700 Rd, North of MM Cedar Creek, South of Evans Street.*

On Mon, Jun 2, 2025, 3:53 PM Scott Hawkins <slhawkins72@yahoo.com> wrote:

Dear City Council members

Re: Sugarpine Subdivision Preliminary Plat

Thank you for your time, I am writing regarding the preliminary plat approval by the Planning Commission and am respectfully asking to move this agenda item to the following Council meeting.

During the Planning Commission meeting the Builder/Developer presented some documentation and information to the Commission that caught Ironhorse attendees had ever seen or knew had been completed and was being presented to the Commission. After the Planning Commission meeting last week (May 28th) I sent a request into the Planning Commission for this documentation that was presented to the Planning Commission, primarily the Traffic Study and photographs presented, which I have yet to receive from the Planning Commission. This documentation is needed to properly present to the City Council on some possible discrepancies.

I do not want to have to put in a CORA request as those are just a pain all around, so I am asking for the documentation request be fulfilled as they are public documents but were not included in the packet found online for the meeting.

Also after the Planning Commission meeting there seemed to be some confusion regarding 6675 Rd and land ownership that I have began to research, but again kindly ask for more time to properly put this documentation together before a decision is formerly made by the City Council.

It is not our intention to stop the Sugarpine subdivision, the Ironhorse subdivision just asks that neighbors be neighborly and possibly come to some conclusions on the safety concerns of the Ironhorse subdivision residents. And that the Ironhorse subdivision be given equal time to put documentation together for the City Council. I put in the document request on Thursday last week following the Planning Commission meeting but I know the City is also closed on Fridays so it was not much time for anyone to get these documents gathered, researched and reported back on.

Thank you for your rime and consideration regarding this matter.

Respectfully

Scott Hawkins

2739 Caboose Dr.

970-596-4322



PURCHASE RECOMMENDATION

June 2, 2025

To: Honorable Mayor, City Council
From: Blaine Hall, Chief of Police
Date: June 2, 2025
Subject: Montrose Police Department Axon Taser 10 Bundle Purchase Request - \$59,147.40

Recommendation

Approve the purchase of 65 Axon Taser 10s and the Taser Certification Bundle for \$59,147.40

Background

The Montrose Police Department currently uses the Axon Taser System and is updating its lease agreement with Axon and entering into a new five-year contract to utilize the newest Axon Taser 10. The Taser 10 is a new advancement in technology in the Taser product system that updates the Taser with more probes to deploy, and doubles the distance probes can effectively be deployed.

The Axon Taser is a vital piece of equipment and has reduced the need for officers to use deadly physical force during high-risk incidents, further reducing the injuries to citizens, officers, and suspects. Please see the pictures of the Taser 10 included. The police department invites questions as to why these tools are vital to keeping our community safe.



Cost Estimates are as follows:

ITEM	QTY	UNIT PRICE	TOTAL PRICE
AXON TASER 10 CERTIFICATION BUNDLE	65	\$909.96	\$59,147.40

These items were planned for, budgeted, and approved for the 2025 Public Safety Fund.

Respectfully Submitted,



Blaine Hall
Chief of Police, City of Montrose

Requisition #: 10070775

Date of Requisition: 05/21/2025

P.O. # Assigned:

**CITY OF MONTROSE
PURCHASE REQUISITION**

Requisitioned By: dw

Date of P.O.

Approved By:

VENDOR: 2682
AXON ENTERPRISES INC

17800 NORTH 85TH STREET
SCOTTSDALE AZ 85255

Required by:

G/L ACCOUNT NO.	DESCRIPTION	JOB NUMBER	ACTIVITY #	QUANTITY	UNIT PRICE	INVOICE AMOUNT
150-5080-601-000	Inv INUS327775 / Taser 10 Certification Bundle- 65 / year 1/5		0	1.00	59,147.40	59,147.40

REQUISITION ITEMS TO BE USED FOR:

SPECIAL INSTRUCTIONS:

Freight:

TOTAL: 59,147.40



Axon Enterprise Inc.
 PO BOX 29661
 DEPARTMENT 2018
 PHOENIX, AZ 85038-9661
 Ph: 1-480-991-0797, option 5, option 1
arinquies@axon.com
www.axon.com
 TIN: 86-0741227
 DUNS Number: 832176382
 UEI Number: TBW7MGPYURM7

BILL TO

Montrose Police Department - CO
 PO Box 790
 Montrose, CO 81402-0790
 USA

Invoice

Invoice ID INUS327775
 Invoice Account 107462
 Date 01-Mar-25
 Payment Term Net 30 days
 PO/DO #
 Quote # Q-463786,
 Sales Order #
 Terms of Delivery FCA
 Customer Reference Q-463786,

SHIP TO

Montrose Police Department - CO
 434 S 1st St
 Montrose, CO 81401-3948
 USA

Ship to*	Bundled Item Number	Bundled Description	Bundled Quantity	Invoice Plan %	Amount
1	T10Cert	TASER 10 Certification Bundle	65.00	20.000000%	59,147.40
Bundled Line Subtotal					59,147.40

Line No.	Ship to*	Item Number	Description	Quantity	Unit Price	Subtotal	Invoice Plan %	Amount
Item Line Subtotal								0.00

Sales Amount	59,147.40
Misc. Charge	0.00
Discount	0.00
Sales Tax	0.00
Total	59,147.40
Credit Amount(s) Applied	0.00
Amount Received	0.00
Payment Due 31-Mar-25	BALANCE DUE USD 59,147.40

PAYMENT REMITTANCE INFORMATION

For ACH/EFT Payment: (Preferred Method)		For Wire Transfers		For Check Payments Mail To:	For Overnight Check Payments Mail
Account Name	Axon Enterprise, Inc.	Beneficiary	Axon Enterprise, Inc.	Axon Enterprise, Inc.	Axon Enterprise, Inc.
Account Number	634912729	Account Number	634912729	PO BOX 29661	JPMorgan Chase (AZ1-2170)
Bank Routing No	122100024	Bank Routing No	021000021	DEPARTMENT 2018	Attn: Axon Enterprises 29661-2018
Reference No	INUS327775	SWIFT Code	CHASUS33	PHOENIX, AZ 85038-9661	2108 E Elliot Rd,
		Reference No	INUS327775	Reference No INUS327775	Tempe, AZ 85283
					Reference No INUS327775

Please reference the invoice number on your ACH, Wire or Check payment and send to AR@axon.com

Invoice

Invoice ID

Date

Page

INUS327775

01-Mar-25

2 of 2

*Tax Note

Ship-to-address Legend*

1 Montrose Police Department - CO
434 S 1st St
Montrose, CO 81401-3948
USA